



Board for Professional Medical Conduct

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

C. Maynard Guest, M.D.
Executive Secretary

December 31, 1991

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Arifed Hussain, M.D.

Redacted Address

Effective Date: 1/7/92

RE: License No. 102520

Dear Dr. Hussain:

Enclosed please find Order #BPMC 91-26 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,

(Redacted Signature

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

Enclosure

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

-----X
IN THE MATTER :
OF : ORDER
AMJED HUSSAIN, M.D. : #BPMC 91-26
-----X

Upon the application of the respondent, Amjed Hussain, M.D., which application is made a part hereof, it is ORDERED, that the application and the provisions thereof are hereby adopted and so ORDERED, and it is further ORDERED that this order shall take effect as of the date of the personal service of this order upon the respondent or seven days after mailing by certified mail.

SO ORDERED,

DATED: 23 December 1991

Redacted Signature

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

Amjed Hussain, M.D.

: APPLICATION
:
: FOR
:
: CONSENT
:
: ORDER

STATE OF NEW YORK)

ss.:

COUNTY OF NASSAU)

Amjed Hussain, M.D., being duly sworn, deposes and says:

That on or about May 26, 1967 I was licensed to practice as a physician in the State of New York, having been issued License No. 102520 by the New York State Education Department.

I am currently registered with the New York State Education Department to practice as a physician in the State of New York for the period January 1, 1991 to December 31, 1992 at 7 East Drive, Garden City, New York, 11530

I understand that the New York State Board of Professional Medical Conduct has charged me with ten Specifications of professional misconduct.

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A".

I hereby waive the opportunity provided by Public Health Law Section 230(10)(a), as amended by ch. 606, laws of 1991, to

be interviewed by the Office of Professional Medical Conduct, to submit written comments or expert opinion to the Office of Professional Medical Conduct and to have my case presented to a Committee on Professional Conduct within 90 days of the interview.

I admit guilt to the first specification (negligence on more than one occasion) and to the second specification (failing to comply with a state law governing the practice of medicine).

I hereby agree to the penalty of two years suspension, stayed.

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

I understand that, in the event that this application is not granted by the State Board of 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 proceedings* and such denial by the State Board of Professional Medical Conduct shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the State Board of Professional Medical Conduct pursuant to the provisions of the Public Health Law.

I agree that, in the event the State Board of Professional Medical Conduct grants my application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same.

No promises of any kind were made 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.

Redacted Signature

Amjed Hussain, M.D.
Respondent

Sworn to before me this
2nd day of November, 1991.

Redacted Signature

NOTARY PUBLIC

EDWARD ENZUKEWICH, JR.
Notary Public, State of New York
No. 41-4817125
Qualified in Queens County 1992
Commission Expires March 30, 1992

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

IN THE MATTER

OF

Amjed Hussain, M.D.

: APPLICATION

: FOR

: CONSENT

: ORDER

The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

Date: 11/5/91

Redacted Signature

Amjed Hussain, M.D.
Respondent

Date: 11/8/91

Redacted Signature

Anthony Scher, Esq.
Attorney for Respondent

Date: 12/12/91

Redacted Signature

Daniel Guenzburger
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: 23 December 1991

Redacted Signature

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

Date: Dec. 30, 1991

Redacted Signature

Kathleen M. Tanner
Director, Office of Professional
Medical Conduct

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

-----X
IN THE MATTER : STATEMENT
OF : OF
AMJED HUSSAIN, M.D. : CHARGES
-----X

AMJED HUSSAIN, M.D., the Respondent, was authorized to practice medicine in New York State on May 26, 1967 by the issuance of license number 102520 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1989 to December 31, 1991 at 1211 Gerard Avenue, Bronx, New York, 10452.

FACTUAL ALLEGATIONS

A. On or about and between June, 1983 and July, 1984, the Respondent was the Unit Chief of the Secure Services Unit ("SSU") at the Creedmor Psychiatric Center, Queens Village, New York. ("Creedmor"). The SSU was an acute care unit for violent and difficult to manage psychiatric patients.

On or about December 28, 1983, Patient A, a 40 year old male, was admitted to Creedmor with a diagnosis of "Schizophrenia Paranoid Chronic." On or about February 29, 1984, the Respondent

admitted Patient A to the SSU and treated him on various occasions through March 5, 1984.

1. On or about March 5, 1984, 12:00 A.M. the Respondent wrote an order for camisole restraint and a restraint monitoring order for Patient A for the period 12:00 A.M. to 2:00 P.M. On or about March 5, 1984, 3:00 P.M. the Respondent wrote an order for camisole restraint and a restraint monitoring order for Patient A for the period 2:00 P.M. to 4:00 P.M. In spite of the fact that Patient A was restrained pursuant to Respondent's orders, the Respondent did not examine Patient A prior to writing either order. The Respondent's conduct deviated from medically accepted standards in that he:

- a. Wrote an order for the restraint of Patient A for the period 12:00 A.M. to 2:00 P.M. without examining the patient.

b. Wrote an order for the restraint of Patient A for the period 2:00 P.M. to 4:00 P.M. without examining the patient.

2. Patient A expired on March 5, 1984 at 5:25 P.M. On March 6, 1984, the Respondent wrote a progress note in which he indicated that he would refer Patient A for a Cat Scan and review his treatment on March 6, 1984. The Respondent dated the progress note March 5, 1984. The Respondent:

a. Knowingly misrepresented the date of the progress note.

b. Knowingly misrepresented that he intended to refer Patient A for a Cat Scan and review his treatment on March 6, 1984.

3. As Unit Chief of the SSU, Respondent supervised James Chin, Ph.D., a psychologist. On March 6, 1984 the Respondent instructed Dr. Chin to complete a written treatment plan for Patient A, date the plan March 2, 1984, and file the document in Patient A's chart. On March 6, 1984 Dr. Chin wrote the treatment plan, dated the document March 2, 1984 and filed it in the patient's chart. The Respondent's conduct deviated from accepted standards in that:

- a. The Respondent instructed Dr. Chin to falsely date the treatment plan.
- b. The Respondent, acting in concert with Dr. Chin, knowingly misrepresented the date of the treatment plan.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

**PRACTICING WITH NEGLIGENCE ON MORE
THAN ONE OCCASION**

The Respondent is charged with practicing the profession with negligence on more than one occasion under N.Y. Educ. Law Sec. 6509(2) (McKinney 1985), in that Petitioner charges that Respondent has committed two or more of the following:

1. The facts in Paragraphs A and A1, A1(a) and A1(b).

SECOND SPECIFICATION

**FAILING TO COMPLY WITH A STATE LAW
GOVERNING THE PRACTICE OF MEDICINE**

The Respondent is charged with committing unprofessional conduct under N. Y. Educ. Law Section 6509(9) (McKinney 1985), in that he committed unprofessional conduct within the meaning of 8 N.Y.C.R.R 29.1(b)(1) (1987), for his grossly negligent failure to comply with Section 33.04 of the

Mental Hygiene Law (McKinney 1988), in that the Petitioner charges:

2. The facts in paragraphs A, A1, A1(a) and A1(b).

THIRD THROUGH FIFTH SPECIFICATIONS

PRACTICING THE PROFESSION FRAUDULENTLY

The Respondent is charged with practicing the profession fraudulently under N.Y. Educ. Law Sec. 6509(2) (McKinney 1985), in that Petitioner charges:

3. The facts in Paragraph A, A2, and A2(a).
4. The facts in Paragraph A, A2, and A2(b).
5. The facts in Paragraph A, A3, and A3(a).

SIXTH THROUGH EIGHTH SPECIFICATIONS

FILING A FALSE REPORT

The Respondent is charged with professional misconduct pursuant to N.Y. Educ. Law sec. 6509(9) (McKinney 1985) and

within the meaning of 8 N.Y.C.R.R. 29.1(a)(6)(1987) by willfully making or filing a false report and by inducing another person to do so, in that Petitioner charges:

6. The facts in paragraphs A, A2, and A2(a).
7. The facts in paragraphs A, A2, and A2(b).
8. The facts in paragraphs A, A3, and A3(a) and/or A3(b).

NINTH AND TENTH SPECIFICATIONS

MORAL UNFITNESS

Respondent is charged with committing unprofessional conduct under N.Y. Educ. Law Section 6509(9) (McKinney 1985) in that his conduct in the practice of his profession evidences moral unfitness to practice the profession within the meaning of 8 N.Y.C.R.R. 29.1(b)(5)(1987), in that Petitioner charges:

9. The facts in paragraphs A, A2, A2(a) and A2(b).
10. The facts in paragraphs A, A3, A3(a), and A3(b).

DATED: New York, New York

April 25, 1991

Redacted Signature

CHRIS STERN HYMAN /
Counsel
Bureau of Professional Medical
Conduct