

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

IN THE MATTER  
OF  
BRIAN S. KAHAN, D.O.

STATEMENT  
OF  
CHARGES

BRIAN S. KAHAN, D.O., the Respondent, was authorized to practice medicine in New York State on or about March 30, 1993, by the issuance of license number 191804 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about December 4, 2020, the Maryland State Board of Physicians entered into a Consent Order which reprimanded Respondent, and required that Respondent successfully complete a course in controlled dangerous substances prescribing and pay a monetary penalty of \$2,000.00. The Consent Order resolved allegations that Respondent failed to meet the standard of care for two patients. As to Patient A, it was alleged the patient was maintained on high dose opioid medications for a prolonged period of time without documented medical justifications. For Patients A and B, it was further alleged that the Respondent failed to monitor the patients through more frequent follow-up visits than once every two months, more frequent drug screens, and through the Chesapeake Regional Information System and the Prescription Drug Monitoring Program.

B. The conduct resulting in the Maryland disciplinary action against Respondent would constitute misconduct under the laws of New York State pursuant to the following section(s) 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

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(3)).

1. Paragraphs A and B.

DATE: June 7, 2021  
Albany, New York

  
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Jeffrey J. Conklin  
Acting Deputy Counsel  
Bureau of Professional Medical Conduct