

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

IN THE MATTER  
  
OF  
  
ATA OLLAH MEHRTASH, M.D.

STATEMENT  
  
OF  
  
CHARGES

Ata Ollah Mehrtash, M.D., the Respondent, was authorized to practice medicine in New York State on or about September 20, 1967, by the issuance of license number 100002 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about November 4, 2015 the Medical Board of California ("California Board") entered into a Stipulated Settlement and Disciplinary Order revoking the Respondent's California medical license, then stayed the revocation and placed the Respondent on three years' probation with monitoring, required the Respondent to complete a Physician Assessment and Clinical Education Program (PACE), prohibited the Respondent from supervising physician assistants and ordered the Respondent to complete a course on record keeping. The California Board had accused the Respondent of gross negligence, repeated negligent acts and failure to maintain adequate records in relation to his treatment of one patient on or about May 10, 2012.

B. On or about December 16, 2016, by a Cease Practice Order, the California Board prohibited the Respondent from engaging in the practice of medicine pending a final decision and order. The Cease Practice Order was based upon the Respondent's violation of Probation Condition No. 2 of the November 4, 2015 California Order by failing to successfully complete a clinical training program equivalent to PACE.

C. On or about March 14, 2018, by a Decision and Order, the California Board revoked the Respondent's probation, revoked the Respondent's Physician's and Surgeon's Certificate, and revoked the Respondent's authority to supervise physician assistants and advanced nurse practitioners based upon the Respondent's failure to successfully complete the PACE program as required by Condition 2 and for failure to pay probation monitoring costs as required by Condition 14 of the November 4, 2015 California Order. The California Board also ordered that the Respondent pay the incurred costs of probation monitoring only if he successfully petitions to have his certificate reinstated. The California Board based its decision to revoke the Respondent's certificate upon assessments of the Respondent's performance in several areas including, but not limited to, clinical practice, physical and mental evaluations, and oral clinical examinations. A committee of faculty members deliberated during multiple case conferences and reported to the California Board that Respondent's overall performance in the PACE program was "Fail – Category 4" (fail, which "signifies a poor performance that is not compatible with overall physician competency and safe practice").

D. On or about June 14, 2016 the New York State Board for Professional Medical Conduct ("New York Board"), entered into a Consent Agreement and Order ("New York Order") suspending the Respondent's New York medical license for 36 months, then stayed the suspension and placed the Respondent on three years' probation, required the Respondent to show proof of successful completion of the Physician Assessment and Clinical Education Program (PACE), required the Respondent to successfully complete the terms and requirements stipulated in the California Board Order dated November 4, 2015, and required the Respondent to pay a \$1,000.00 fine. The New York Order contained a stipulation that the Respondent's failure to comply with any conditions of the Consent Order shall constitute misconduct as defined by New York Education Law §6530(29). The New York Board charged the Respondent with

misconduct based upon the Respondent having been found guilty of professional misconduct and having had disciplinary action taken by the California Board.

E. Respondent's conduct as described above, would, if committed in New York State, constitute professional misconduct under the laws of the State of New York as follows:

1. New York Education Law §6530(29) (Violating any term of probation or condition or limitation imposed on the licensee).

### **SPECIFICATION OF CHARGES**

#### **FIRST SPECIFICATION**

#### **HAVING BEEN FOUND GUILTY OF PROFESSIONAL MISCONDUCT**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(b) by having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state where the conduct upon which the finding was based would, if committed in New York State, constitute professional misconduct under the laws of New York State as alleged in the facts of the following:

1. The facts of Paragraphs A, B, C, and/or E and E1.

**SECOND SPECIFICATION**

**HAVING HAD DISCIPLINARY ACTION TAKEN**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(d) by having the Respondent's license to practice medicine revoked, suspended or having other disciplinary action taken, or having the Respondent's application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered the Respondent's 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 as alleged in the facts of the following:

2. The facts of Paragraphs A, B, C, and/or E and E1.

**THIRD SPECIFICATION**

**VIOLATING ANY TERM OF PROBATION OR CONDITION OR LIMITATION**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(29) by violating any term of probation or condition or limitation imposed on the licensee pursuant to section two hundred thirty of the public health law, as alleged in the facts of the following:

3. The facts of Paragraphs A, B, C, and/or D.

DATE: June 22, 2021  
Albany, New York



JEFFREY J. CONKLIN  
Acting Deputy Counsel  
Bureau of Professional Medical Conduct