

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

EXHIBIT "A"

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

**IN THE MATTER
OF
NADIV SHAPIRA, M.D.**

STATEMENT
OF
CHARGES

NADIV SHAPIRA, M.D., the Respondent, was authorized to practice medicine in New York State on or about September 17, 1987, by the issuance of license number 172378 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about May 4, 2021 the Delaware Board of Medical Licensure and Discipline (hereinafter "the Delaware Board") issued an Order regarding Respondent, which approved a Consent Agreement dated on or about April 26, 2021. The Consent Order stated that "on several occasions between 2011 and 2018, Respondent wrote prescriptions for controlled substances, including but not limited to benzodiazepines, opiates, and amphetamines, for himself and members of his family," without "setting forth the statutory and regulatory medical justification for these prescriptions" nor "did the recipients of any of these prescriptions have separately identified files and medical records" as required. The Delaware Board issued to Respondent, among other matters: a letter of reprimand; six months of probation; six hours of continuing education on the subject of controlled substances and three hours of continued education on the

subject of record keeping; the possibility of random inspections; and a thousand dollar fine.

- B. Based on the same conduct, on or about May 25, 2021, the Delaware Secretary of State issued an Order that adopted a Consent Agreement that Respondent entered into on or about December 31, 2020. The Consent Agreement with the Delaware Secretary of State stated that “on several occasions between 2012 and 2018, Respondent wrote prescriptions for controlled substances, including but not limited to benzodiazepines, opiates, and amphetamines, for himself, his employees, and members of his family,” without setting “forth the statutory and regulatory medical justification for these prescriptions” nor “did the recipients of any of these prescriptions have separately identified files and medical records” as required. Respondent’s Controlled Substances Registration was placed on a six month probation.

1. The conduct resulting in the Order would constitute misconduct under the laws of New York State, pursuant to the following sections of New York State Law:

a. N.Y. Education Law § 6530 (3) (Practicing the profession with negligence on more than one occasion), as alleged in the facts of:

i. Paragraphs A and B.

b. N.Y. Education Law § 6530 (32) (Failure to maintain a record), as alleged in the facts of:

i. Paragraphs A and B.

SPECIFICATION OF CHARGES

HAVING A 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 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) and (32), as alleged in the facts of the following:

1. The facts in Paragraphs A and B.

DATE: December, 2 2021
New York, New York



Henry Weintraub
Chief Counsel
Bureau of Professional Medical Conduct