

**These charges are only allegations
which may be contested by the licensee
in an administrative hearing.**

IN THE MATTER

OF

ARNOLD MANDELSTAM, M.D.

STATEMENT
OF
CHARGES

ARNOLD MANDELSTAM, M.D., the Respondent, was authorized to practice medicine in New York State on or about February 5, 1982, by the issuance of license number 149158 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. Respondent, a psychiatrist, treated Patient A from on or about February 6, 2014 through on or about May 25, 2017. Patient A sought treatment with Respondent after her brother's sudden death from a heroin overdose and reported a history of a traumatic childhood and worsening depression. Respondent deviated from accepted medical standards in that he:

1. Made inappropriate sexual remarks to Patient A not for a legitimate medical purpose.
2. Asked Patient A inappropriate sexual questions not for a legitimate medical purpose.
3. Told Patient A intimate details of his personal life with his wife not for a legitimate medical purpose.
4. Made references to his own body and physical condition to Patient not for a legitimate medical purpose.
5. On or about May 25, 2017, continued to probe Patient A about her sex life not for a legitimate medical purpose, as during which time he put his hand in

his pocket and began rubbing his penis. Patient A saw that he had an erection. This was the last session Patient A attended with Respondent.

B. Respondent treated Patient B from on or about October 12, 2000 through on or about June 18, 2009. Patient B sought treatment with Respondent for her reported anxiety which she attributed to her significant history of childhood sexual abuse. Respondent deviated from accepted medical standards in that he:

1. Made inappropriate sexual remarks to Patient B not for a legitimate medical purpose.
2. Asked Patient B inappropriate sexual questions not for a legitimate medical purpose.
3. Told Patient B intimate details of his personal life with his wife not for a legitimate medical purpose.
4. Made references to his own body and physical condition to Patient B not for a legitimate medical purpose.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

WILLFULLY HARASSING, ABUSING, OR INTIMIDATING A PATIENT

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(31) by willfully harassing, abusing, or intimidating a patient either physically or verbally as alleged in the facts of:

1. Paragraph A and each of its subparagraphs.
2. Paragraph B and each of its subparagraphs.

SECOND SPECIFICATION

NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(3) by practicing the profession of medicine with negligence on more than one occasion as alleged in the facts of:

2. Paragraphs A and B and each of their subparagraphs.

THIRD SPECIFICATION

GROSS NEGLIGENCE

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(4) by practicing the profession of medicine with gross negligence on a particular occasion as alleged in the facts of the following:

3. Paragraph A and each of its subparagraphs.

FOURTH SPECIFICATION

MORAL UNFITNESS

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(20) by engaging in conduct in the practice of the profession of medicine that evidences moral unfitness to practice as alleged in the facts of the following:

4. Paragraph A and each of its subparagraphs and Paragraph B and each of its subparagraphs.

DATE: October 18, 2021
New York, New York



Henry Weintraub
Chief Counsel
Bureau of Professional Medical Conduct