



## Department of Health

KATHY HOCHUL  
Governor

MARY T. BASSETT, M.D., M.P.H.  
Commissioner

KRISTIN M. PROUD  
Acting Executive Deputy Commissioner

April 22, 2022

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Pooja A. Rawal  
Senior Attorney  
New York State Department of Health  
Bureau of Professional Medical Conduct  
Corning Tower, Room 2512  
Empire State Plaza  
Albany, NY 12237

Alexander Krakovsky, MD  
7946 Ivanhoe Ave., Suite 106  
La Jolla, CA 92037

**RE: In the Matter of Alexander Krakovsky, M.D.**

Dear Parties:

Enclosed please find the Determination and Order (No. 22-084) of the Hearing Committee in the above referenced matter. This Determination and Order shall be deemed effective upon the receipt or seven (7) days after mailing by certified mail as per the provisions of §230, subdivision 10, paragraph (h) of the New York State Public Health Law.

Five days after receipt of this Order, you will be required to deliver to the Board of Professional Medical Conduct your license to practice medicine together with the registration certificate. Delivery shall be by either certified mail or in person to:

Office of Professional Medical Conduct  
New York State Department of Health  
Office of Professional Medical Conduct  
Riverview Center  
150 Broadway - Suite 355  
Albany, New York 12204

If your license or registration certificate is lost, misplaced or its whereabouts is otherwise unknown, you shall submit an affidavit to that effect. If subsequently you locate the requested items, they must then be delivered to the Office of Professional Medical Conduct in the manner noted above.

As prescribed by the New York State Public Health Law §230, subdivision 10, paragraph (i), (McKinney Supp. 2015) and §230-c subdivisions 1 through 5, (McKinney Supp. 2015), "the determination of a committee on professional medical conduct may be reviewed by the Administrative Review Board for professional medical conduct." Either the licensee or the Department may seek a review of a committee determination.

Request for review of the Committee's determination by the Administrative Review Board stays penalties other than suspension or revocation until final determination by that Board. Summary orders are not stayed by Administrative Review Board reviews.

All notices of review must be served, by certified mail, upon the Administrative Review Board and the adverse party within fourteen (14) days of service and receipt of the enclosed Determination and Order.


The notice of review served on the Administrative Review Board should be forwarded to:

Jean T. Carney, Administrative Law Judge  
New York State Department of Health  
Bureau of Adjudication  
Riverview Center  
150 Broadway – Suite 510  
Albany, New York 12204

The parties shall have 30 days from the notice of appeal in which to file their briefs to the Administrative Review Board. Six copies of all papers must also be sent to the attention of Ms. Carney at the above address and one copy to the other party. The stipulated record in this matter shall consist of the official hearing transcript(s) and all documents in evidence.

Parties will be notified by mail of the Administrative Review Board's Determination and Order.

Sincerely,

  
Dawn MacKillop-Soller  
Acting Chief Administrative Law Judge  
Bureau of Adjudication

DXM: nm  
Enclosure

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

-----X  
IN THE MATTER  
OF  
ALEXANDER KRAKOVSKY, M.D.  
-----X

DETERMINATION  
AND  
ORDER

A hearing was held on March 24, 2022, by videoconference. Pursuant to Public Health Law (PHL) § 230(10)(e), Jonathan Ecker, MD, Chairperson, Rose Berkun, MD, and Thomas Lahut, DHSc, PA-C, duly designated members of the State Board for Professional Medical Conduct, served as the Hearing Committee in this matter. Tina M. Champion, Administrative Law Judge (ALJ), served as the Administrative Officer.

The Department appeared by Pooja A. Rawal, Senior Attorney. A Notice of Referral Proceeding and Statement of Charges dated January 19, 2022 were duly served upon Alexander Krakovsky, MD, (Respondent), who did not appear at the hearing.

The Hearing Committee received and examined documents from the Department. (Dept. Exs. 1-5.) A stenographic reporter prepared a transcript of the proceeding.

**BACKGROUND**

The Department brought this case pursuant to PHL § 230(10)(p), which provides for a hearing when a licensee is charged solely with a violation of Educ. Law § 6530(9). The Respondent is charged with one specification of professional misconduct pursuant to Educ. Law § 6530(9)(d) for "[h]aving 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."

Pursuant to PHL § 230(10), the Department has the burden of proving its case by a preponderance of the evidence. Any licensee found guilty of professional misconduct under the procedures prescribed in PHL § 230 "shall be subject to penalties as prescribed in [PHL § 230-a] except that the charges may be dismissed in the interest of justice."

#### **FINDINGS OF FACT**

The following findings and conclusions are the unanimous determinations of the Hearing Committee:

1. The Respondent was licensed to practice medicine in New York State on March 13, 2013 by issuance of license number 269171. (Dept. Ex. 5.)

2. Effective February 24, 2021, the Medical Board of California, Department of Consumer Affairs, State of California (California Board) adopted as the Decision and Order a Stipulated Settlement and Disciplinary Order (Order) between the Respondent and the California Board. The Order was based on the Respondent's failure to properly obtain informed consent forms and his performing unapproved, unregulated procedures on multiple patients. The Respondent's license to practice medicine in California was revoked but stayed, and the Respondent was placed on probation for seven years. The Respondent was ordered to complete continuing medical education, a medical record keeping course, and enroll in a clinical competence assessment program. The Respondent was prohibited from engaging in the solo practice of medicine, prohibited from performing phalloplasty, and prohibited from supervising physician assistants and advance practice nurses. (Dept. Ex. 4.)

### VOTE OF THE HEARING COMMITTEE

The Hearing Committee, by a vote of 3-0, sustains the charge that the Respondent committed professional misconduct as defined in Educ. Law § 6530(9)(d).

### HEARING COMMITTEE DETERMINATIONS

The Hearing Committee finds that the conduct resulting in the Respondent's disciplinary action in California would, if committed in New York state, constitute professional misconduct under the laws of New York state pursuant to:

Educ. Law § 6530(3) – practicing the profession of medicine with negligence on more than one occasion;

Educ. Law § 6530(4) – practicing the profession of medicine with gross negligence on a particular occasion;

Educ. Law § 6530(5) – practicing the profession of medicine with incompetence on more than one occasion; and

Educ. Law § 6530(32) – failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient.

The Hearing Committee, in considering the gravity of the conduct by the Respondent that led to discipline by the California Board, the potential for harm to patients, and the Respondent's failure to appear in this matter to respond to the charge of misconduct, finds that the only appropriate penalty is revocation of the Respondent's license to practice medicine in the State of New York.

### ORDER

Now, after reviewing the evidence from the hearing, it is hereby ordered that:

1. The specification of professional misconduct as set forth in the Statement of Charges is sustained;
2. The Respondent's license to practice medicine in the State of New York is revoked; and
3. This Order shall be effective upon service on the Respondent in accordance with the requirements of PHL § 230(10)(h).

Dated: Albany, New York  
April 21, 2022

[REDACTED]  
Jonathan Ecker, MD, Chairperson  
Rose Berkun, MD  
Thomas Lahut, DHSc, PA-C

Pooja A. Rawal  
Senior Attorney  
New York State Department of Health  
Bureau of Professional Medical Conduct  
Corning Tower, Room 2512  
Empire State Plaza  
Albany, NY 12237

[REDACTED]  
Alexander Krakovsky, MD  
7946 Ivanhoe Ave., Suite 106  
La Jolla, CA 92037

**IN THE MATTER**  
**OF**  
**ALEXANDER KRAKOVSKY, M.D.**

**STATEMENT**  
**OF**  
**CHARGES**

ALEXANDER KRAKOVSKY, M.D., the Respondent, was authorized to practice medicine in New York State on or about March 13, 2013, by the issuance of license number 269171 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about February 24, 2021, the Medical Board of California, Department of Consumer Affairs, State of California ("CA Board") adopted as the Decision and Order the Stipulated Settlement and Disciplinary Order ("Order") between the Respondent and the CA Board. The Order was based on the Respondent's failure to properly obtain informed consent forms and perform unapproved, unregulated procedures on multiple patients. The Respondent's license was revoked but stayed and placed on probation for seven years. The Respondent was ordered to complete continuing medical education, a medical record keeping course, and enroll in a clinical competence assessment program. The Respondent was prohibited from engaging in the solo practice of medicine, prohibited from performing phalloplasty, and prohibited from supervising physician assistants and advanced practice nurses.

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

1. N.Y. Educ. Law § 6530(3) (Practicing the profession of medicine with negligence on more than one occasion); and/or
2. N.Y. Educ. Law § 6530(4) (Practicing the profession of medicine with gross negligence on a particular occasion); and/or
3. N.Y. Educ. Law § 6530(5) (Practicing the profession of medicine with incompetence on more than one occasion); and/or
4. N.Y. Educ. Law § 6530(32) (Failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient).

**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 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:

1. The facts in Paragraphs A, B, and/or B1; and/or B2; and/or B3; and/or B4.

DATE: January 19, 2022  
Albany, New York



---

HENRY WEINTRAUB  
Chief Counsel  
Bureau of Professional Medical Conduct