



## Department of Health

KATHY HOCHUL  
Governor

JAMES V. McDONALD, M.D., M.P.H.  
Commissioner

JOHANNE E. MORNE, M.S.  
Executive Deputy Commissioner

March 28, 2024

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Marc S. Nash, Esq.  
NYS Department of Health  
Corning Tower Room 2512  
Empire State Plaza  
Albany, New York 12237

Ananthakumar Thillainathan, M.D.  
USP Allenwood  
16945 US Route 15  
[REDACTED]  
Allenwood, Pennsylvania 17810

**RE: In the Matter of Ananthakumar Thillainathan, M.D.**

Dear Parties:

Enclosed please find the Determination and Order (No. 24-069) 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.

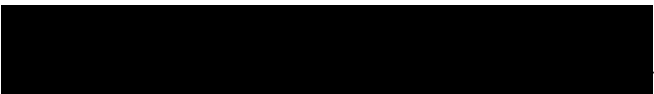
The notice of review served on the Administrative Review Board should be forwarded to:

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,

  
Natalie J. Bordeaux  
Chief Administrative Law Judge  
Bureau of Adjudication

NJB: nm  
Enclosure

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

COPIES

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IN THE MATTER	:	DETERMINATION
	:	
OF	:	AND
	:	
ANANTHAKUMAR THILLAINATHAN, M.D.	:	ORDER
-----X	:	

BPMC-24-069

A Notice of Referral Proceeding and Statement of Charges dated January 29, 2024, were duly served upon Ananthakumar Thillainathan, M.D. (Respondent) pursuant to Public Health Law (PHL) § 230(10)(d)(i). (Exhibits 1-2.) A hearing was held on March 27, 2024, via WebEx videoconference. Pursuant to PHL § 230(10)(e), **ANDREW J. MERRITT, M.D.**, Chairperson, **DAVID E. KAPLAN, M.D.**, and **RUTH HOROWITZ, Ph.D.**, duly designated members of the State Board for Professional Medical Conduct, served as the Hearing Committee. **NATALIE BORDEAUX**, Administrative Law Judge (ALJ), served as the administrative officer.

The Department appeared by Marc Nash, Esq. The Respondent did not appear. The Hearing Committee received and examined documents from the Department. (Exhibits 1-4.) A transcript of the proceeding was made. After consideration of the entire hearing record, the Hearing Committee hereby issues this Determination and Order, revoking the Respondent's license to practice medicine. All findings, conclusions, and determinations are unanimous.

**BACKGROUND**

The Department brought the case pursuant to PHL § 230(10)(p), which provides for a hearing when a licensee is charged solely with a violation of Education Law § 6530(9). The Respondent is charged with professional misconduct for being convicted of committing an act

constituting a crime under federal law in violation of Education Law § 6530(9)(a)(ii). Under PHL § 230(10), the Department had the burden of proving its case by a preponderance of the evidence.

#### **FINDINGS OF FACT**

1. The Respondent was authorized to practice medicine in New York on November 20, 2017, under license number 291751. (Exhibit 3.)

2. On May 2, 2023, in the United States District Court, District of Connecticut, the Respondent was convicted, following a plea of guilty, of one count of Health Care Fraud in violation of 18 U.S.C. § 1347, and one count of Payment of Kickbacks in Connection with a Federal Health Care Program in violation of 42 U.S.C. § 1320-a7b(b)(2). The Respondent was sentenced to 48 months' imprisonment, followed by three years of supervised release. In addition, the Respondent was ordered to pay restitution in the amount of \$1,674,880, along with a \$200 special assessment. (Exhibit 4.)

#### **DISCUSSION**

Although duly notified of the date, time and place of the hearing, the Respondent did not appear on his own behalf or by representative. On February 6, 2024, the Respondent was personally served with the Notice of Referral Proceeding and Statement of Charges at the federal correctional institution where he is incarcerated, pursuant to PHL § 230(10)(d). (Exhibits 1-2.) Upon the Department having established jurisdiction and proper notice, the ALJ determined that the hearing could proceed on the merits despite the Respondent's absence.

The Hearing Committee reviewed the Department's evidence showing the Respondent's 2023 conviction in a United States District Court of one count of Health Care Fraud and one count of Payment of Kickbacks in Connection with a Federal Health Care Program. Based on this

conviction, the Hearing Committee determined that the Respondent violated Education Law § 6530(9)(a)(ii) and sustained the charge.

After determining to sustain the charge, the Hearing Committee considered all possible penalties authorized by PHL § 230-a, and agreed with the Department's recommendation that the Respondent's medical license be revoked.

The Respondent engaged in organized fraud, the depth of which was severe, and required the enlistment of other individuals for his illicit enterprise. From June 2019 until about May 2022, the Respondent knowingly, willfully, and with the specific intent to defraud, executed a scheme and artifice to defraud Connecticut Medicaid by means of materially false and fraudulent pretenses, representations, and promises, in connection with the delivery of and payment for health care benefits, by submitting and causing to be submitted claims to Connecticut Medicaid for approximately \$839,724 for psychotherapy services that he knew patients did not receive from three licensed clinical social workers employed by the Respondent's medical practice (Employees 1-3).

From at least November 2019 through in or about May 2021, the Respondent paid a patient recruiting company to recruit Connecticut Medicaid patients in the amount of \$100 per patient for an initial visit and \$40 per patient for subsequent visits, along with marketing fees for its patient recruiting services. These remunerated recruiting efforts resulted in Connecticut Medicaid claims reimbursement of approximately \$1,071,328.

The Respondent's willingness to use others for his own greed, along with the sheer volume of money unlawfully gained shows that the Respondent has no regard for legal, professional, or even moral boundaries. For all these reasons, the Hearing Committee determined to revoke the Respondent's medical license.

ORDER

**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 hereby revoked. PHL § 230-a(4).
3. This Order shall be effective upon service on the Respondent in accordance with the requirements of PHL § 230(10)(h).

DATED: 3/28, 2024  
OWON DYE, New York



Andrew J. Merritt, M.D., Chairperson  
David E. Kaplan, M.D.  
Ruth Horowitz, Ph.D.

To: Ananthakumar Thillainathan, M.D.  
USP Allenwood  
16945 US Route 15  
[Redacted]  
Allenwood, Pennsylvania 17810

Marc Nash, Esq.  
New York State Department of Health  
Bureau of Professional Medical Conduct  
Corning Tower, Room 2512  
Empire State Plaza  
Albany, New York 12237

IN THE MATTER

OF

ANANTHAKUMAR THILLAINATHAN, M.D.

STATEMENT  
OF  
CHARGES

ANANTHAKUMAR THILLAINATHAN, M.D., the Respondent, was authorized to practice medicine in New York State on or about November 20, 2017, by the issuance of license number 291751 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about May 3, 2023, in the United States District Court, District of Connecticut Respondent was convicted of one felony count of Health Care Fraud and one felony count of Payment of Kickbacks in Connection with a Federal Health Care Program and sentenced to 48 months in prison on each count to be served concurrently, followed by three years post release supervision on each count to be served concurrently, and \$1,674,880 in restitution. Beginning in June of 2019 and ending in May of 2022 Respondent submitted fraudulent CPT codes for psychotherapy which was not supported by medical records. Between November of 2019 and ending in May of 2021 Respondent paid remuneration to a third party patient recruiting company.

**SPECIFICATION OF CHARGES**

**CRIMINAL CONVICTION (Federal)**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(a)(ii) by having been convicted of committing an act constituting a crime under federal law as alleged in the facts of the following:

1. The facts in Paragraph A.

DATE: January 29, 2024  
Albany, New York

  
JEFFREY CONKLIN  
Deputy Director  
Bureau of Professional Medical Conduct