

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

NEW YORK STATE DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER

OF

HO ANH, M.D.

STATEMENT

OF

CHARGES

HO ANH, M.D., the Respondent, was authorized to practice medicine in New York State on or about August 9, 2016, by the issuance of license number 286076 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about March 23, 2020, the Medical Board of California (hereinafter, "California Board") issued a Decision which adopted a Stipulated Settlement and Disciplinary Order signed by Respondent on March 3, 2020, which publicly reprimanded Respondent and directed Respondent to enroll in a prescribing practices course. This disciplinary action was based on information that the California Board could establish a prima facie case that in February 2017, Respondent diagnosed infections for two individuals which each person did not have, and that Respondent's care and treatment of these two individuals was provided without: obtaining a reliable history; performing a physical examination; or otherwise verifying that there was a medical indication for prescriptions, for which antibiotics were prescribed.

B. The conduct resulting in the California Board's disciplinary action against Respondent would constitute misconduct under the laws of New York State pursuant to the following Section of New York State Law:

1. New York Education Law § 6530(3) (Practicing the profession with negligence on more than one occasion).

SPECIFICATION OF CHARGES

HAVING HAD DISCIPLINARY ACTION TAKEN

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(d) by having his or her license to practice as a physician assistant revoked, suspended or having other disciplinary action taken, or having his or her application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his or her license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York state, constitute professional misconduct under the laws of New York state (namely N.Y. Educ. Law § 6530(3)) as alleged in the facts of the following:

1. The facts in Paragraphs A and B and B.1.

DATE: November 3, 2020
Albany, New York



TIMOTHY J. MAHAR
Deputy Counsel
Bureau of Professional Medical Conduct