



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

December 28, 2000

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Ghanshyam Patel, M.D.
13924 Shady Shore Drive
Tampa, FL 33613

RE: License No. 144080

Dear Dr. Patel:

Enclosed please find Order #BPMC 00-367 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect **December 28, 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

IN THE MATTER
OF
GHANSHYAM PATEL, M.D.

SURRENDER
ORDER
BPMC #00-367

GHANSHYAM D. PATEL, M.D., says:

On or about October 24, 1980, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 144080 by the New York State Education Department. I currently reside at 13924 Shady Shore Drive, Tampa, FL. 33613.

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 two (2) specifications of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A."

I have not practiced medicine in New York state in seventeen years and I do not intend to return to practice medicine in New York state. I am, therefore, 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 two (2) specifications 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: 12-26, 2000

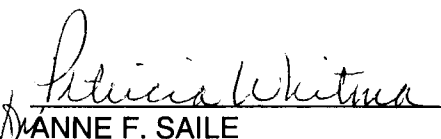

GHANAKRAM D. PATEL, M.D.
Respondent

AGREED TO:

Date: 27 Dec, 2000


ROBERT BOGAN
Associate Counsel
Bureau of Professional Medical
Conduct

Date: 12/27, 2000


ANNE F. SAILE
Director, Office of Professional
Medical Conduct

ORDER

Upon the proposed agreement of **GHANSHYAM D. PATEL, M.D.**, 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: 12/27, 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

IN THE MATTER
OF
GHANSHYAM D. PATEL, M.D.

STATEMENT
OF
CHARGES

GHANSHYAM D. PATEL, M.D., the Respondent, was authorized to practice medicine in New York state on October 24, 1980, by the issuance of license number 144080 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about February 16, 2000, the State of Florida Board of Medicine (hereinafter "Florida Board"), by a Final Order, (hereinafter "Florida Order 1"), issued Respondent a Letter of Concern, ordered him to attend ten (10) hours of CME in the area of high risk obstetrics, and fined him \$5,000.00, based on unnecessarily delayed evaluation of a patient in an emergency situation, inappropriate treatment of a patient needing monitoring, and failure to examine a patient in the course of treatment.

B. On or about June 23, 2000, the Florida Board by a Final Order (hereinafter "Florida Order 2"), REPRIMANDED Respondent, fined him \$5,000.00, required him to complete a medical records course, and restricted him from the practice of obstetrics in any setting, based on improper patient record keeping, failure to conduct thorough evaluations of patients, failure to evacuate and appropriately dispose of fetal remains, and failure to justify courses of treatment for patients.

C. The conduct resulting in the Florida 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);
4. New York Education Law §6530(6) (gross incompetence);
5. New York Education Law §6530(16) (failure to comply with federal, state, or local laws, rules, or regulations); and/or
6. New York Education Law §6530(32) (failing to maintain accurate records).

SPECIFICATIONS
FIRST SPECIFICATION

Respondent violated New York Education §6530(9)(b) by having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state where the conduct upon which the finding was based 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 B and/or C.

SECOND AND THIRD SPECIFICATIONS

Respondent violated New York Education Law §6530(9)(d) by having had disciplinary action taken after a disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would constitute professional misconduct under the laws New York state, in that Petitioner charges:

2. The facts in paragraphs A and/or C.
3. The facts in paragraphs B and/or C.

DATED: *Dec. 7*, 2000
Albany, New York


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