



Board for Professional Medical Conduct

Corning Tower • Empire State Plaza • Albany, NY 12237 • (518) 474-8357

October 26, 1992

C. Maynard Guest, M.D.
Executive Secretary

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Suresh Gandotra, M.D.
1107 Edmer Lane
Oak Park, Illinois 60302

RE: License No. 122274

Effective Date 11/02/92

Dear Dr. Gandotra:

Enclosed please find Order #BPMC 92-89 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect upon receipt of this letter or seven (7) days after the date of this letter, whichever is earlier.

If the penalty imposed by the Order is a surrender, revocation or suspension of this license, you are required to deliver to the Board the license and registration within five (5) days of receipt of the Order.

Board for Professional Medical Conduct
New York State Department of Health
Empire State Plaza
Tower Building-Room 438
Albany, New York 12237-0614

Sincerely,

C. Maynard Guest, M.D.
Executive Secretary
Board for Professional Medical Conduct

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

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IN THE MATTER :
OF : ORDER
SURESH KUMAR GANDOTRA, M.D. : BPMC 92-89

-----X

Upon the Application of SURESH KUMAR GANDOTRA, M.D.
(Respondent) to Surrender his license as a physician in the State
of New York, which application is made a part hereof, it is

ORDERED, that the application and the provisions thereof
are hereby adopted; it is further

ORDERED, that the name of Respondent be stricken from
the roster of physicians in the State of New York; it is further

ORDERED, that Respondent shall not apply for the
restoration of Respondent's license until at least one year has
elapsed from the effective date of this order; and it is further

ORDERED, that this order shall take effect as of the
date of the personal service of this order upon Respondent, upon
receipt by Respondent of this order via certified mail, or seven
days after mailing of this order via certified mail, whichever is
earliest.

SO ORDERED,

DATED: 22 October 1992

Charles J. Vacanti
CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional
Medical Conduct

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

IN THE MATTER

OF

SURESH KUMAR GANDOTRA, M.D.

: APPLICATION TO

: SURRENDER

: LICENSE

STATE OF CALIFORNIA)

ss.:

COUNTY OF ORANGE)

SURESH KUMAR GANDOTRA, M.D., being duly sworn, deposes and says:

On or about October 24, 1974, I was licensed to practice as a physician in the State of New York having been issued License No. 122274 by the New York State Education Department.

I am currently registered to practice as a physician in the State of New York for the period January 1, 1991 through December 31, 1992 from 1107 Edmer Lane, Oak Park, Illinois 60302.

I understand that I have been charged with one (1) specification of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A".

I am applying to the State Board for Professional Medical Conduct for permission to surrender my license as a physician in the State of New York on the grounds that I do not contest the one (1) specification of professional misconduct set forth in the charges.

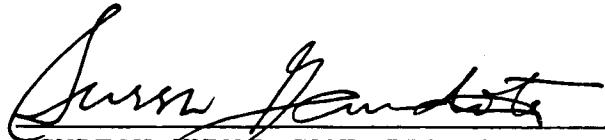
I hereby make this application to the State Board for Professional Medical Conduct and request that it be granted.

I understand that, in the event that the application is not granted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such application shall not be used against me in any way, and shall be kept in strict confidence during the pendency of the professional misconduct disciplinary proceeding; and such denial by the State Board for Professional Medical Conduct shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by a Committee on Professional Medical Conduct pursuant to the provisions of the Public Health Law.

I agree that in the event the State Board for Professional Medical Conduct grants my application, an order shall be issued

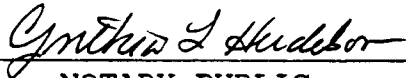
striking my name from the roster of physicians in the State of New York without further notice to me.

I am making this Application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.

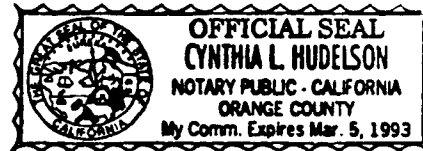


SURESH KUMAR GANDOTRA, M.D.
Respondent

Sworn to before me this
5 day of OCTOBER, 1992



NOTARY PUBLIC



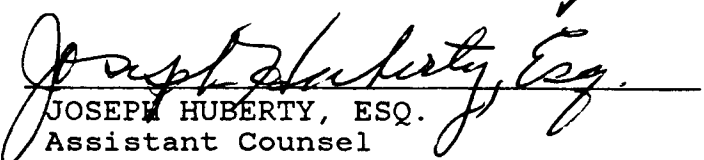
STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

IN THE MATTER :
OF : APPLICATION TO
SURESH KUMAR GANDOTRA, M.D. : SURRENDER
: LICENSE

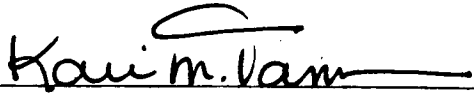
The undersigned agree to the attached application of the Respondent to surrender his license.

Date: 10-5 , 1992 
SURESH KUMAR GANDOTRA, M.D.
Respondent

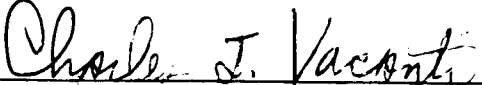
Date: 9-29 , 1992 
Attorney for Respondent

Date: 10/14/1 , 1992 
JOSEPH HUBERTY, ESQ.
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: , 1992
Oct. 23, 1992


KATHLEEN M. TANNER
Director, Office of Professional
Medical Conduct

Date: 22 October , 1992


CHARLES J. VACANTI, M.D.
Chairperson, State Board for
Professional Medical Conduct

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

-----X

IN THE MATTER : STATEMENT
OF : OF
SURESH KUMAR GANDOTRA, M.D. : CHARGES

-----X

SURESH KUMAR GANDOTRA, M.D., the Respondent, was authorized to practice medicine in New York State on October 24, 1974 by the issuance of license number 122274 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine in New York State for the period January 1, 1991 through December 31, 1992. Respondent's address as shown on Respondent's last (current) registration with the New York State Education Department is 1107 Edmer Lane, Oak Park, IL. 60302.

FACTUAL ALLEGATIONS

A. On or about May 10, 1989 in a criminal proceeding in the Municipal court of the Southeast Judicial District of the County of Los Angeles State of California titled The People of the State of California, Plaintiff against Suresh Gandotra, M.D., Carolos Cuellar, Ricardo Santos, AKA Richard Santos AKA Richardo Santos, (Case # A 481115 and 16819), Respondent was charged with and, after a jury trial, found guilty of the following offenses:

EXHIBIT A

1. The crime of aiding and abetting another in the forgery of a prescription in violation of California Business and Professional Code Section 4390, a felony, two (2) counts;
2. The crime of presenting a false Medi-Cal claim in violation of Section 14107 of the California Welfare and Institution Code, a felony, five (5) counts.
3. The crime of Grand Theft in violation of Section 487(1) of the Penal Code of the State of California a felony, one (1) count.

B. The acts of aiding and abetting another in the forgery of a prescription in the State of California would, if committed in New York State make Respondent an aider and abettor under the N.Y. Penal Law Sec. 20.00 and in violation of Section 170.10(5) of the Penal Law of this State (forgery of a prescription) a class D Felony.

C. The acts of Respondent in presenting a false Medi-Cal claim in violation of Section 14107 of the California Business and Professional Code, if committed in New York State would constitute a violation of Section 366-b of the Social Services Law of this State, a class A misdemeanor.

D. In addition to the foregoing, the acts of Respondent in submitting false Medi-Cal claims and receiving payment therefore constituting Grand Theft, a violation of Section 487.1 of the Penal Code of the State of California, a felony, would, if committed in New York State constitute at least a petit Larceny pursuant to Section 155.25 of the Penal Law of this State, a class A misdemeanor. If the funds involved exceeded the sum of One Thousand (\$1,000.00) Dollars the Acts if

committed in New York State would constitute a violation of Sec. 155.30 of the Penal Law, a Class E Felony.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

CONVICTION OF ACTS WHICH IF COMMITTED

IN NEW YORK STATE WOULD BE A CRIME

Respondent is charged with professional misconduct under N.Y. Educ. Law Section 6530(9)(a)(iii) (McKinney Supp. 1992) [formerly N.Y. Educ. Law 6509(5)(a)(iii)] in that Respondent was convicted of committing acts constituting crimes under the laws of the State of California which acts if committed in the State of New York would have constituted crimes under New York Law, in that Petitioner charges:

1. The facts in paragraphs A, A1, A2, A3, B, C. and D.

DATED: ~~September~~ *October 14*, 1992
Albany, New York

Peter D. Van Buren

PETER D. VAN BUREN
Deputy Counsel
Bureau of Professional Medical
Conduct