



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

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

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*Vice Chair*

Ansel R. Marks, M.D., J.D.  
*Executive Secretary*

July 31, 2000

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Zafarul Husain, M.B.B.S.  
430 Orange Heights Lane  
Corona, CA 92882

RE: License No. 123707

Dear Dr. Husain:

Enclosed please find Order #BPMC 00-209 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **July 31, 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: Robert Bogan, Esq.

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

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**IN THE MATTER**  
**OF**  
**ZAFARUL HUSAIN, M.B.B.S.**

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**SURRENDER**

**ORDER**

BPMC #00-209

ZAFARUL HUSAIN, M.B.B.S., says:

On or about May 5, 1976, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 123707 by the New York State Education Department. I currently reside at 430 Orange Heights Lane, Corona California 92882.

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 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 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 one (1) specification set forth in the Statement of Charges (Exhibit A).

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.

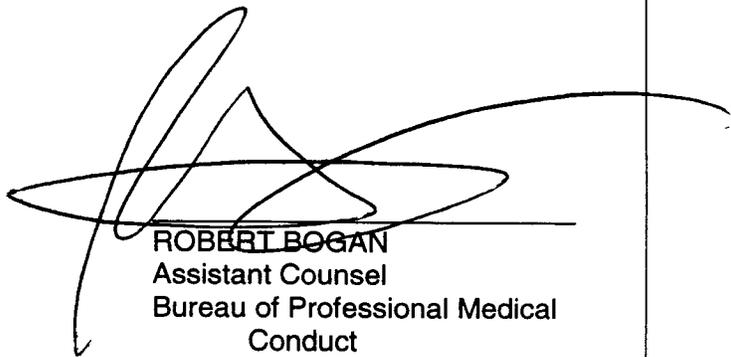
I agree that, in the event the Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Order to me at the address set forth above, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is first.

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

Date: 7-15-00, 2000

  
\_\_\_\_\_  
ZAFARUL HUSAIN, M.B.B.S.  
Respondent

AGREED TO:  
Date: 18 July, 2000

  
\_\_\_\_\_  
ROBERT BOGAN  
Assistant Counsel  
Bureau of Professional Medical  
Conduct

Date: July 21, 2000

  
\_\_\_\_\_  
ANNE F. SAILE  
Director, Office of Professional  
Medical Conduct

**ORDER**

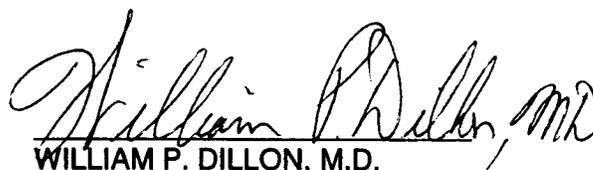
Upon the proposed agreement of ZAFARUL HUSAIN, M.B.B.S., to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is AGREED TO and

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

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

ORDERED, that this Order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy to Respondent at the addresses set forth in this agreement, or to Respondent's attorney, or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 7/25, 2000



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  
OF  
ZARAFUL HUSAIN, M.B.B.S.

STATEMENT  
OF  
CHARGES

-----X

ZARAFUL HUSAIN, M.B.B.S., the Respondent, was authorized to practice medicine in New York state on May 5, 1976, by the issuance of license number 123707 by the New York State Education Department.

## FACTUAL ALLEGATIONS

A. On or about February 8, 1999, the Division of Medical Quality, Medical Board of California, Department of Consumer Affairs, (hereinafter "California Board"), by a Decision and Order (hereinafter "California Decision") accepted the Surrender of Respondent's certificate to practice medicine, based on gross negligence, negligence on more than one occasion, incompetence on more than one occasion, and failure to maintain accurate patient records.

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(4) (gross negligence);
3. New York Education Law §6530(5) (incompetence on more than one occasion); and/or
4. New York Education Law §6530(32) (failure to maintain a record for each patient which accurately reflects evaluation and treatment).

### SPECIFICATION

Respondent is charged with professional misconduct by reason of his having violated New York State Education Law §6530(9)(d) by reason of his having voluntarily or otherwise surrendered his license or having had other disciplinary action taken against him after a disciplinary action was instituted by a duly authorized professional agency of another state, where the conduct resulting in the surrender of the license or other disciplinary action 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.

DATED: *Jan 18*, 2000  
Albany, New York

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