



New York State Board for Professional Medical Conduct

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

Barbara A. DeBuono, M.D., M.P.H.
Commissioner of Health

Patrick F. Carone, M.D., M.P.H.
Chair
Ansel R. Marks, M.D., J.D.
Executive Secretary

August 12, 1998

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Bhupendra Patel, M.D.
95 Georgia Street
Clark, New Jersey 07066

RE: License No. 156519

Dear Dr. Patel:

Enclosed please find Order #BPMC 98-172 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **August 12, 1998**.

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
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: Solomon Kaplan, Esq.
2311 White Plains Road
Bronx, New York 10467

Daniel Guenzburger, Esq.

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

IN THE MATTER
OF
BHUPENDRA PATEL, M.D.

CONSENT
AGREEMENT
AND
ORDER

BPMC #98-172

STATE OF NEW YORK)
COUNTY OF BRONX) ss.:

BHUPENDRA PATEL, M.D., being duly sworn, deposes and says:

That on or about October 3, 1983, I was licensed to practice as a physician in the State of New York, having been issued License No. 156519 by the New York State Education Department.

My current address is 95 Georgia Street, Clark, New Jersey 07066, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that the New York State Board for Professional Medical Conduct has charged me with one specification of professional misconduct.

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

I agree not to contest the one specification of misconduct. I hereby agree to the penalty of six months actual license suspension.

I agree that in the event I am charged with professional misconduct in the future, this agreement and order shall be admitted into evidence in that proceeding.

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

I understand that, in the event that this Application is not granted by the

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 proceeding; and such denial by the Board shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board 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 upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Consent Order to me at the address set forth in this agreement, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is earliest.

I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner. In consideration of the value to me of the acceptance by the Board of this Application, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive any right I may have to contest the Consent Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.

AFFIRMED:

DATED July 27, 1998



 BHUPENDRA PATEL, M.D.
 RESPONDENT

*Sworn to before me this
 27th Day of July, 1998
 Lori B. Borelli*

LORI G. BORELLI
 Notary Public, State of New York
 No. 01805018152
 Qualified in Bronx County
 Commission Expires September 20, 1999

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

DATE:

July 27, 1998



SOLOMON KAPLAN, ESQ.
Attorney for Respondent

DATE:

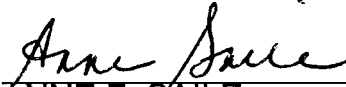
July 29, 1998



DANIEL GUENZBURGER
Assistant Counsel
Bureau of Professional
Medical Conduct

DATE:

July 31 1998



ANNE F. SAILE
Director
Office of Professional
Medical Conduct

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

IN THE MATTER
OF
BHUPENDRA PATEL, M.D.

CONSENT
ORDER

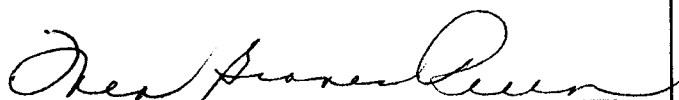
Upon the proposed agreement of BHUPENDRA PATEL, M.D.
(Respondent) for Consent Order, which application is made a part hereof, it is
agreed to and

ORDERED, that the application and the provisions thereof are hereby
adopted and so ORDERED, and 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 of the Consent
Order to Respondent at the address set forth in this agreement or to
Respondent's attorney by certified mail, or upon transmission via facsimile to
Respondent or Respondent's attorney, whichever is earliest.

SO ORDERED.

DATED: August 6, 1998


THEA GRAVES PELLMAN.
Vice-Chairperson
State Board for Professional
Medical Conduct

"EXHIBIT A"

**IN THE MATTER
OF
BHUPENDRA PATEL, M.D.**

**STATEMENT
OF
CHARGES**

BHUPENDRA PATEL, M.D., the Respondent, was authorized to practice medicine in New York State on or about October 3, 1983, by the issuance of license number 156519 by the New York State Education Department. On or about August 6, 1994 the Respondent's license was suspended, stayed, and Respondent was placed on probation until July 22, 1995.

FACTUAL ALLEGATIONS

- A. Pursuant to the terms of probation term number 4 of the Determination and Order # 94-143 of the NYS Board for Professional Medical Conduct, Respondent was required to submit quarterly declarations that he was in compliance with the terms of probation required by the Final Decision and Order of the New Jersey Board of Medical Examiners dated July 22, 1994. On or about December 20, 1994, April 15, 1994 and July 30, 1995 the Respondent submitted declarations to the Office of Professional Medical Conduct in which he affirmed compliance with the requirements of probation imposed by the New Jersey Board of Medical Examiners. Contrary to his assertions in the declarations submitted to the Office of Professional Medical Conduct, Respondent knew that he was not in compliance with the terms of his New Jersey probation since he had not satisfied the requirement to attend and complete a comprehensive course in general psychiatric assessment and

treatment and the use of psychotherapeutic agents.

SPECIFICATION OF CHARGES

SPECIFICATION

VIOLATING AN ORDER OF THE BOARD

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(29)(McKinney Supp. 1998) by violating any term of probation or condition or limitation imposed on the licensee pursuant to section two hundred and thirty of the public health law, as alleged in the facts of:

1. Paragraph A.

DATED: July , 1998
New York, New York

ROY NEMERSON
Deputy Counsel
Bureau of Professional
Medical Conduct