



**New York State Board for Professional Medical Conduct**

433 River Street, Suite 303 Troy, New York 12180-2299 • (518) 402-0863

Antonia C. Novello, M.D., M.P.H.  
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Ansel R. Marks, M.D., J.D.  
*Executive Secretary*

December 30, 1999

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Shahram Ghanem, M.D.  
14350 Whittier Blvd.  
Whittier, CA 90605

RE: License No.: 154885

Dear Dr. Ghanem:

Enclosed please find Order #BPMC 99-327 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **January 6, 2000.**

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 to Board for Professional Medical Conduct, New York State Department of Health, Hedley Park Place, Suite 303, 433 River Street, Troy, New York 12180.

Sincerely,

Ansel R. Marks, M.D., J.D.  
Executive Secretary  
Board for Professional Medical Conduct

Enclosure

cc: Barry A. Gold  
Thuillez, Ford, Gold & Johnson LLP  
90 State Street, Suite 1500  
Albany, NY 12207-1715

Robert Bogan, Esq.

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

**IN THE MATTER  
OF  
SHAHRAM GHANEM, M.D.**

**SURRENDER  
ORDER  
BPMC # 99-327**

SHAHRAM GHANEM, M.D., says:

On or about July 8, 1983, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 154885 by the New York State Education Department.

I am not currently registered with the New York State Education Department to practice as a physician in the State of New York.

I understand that the New York State Board for Professional Medical Conduct has charged me with two (2) specifications 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 an agreement to allow me to surrender my license as a physician in the State of New York and request that the Board issue this Surrender Order.

I hereby agree not to contest the two (2) specifications set forth in the Statement of Charges (Exhibit A), insofar as they address Factual Allegations A, B1, and B4, in full satisfaction of the charges against me.

I understand that, in the event that this proposed agreement 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 proposed agreement 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 Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same. I agree that such order shall be effective as of the date of the personal service of this order upon me, upon mailing of this order to me at the address set forth in this agreement or to my attorney by certified mail, or upon transmission via facsimile to me or my attorney, whichever is earliest.


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

Date: 12-3, 1999


  
\_\_\_\_\_  
SHAHRAM GHANEM, M.D.  
Respondent

AGREED TO:

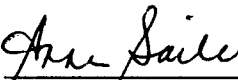
Date: DEC 13, 1999

  
BARRY GOLD, ESQ.  
Attorney for the Respondent

Date: Dec 17, 1999

  
ROBERT BOGAN  
Assistant Counsel  
Bureau of Professional  
Medical Conduct

Date: Dec. 21, 1999

  
ANNE F. SAILE  
Director, Office of  
Professional Medical Conduct

ORDER

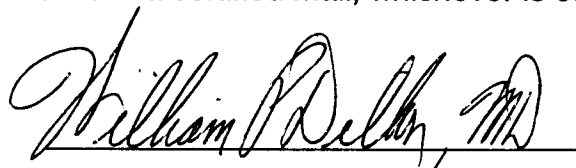
Upon the proposed agreement of SHAHRAM GHANEM, M.D., to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is AGREED TO and

ORDERED, that the proposed agreement 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 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.

DATED: 12/23/99



WILLIAM P. DILLON, M.D.  
Chair  
State Board for Professional  
Medical Conduct

# EXHIBIT A

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

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IN THE MATTER : STATEMENT  
OF : OF  
SHAHRAM GHANEM, M.D. : CHARGES

-----X

SHAHRAM GHANEM, M.D., the Respondent, was authorized to practice medicine in New York state on July 8, 1983, by the issuance of license number 154885 by the New York State Education Department.

## **FACTUAL ALLEGATIONS**

A. On or about February 23, 1999, the Division of Medical Quality, Medical Board of California, Department of Consumer Affairs, (hereinafter "California Board"), entered a Decision after Nonadoption, (hereinafter "California Decision"), that suspended the Respondent's certificate to practice medicine for one (1) year, stayed the suspension, placed him on probation for three (3) years, and ordered him to pay \$25,488.75 costs, based on inappropriate sexual contact and conduct with patients, incompetence, and repeated acts of negligence.

B. The conduct resulting in the California Board's disciplinary action against Respondent 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(3) (negligence on more than one occasion);
2. New York Education Law §6530(5) (incompetence on more than one occasion);
3. New York Education Law §6530(20) (moral unfitness);  
and/or
4. New York Education Law §6530(26) (performing professional services which have not been duly authorized).

#### **SPECIFICATIONS**

##### **FIRST SPECIFICATION**

Respondent violated New York Education 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, in that the Petitioner charges:

1. The facts in paragraphs A and/or B.

**SECOND SPECIFICATION**

Respondent violated New York State Education Law §6530(9)(d) by having had disciplinary action taken against him by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that the Petitioner charges:

2. The facts in paragraphs A and/or B.

DATED: *July 8*, 1999  
Albany, New York

*Peter D. Van Buren*  
PETER D. VAN BUREN  
Deputy Counsel  
Bureau of Professional  
Medical Conduct