



STATE OF NEW YORK
DEPARTMENT OF HEALTH

Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

David Axelrod, M.D.
Commissioner

OFFICE OF PUBLIC HEALTH:

Linda A. Randolph, M.D., M.P.H.
Director

William F. Leavy
Executive Deputy Director

November 7, 1990

Aruna G. Patel, M.D.
41 Stanley Avenue
Dayton, New Jersey 08810

RE: COMMISSIONER'S ORDER
Number: PMC-90-01

Dear Dr. Patel:

I have enclosed Commissioner's Order No. PMC-90-01. This Order and any penalty contained therein goes into effect five days after the date of this letter.

If the penalty imposed by the Order includes a fine, you have thirty days from the date of this letter to deliver payment to:

New York State Department of Health
Revenue Unit, Room 1245
Corning Tower Building
Empire State Plaza
Albany, New York 12237

Please note the above referenced Order number when forwarding your payment.

If the penalty imposed by the Order includes a requirement that you perform public service, you are required to contact this Office within thirty days of the date of this letter to learn the manner, time and place of such service. Such contact should be directed to:

Vincent Martiniano
New York State Department of Health
Office of Professional Medical Conduct
Empire State Plaza
Albany, New York 12237

Sincerely,

Laura Leeds for K.T.

Kathleen Tanner
Director
Office of Professional Medical Conduct

Enclosure

cc: Michael Kelton, Esq.
Revenue Unit
Chris Stern Hyman, Chief Counsel
Vincent Martiniano

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

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

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IN THE MATTER : COMMISSIONER'S
OF : ORDER
ARUNA G. PATEL, M.D. :

-----X

Upon the application dated December 16, 1989, of Respondent, Aruna G. Patel, M.D. for a Consent Order of the Commissioner of Health of the State of New York, in resolution of the Statement of Charges pending before a Violations Committee of the State Board for Professional Medical Conduct pursuant to N.Y. Public Health Law Sec. 230 (10)(m)(iii)(McKinney Supp. 1989), which Application and Statement of Charges are incorporated herein and made a part hereof, it is

ORDERED THAT:

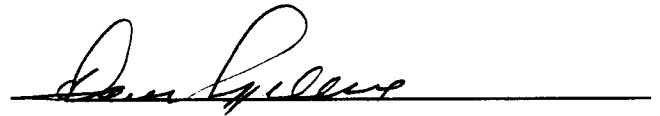
1. The Application for a Consent Order is granted;
2. The First Specification of Practicing the Profession Fraudulently [as set forth in paragraph 1 under the facts in paragraphs A, A(2) and/ or A(3)] and the Second Specification, Failing to Maintain Accurate Patient Records (as set forth in paragraph 2 under the facts in paragraphs A, A(2) and/ or A(3)), are sustained in that Respondent admits

the conduct charged in those Specification as set forth in the Statement of Charges;

3. The Respondent is subjected to a penalty of Censure and Reprimand and is fined in the amount of \$500, and is ordered to perform 25 hours of public service in a manner and at a time and place as directed by the Director of the State Board for Professional Medical Conduct.

DATED: Albany, New York

June 1990
Judey 26



DAVID AXELROD, M.D.
Commissioner of Health
State of New York

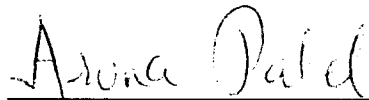
ARUNA G. PATEL, M.D.

paragraphs A, A(2) and /or A(3) and I admit the Second Specification, Failing to Maintain Accurate Patient Records (as set forth in paragraph 2 under the facts in paragraphs A, A(2) and/or A(3)).

I hereby agree to the penalty of a censure and reprimand, a fine of \$500, and 25 hours of public service, to be performed in a licensed facility in a manner and at a time and place as directed by the State Board for Professional Medical Conduct, in full satisfaction of all the charges.

I hereby make this application to the Commissioner of Health and request that it be granted.

No promise 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.



ARUNA G. PATEL, M.D.
Respondent

Sworn to before me this
16th day of December, 1989



NOTARY PUBLIC

ROBERT A. ZUPP
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires August 5, 1990

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

IN THE MATTER : APPLICATION
OF : FOR
ARUNA G. PATEL, M.D. : CONSENT
: ORDER

The undersigned agree to the above statement and to the proposed penalty based on the terms and conditions thereof.

Date: December 16, 1989 *Aruna Patel*
ARUNA G. PATEL, M.D.
Respondent

Date: December 21, 1989 *Michael S. Kelton*
MICHAEL KELTON, Esq.
Attorney for Respondent

Date: June 11, 1990 *Daniel H. Mouriney*
MEMBER, State Board for
Professional Medical Conduct

Date: June 8, 1990 *Kathleen M. Tanner*
KATHLEEN M. TANNER
Director, Office of Professional
Medical Conduct

ARUNA G. PATEL, M.D.

The undersigned has reviewed and agrees to the attached application for consent order.

Date:

June 8, 1990

David Axelrod

DAVID AXELROD, M.D.
Commissioner of Health

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

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IN THE MATTER : STATEMENT
OF : OF
ARUNA G. PATEL, M.D. : CHARGES
-----X

ARUNA G. PATEL, M.D., the Respondent, was authorized to practice medicine in New York State on December 24, 1981 by the issuance of license number 148950 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 through December 31, 1991 at 41 Stanley Avenue, Dayton, New Jersey 08810.

FACTUAL ALLEGATIONS

A. On or about September 8, 1987, Respondent conducted a radiation therapy consultation at Lenox Hill Hospital, New York, New York, on Patient A, who had been diagnosed as having a left temporoparietal glioma. (The identity of Patient A is contained in the Appendix). Respondent ordered radiation treatment of 5500 rads to be administered to the right

hemisphere of Patient A's head over a 5-1/2 week period. From on or about and between September 8 and October 5, 1987, Patient A underwent twenty treatments, for a total of 4000 rads, to the right frontal portion of the brain.

1. At some date subsequent to October 5, 1987, Respondent realized that she had ordered radiation treatment to the wrong side of Patient A's head. Respondent requested Ms. Hermina Mikolic, a radiation therapy supervisor, to change the chart to falsely indicate that the radiation was administered to the left side of Patient A's head. Ms. Mikolic refused to alter the chart.
2. At some date subsequent to October 5, 1987, Respondent knowingly and willfully altered the September 8, 1987 consultation note which she had entered in Patient A's medical chart to indicate falsely that on September 8, 1987, she had recommended radiation to be administered to the left side of Patient A's head.
3. At some date subsequent to October 5, 1987, Respondent knowingly and willfully altered the September 14, 1987 progress note which she had

entered in Patient A's medical chart to indicate falsely that radiation had been administered to the left side of Patient A's head, when it had been administered to the right side.

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

PRACTICING THE PROFESSION FRAUDULENTLY

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

1. The facts in paragraphs A, A(1), A(2) and/or A(3).

SECOND SPECIFICATION

FAILING TO MAINTAIN ACCURATE PATIENT RECORDS

The Respondent is charged with committing unprofessional conduct under N.Y. Educ. Law, Section 6509(9) (McKinney 1985) and her conduct in the practice of her profession evidences unprofessional conduct within the meaning of 8 N.Y.C.R.R. 29.2(a)(3)(1987) by failing to maintain a record for each patient

which accurately reflects the evaluation and treatment of the patient, in that the Petitioner charges:

2. The facts in paragraphs A, A(2) and/or A(3).

DATED: New York, New York

November 2, 1989



CHRIS STERN HYMAN
Counsel
Bureau of Professional Medical
Conduct