

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

IN THE MATTER  
OF  
DANIEL NEVARRE, M.D.

STATEMENT  
OF  
CHARGES

DANIEL NEVARRE, M.D., the Respondent, was authorized to practice medicine in New York State on or about December 17, 2015 by the issuance of license number 282549 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about May 25, 2018, in the Court of Common Pleas - Criminal, Cambria County, Pennsylvania, the Respondent pleaded guilty to one count of False Information/Claims, a third degree felony in violation of 62 P.S. §1407(a)(1), and one count of Insurance Fraud, a third degree felony, in violation of 18 Pa. C.S. §4117(a)(2). On or about October 16, 2018, the Respondent was sentenced to six months of house arrest with electronic monitoring, thirty-six months of probation, a requirement to pay \$288,974.00 in restitution, a civil penalty of \$5,000.00 paid to the Pennsylvania Insurance Fraud Prevention Authority, and a \$300.00 fee paid to the Special Administration Fund Account.

B. The conduct resulting in the Pennsylvania conviction against the Respondent would constitute a crime under the laws of New York State pursuant to the following section of New York State law:

1. New York Penal Law § 177.05 (Health care fraud in the fifth degree).

C. On or about May 6, 2020, the Pennsylvania State Board of Medicine (Pennsylvania Board) denied Respondent's application for license to practice medicine and surgery in Pennsylvania. Following a formal hearing held on August 9 and September 3, 2019, a hearing examiner issued a Proposed Adjudication and Order dated December 19, 2019 that was incorporated into a Final Order dated May 6, 2020. The Pennsylvania Board concluded that the Board was authorized to deny the Respondent's application for license because the Respondent was convicted of a felony or misdemeanor relating to a health profession pursuant to 63 P.S. § 422.41(3); and because the Respondent was guilty of unprofessional conduct by practicing the healing arts fraudulently pursuant to 49 Pa. Code § 16.61(a)(6); and because the Respondent was guilty of immoral conduct by committing acts involving moral turpitude pursuant to 49 Pa. Code § 16.61(b)(2), among other reasons.

D. The conduct resulting in the Pennsylvania Board's decision to refuse Respondent's application for a license to practice medicine and surgery would constitute misconduct under the laws of New York State pursuant to the following sections of New York State law:

1. New York Education Law section 6530(9)(a)(i) and/or (iii) (being convicted of committing an act constituting a crime under New York State law or the law of another jurisdiction and which, if committed within this state, would have constituted a crime under New York State law);
2. New York Education Law section 6530(2) (practicing the profession fraudulently); and/or
3. New York Education Law section 6530(20) (conduct in the practice of medicine which evidences moral unfitness to practice medicine).

**SPECIFICATION OF CHARGES**

**FIRST SPECIFICATION**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(a)(iii) by having been convicted of committing an act constituting a crime under the law of another jurisdiction and which, if committed within this state, would have constituted a crime under New York state law (namely N.Y. Penal Law § 177.05) as alleged in the facts of the following:

1. Paragraphs A and B.

**SECOND SPECIFICATION**

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 medicine 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[9][a][i] and/or [iii], [2] and/or [20]) as alleged in the facts of the following:

2. Paragraphs C and D.

DATE: March 5, 2021  
Albany, New York



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TIMOTHY MAHAR  
Deputy Counsel  
Bureau of Professional Medical Conduct