



Department of Health

KATHY HOCHUL
Governor

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

KRISTIN M. PROUD
Acting Executive Deputy Commissioner

April 26, 2022

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Hannah E.C. Moore, Esq.
New York State Department of Health
Bureau of Professional Medical Conduct
Corning Tower Building, Room 2512
Empire State Plaza
Albany, New York 12237

Megan Parks, PA


RE: In the Matter of Megan Parks, PA

Dear Parties:

Enclosed please find the Determination and Order (No. 22-081) 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.

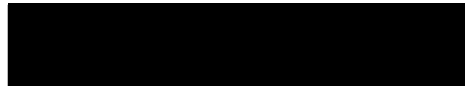
The notice of review served on the Administrative Review Board should be forwarded to:

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,

A solid black rectangular redaction box covering the signature of Dawn MacKillop-Soller.

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

DXM: cmg
Enclosure

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

-----X
IN THE MATTER
OF
MEGAN PARKS, P.A.
-----X

:
: DETERMINATION
: AND
: ORDER
:

A hearing was held on March 23, 2022, by videoconference. Pursuant to Public Health Law (PHL) § 230(10)(e), James Egnatchik, MD, Chairperson, Jerry Balentine, DO, and Heidi Miller, PA-C, MPH, 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 Hannah E.C. Moore, Assistant Counsel. A Notice of Referral Proceeding and Statement of Charges dated January 24, 2022 were duly served upon Megan Parks, PA (Respondent), who did not appear at the hearing.

The Hearing Committee received and examined documents from the Department. (Dept. Exs. 1-6.) 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 two specifications of professional misconduct. The first specification is pursuant to Educ. Law § 6530(9)(b) for "[h]aving 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." The second specification is 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 as a physician assistant in New York State on May 23, 2018 by issuance of license number 022055. (Dept. Ex. 6.)
2. On March 10, 2021, after a hearing, the North Carolina Medical Board issued an Order of Discipline indefinitely suspending the Respondent's physician assistant license based on the Respondent's failure to comply with an October 2, 2020 North Carolina Professionals Health Program Order. (Dept. Ex. 5.)
3. The October 2, 2020 Order required the Respondent to submit to a comprehensive examination with the North Carolina Professionals Health Program following concerns regarding the Respondent's competency and her failure to undergo drug testing. (Dept. Ex. 5.)

4. The North Carolina Board concluded that the Respondent's failure to comply with the October 2, 2020 Order constitutes failing to comply with a Board Order and unprofessional conduct within the meaning of the North Carolina General Statute. (Dept. Ex. 5.)

VOTE OF THE HEARING COMMITTEE

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

HEARING COMMITTEE DETERMINATIONS

The North Carolina Medical Board found that the Respondent's failure to comply with the October 2, 2020 Order constituted unprofessional conduct and indefinitely suspended her physician assistant license. The conduct upon which this finding and disciplinary action was based, if committed in New York, would constitute professional misconduct under the laws of New York State pursuant to Educ. Law § 6530(15) for failing to comply with an Order issued pursuant to subdivision seven, paragraph (a) of subdivision ten, and subdivision seventeen of section two hundred thirty of the public health law.

The Hearing Committee, in considering the Respondent's noncompliance in North Carolina, the potential for harm to patients given the nature of the concerns in North Carolina, 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 as a physician assistant in the State of New York.

ORDER

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

1. The specifications of professional misconduct as set forth in the Statement of Charges are sustained;

2. The Respondent's license to practice as a physician assistant 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 17, 2022

[Redacted]

James Egnatovich, MD, Chairperson
Jerry Balentine, DO
Heidi Miller, PA-C, MPH,

Hannah E.C. Moore
Assistant Counsel
New York State Department of Health
Bureau of Professional Medical Conduct
Corning Tower, Room 2512
Empire State Plaza
Albany, NY 12237

[Redacted]

Megan Parks, PA

[Redacted]

IN THE MATTER
OF
MEGAN PARKS, P.A.

STATEMENT
OF
CHARGES

MEGAN PARKS, P.A., the Respondent, was authorized to practice as a physician assistant in New York State on or about 05/23/2018, by the issuance of license number 022055 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On or about 03/10/2021, following a hearing, the North Carolina Medical Board issued an Order of Discipline, indefinitely suspending Respondent's physician assistant license, based on her failure to comply with an 10/02/2020 North Carolina Professionals Health Program (NCPHP) Order. The 10/02/2020 Order required Respondent to submit to a comprehensive examination with the North Carolina Professionals Health Program following concerns regarding Respondent's competency and her failure to undergo drug testing.
- B. The conduct resulting in the North Carolina Order 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 § 6530 (15) (Failure to comply with an order issued pursuant to subdivision seven, paragraph (a) of subdivision ten, and subdivision seventeen of section two hundred thirty of the public health law)

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 (namely N.Y. Educ. Law §§ 6530[15]) as alleged in the facts of the following:

1. Paragraphs A and B.

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 (namely N.Y. Educ. Law § 6530[15]) as alleged in the facts of the following:

2. Paragraphs A and B.

DATE: January 24, 2022
Albany, New York



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