



Board for Professional Medical Conduct

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

Mark R. Chassin, M.D., M.P.P., M.P.H.
Commissioner

C. Maynard Guest, M.D.
Executive Secretary

June 8, 1994

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Velluppillai Nagulendran, M.D.
13804 Briarwood Drive
Cumberland, MD 21502

RE: License No. 127027
Effective Date 6/15/94

Dear Dr. Nagulendran:

Enclosed please find Order #BPMC 94-77 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 12237-0756

Sincerely,

C. Maynard Guest

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

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IN THE MATTER :
OF : ORDER
VELLUPPILLAI NAGULENDRAN, M.D. : BPMC # 94-77

-----X

Upon the Application of VELLUPPILLAI NAGULENDRAN, 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 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: 1 June 1994

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 : APPLICATION TO
OF : SURRENDER
VELUPPILLAI NAGULENDRAN, M.D. : LICENSE

STATE OF MARYLAND)
COUNTY OF ALLEGANY) ss.:

VELUPPILLAI NAGULENDRAN, M.D., being duly sworn, deposes
and says:

On or about May 7, 1976, I was licensed to practice as a
physician in the State of New York having been issued License No.
127027 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 I have been charged with two
specification(s) 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 due to the fact that I admit the truth of the First Specification, that I surrendered my license in the State of Maryland for the reasons set forth in my letter of surrender directed to Dr. Israel Weiner and Members of the Board of Physician Quality Assurance of the State of Maryland, dated March 23, 1993 and accepted by that Board on March 26, 1993, and, that the alleged misconduct if committed in New York would be professional misconduct; and of the Second Specification, that, I was convicted of committing a misdemeanor criminal act under the laws of Maryland which if committed in New York would have constituted a crime under the laws of New York.

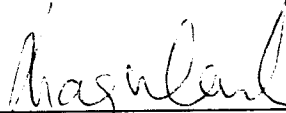
I hereby make this application to the State Board for Professional Medical Conduct and request that it be granted.

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 or 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.

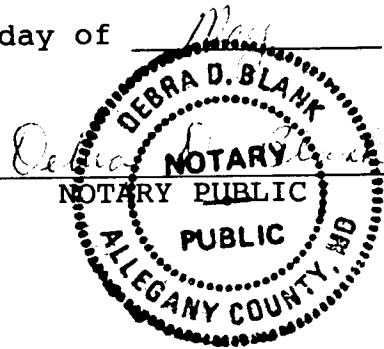
I agree that in the event the State Board for Professional Medical Conduct grants my application, an order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me.

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



VELUPPILLAI NAGULENDRAN, M.D.
Respondent

Sworn to before me this 17th day of May, 1994.



My Commission Expires:


11/1/95

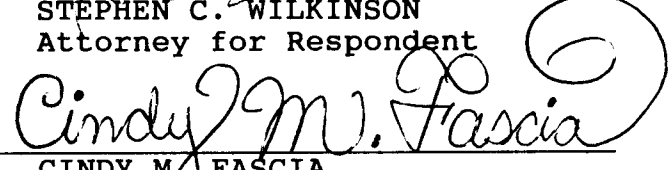
STATE OF NEW YORK : DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT


IN THE MATTER : APPLICATION TO
OF : SURRENDER
VELUPPILLAI NAGULENDRAN, M.D. : LICENSE


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

Date: 5/17, 1994 
VELUPPILLAI NAGULENDRAN, M.D.
Respondent

Date: 5/17, 1994 
STEPHEN C. WILKINSON
Attorney for Respondent

Date: May 19, 1994 
CINDY M. FASCIA
Associate Counsel, Bureau of
Professional Medical Conduct

Date: June 6, 1994 
KATHLEEN M. TANNER
Director, Office of Professional
Medical Conduct

Date: 1 June, 1994 
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

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IN THE MATTER : STATEMENT
OF : OF
VELUPPILLAI NAGULENDRAN, M.D. : CHARGES

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VELUPPILLAI NAGULENDRAN, M.D., the Respondent, was authorized to practice medicine in New York State on May 7, 1976 by the issuance of license number 127027 by the New York State Education Department. The Respondent is not currently registered with the New York State Education Department to practice medicine.

FACTUAL ALLEGATIONS

1. Respondent, on or about March 26, 1993, surrendered his license to practice medicine in Maryland. Respondent's license surrender was made by a public, irrevocable letter of surrender from Respondent to the Maryland Board of Physician Quality Assurance.
2. Respondent surrendered his license to practice medicine in Maryland after the Maryland Board of Physician Quality Assurance had instituted disciplinary action against him. The Maryland Board had investigated a series of complaints alleging that Respondent, a psychiatrist, had improper physical and sexual

contact with four patients. On or about March 17, 1993, the Maryland Board delivered to Respondent an unexecuted copy of a proposed Order for the summary suspension of his license to practice medicine in Maryland. A hearing on whether or not the Order for Summary Suspension of Respondent's license should be issued had been scheduled by the Board for March 24, 1993.

3. Respondent's decision to surrender his license to practice medicine in Maryland was "prompted by [Respondent's] desire to avoid going forward on the hearing on the proposed summary suspension of [his] license". Respondent, in his letter of surrender, acknowledged that the Board had "sufficient evidence, based upon its investigation..... to prove, by clear and convincing evidence, that [Respondent] engaged in inappropriate physical and sexual contact, with four of [his] patients". Respondent further acknowledged and admitted that the Board had "sufficient evidence to prove, by clear and convincing evidence, that the four patients were patients of [Respondent's] in his private practice and that during the course of their psychiatric therapy with [Respondent] there was inappropriate physical and sexual contact, instigated by [Respondent], that would form the basis of a legal conclusion that [Respondent] acted in violation of [Annotated Code of Maryland] §14-404(a)(3)", which prohibits "immoral or unprofessional conduct in the practice of medicine".

4. The conduct resulting in Respondent's surrender of his license to practice medicine in Maryland would, if committed

in New York State, constitute professional misconduct under the laws of New York state, specifically N.Y. Educ. Law §6530(20) [conduct in the practice of medicine which evidences moral unfitness to practice medicine] and/or N.Y. Educ. Law §6530(44)(a) [in the practice of psychiatry, any physical contact of a sexual nature between licensee and patient].

5. Respondent, on or about August 13, 1993, in the District Court of Maryland for Allegany County, pleaded guilty to a Criminal Information charging him with five counts of Fourth Degree Sexual Offenses, in violation of Article 27, Section 464C of the Annotated Code of Maryland. A verdict of guilty on each of the five counts was entered pursuant to Respondent's plea.

6. Respondent, pursuant to a Plea Agreement, was sentenced to one year imprisonment and a fine of one thousand dollars for each of the five counts. The prison sentences, which were to run concurrently, were suspended. Respondent was placed on probation for eighteen months, and was ordered to perform two hundred hours of community service.

7. The acts of which Respondent was convicted constituted a crime under the law of Maryland, and if committed in New York State, would have constituted a crime under New York State law, specifically N.Y. Penal Law 130.55.

FIRST SPECIFICATION

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6530(9)(d) (McKinney Supp. 1994) in that he surrendered his license to practice medicine after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the surrender of his license would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that Petitioner charges:

1. The facts in Paragraphs 1 through 4.

SECOND SPECIFICATION

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6530(9)(a)(iii) (McKinney Supp. 1994) in that he was convicted of committing an act constituting a crime under the law of another jurisdiction which, if committed within this state, would have constituted a crime under New York State Law, in that Petitioner charges:

2. The facts in Paragraphs 5 through 7.

DATED: Albany, New York
March 3, 1994

Peter D. Van Buren

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