



# STATE OF NEW YORK DEPARTMENT OF HEALTH

433 River Street, Suite 303

Troy, New York 12180-2299

Antonia C. Novello, M.D., M.P.H.  
*Commissioner*

Dennis P. Whalen  
*Executive Deputy Commissioner*

November 10, 1999

## CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Robert Bogan, Esq.  
New York State Department of Health  
433 River Street – 4<sup>th</sup> Floor  
Hedley Park Place  
Troy, New York 12180

Meryl D. Goldberg, Esq.  
125 Wolf Road  
Suite 503-10  
Albany, New York 12205

Mr. Paul Maher, Esq.  
New York State Department of Health  
Corning Tower – Room 2503  
Empire State Plaza  
Albany, New York 12237-0032

Mehmet Fatih Ramazanoglu, M.D.  
Ray Brook Correctional Facility  
Ray Brook, New York 12977

### **RE: In the Matter of Mehmet Fatih Ramazanoglu, M.D.**

Dear Parties:

Enclosed please find the Determination and Order (No. 99-281) of the Hearing Committee in the above referenced matter. This Determination and Order shall be deemed effective upon the receipt **or** seven (7) days after mailing by certified mail as per the provisions of §230, subdivision 10, paragraph (h) of the New York State Public Health Law.

Five days after receipt of this Order, you will be required to deliver to the Board of Professional Medical Conduct your license to practice medicine if said license has been revoked, annulled, suspended or surrendered, together with the registration certificate. Delivery shall be by either **certified mail or in person** to:

Office of Professional Medical Conduct  
New York State Department of Health

Hedley Park Place  
433 River Street - Fourth Floor  
Troy, New York 12180

If your license or registration certificate is lost, misplaced or its whereabouts is otherwise unknown, you shall submit an affidavit to that effect. If subsequently you locate the requested items, they must then be delivered to the Office of Professional Medical Conduct in the manner noted above. As prescribed by the New York State Public Health Law §230, subdivision 10, paragraph (i), and §230-c subdivisions 1 through 5, (McKinney Supp. 1992), "the determination of a committee on professional medical conduct may be reviewed by the Administrative Review Board for professional medical conduct." Either the licensee or the Department may seek a review of a committee determination.

Request for review of the Committee's determination by the Administrative Review Board stays penalties **other than suspension or revocation** until final determination by that Board. Summary orders are not stayed by Administrative Review Board reviews.

All notices of review must be served, by **certified mail**, upon the Administrative Review Board **and** the adverse party within fourteen (14) days of service and receipt of the enclosed Determination and Order.

The notice of review served on the Administrative Review Board should be forwarded to:

James F. Horan, Esq., Administrative Law Judge  
New York State Department of Health  
Bureau of Adjudication  
Hedley Park Place  
433 River Street, Fifth Floor  
Troy, New York 12180

The parties shall have 30 days from the notice of appeal in which to file their briefs to the Administrative Review Board. Six copies of all papers must also be sent to the attention of Mr. Horan at the above address and one copy to the other party. The stipulated record in this matter shall consist of the official hearing transcript(s) and all documents in evidence.

Parties will be notified by mail of the Administrative Review Board's  
Determination and Order.

Sincerely,

REDACTED

Tyrone T. Butler, Director  
Bureau of Adjudication

TTB:mla

Enclosure

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

DETERMINATION

AND

ORDER

IN THE MATTER  
OF  
MEHMET FATIH RAMAZANOGLU, M.D.

ORDER # 99-281

**COPY**

A Notice of Referral Proceedings and Statement of Charges, both dated July 26, 1999, were served upon the Respondent, **MEHMET FATIH RAMAZANOGLU, M.D.**

**ANDREW MERRITT, M.D.**, Chairperson, **MARGERY SMITH, M.D.** and **SR. MARY THERESA MURPHY**, duly designated members of the State Board for Professional Medical Conduct, served as the Hearing Committee in this matter pursuant to Section 230(10)(e) of the Public Health Law. **MICHAEL P. MCDERMOTT, ESQ.**, Administrative Law Judge, served as the Administrative Officer.

A hearing was held on October 27, 1999, at the Offices of the New York State Department of Health, Hedley Park Place, 433 River Street, Troy, New York. The Department appeared by **HENRY M. GREENBERG, ESQ.**, General Counsel, by **ROBERT BOGAN** and **PAUL R. MAHER, ESQ.**, of Counsel. The Respondent appeared in person and was represented by **MERYL D. GOLDBERG, ESQ.**, 125 Wolf Road, Suite 503-10, Albany, New York 12205.

Evidence was received and transcripts of these proceedings were made.

After consideration of the entire record, the Hearing Committee issues this Determination and Order.

## STATEMENT OF CASE

This case was brought pursuant to Public Health Law Section 230(10)(p). The statute provides for an expedited hearing where a licensee is charged solely with a violation of Education Law Section 6530(9). In such case, a licensee is charged with misconduct based upon a prior criminal conviction in New York or another jurisdiction, or upon a prior administrative adjudication regarding conduct which would amount to professional misconduct, if committed in New York. The scope of an expedited hearing is limited to a determination of the nature and severity of the penalty to be imposed upon the licensee.

In the instant case, the Respondent is charged with professional misconduct pursuant to Education Law Section 6530(9)(a)(ii). A copy of the Notice of Referral Proceeding and Statement of Charges is attached to this Determination and Order as Appendix I.

## WITNESSES

For the Petitioner:           None

For the Respondent:         Mehmet Faith Ramazanoglu, M.D., the Respondent

## FINDINGS OF FACT

The following Findings of Fact were made after a review of the entire record in this matter. Numbers in parenthesis refer to transcript page numbers or exhibits. These citations represent evidence found persuasive by the Hearing Committee in arriving at a particular findings. Conflicting evidence, if any, was considered and rejected in favor of the cited evidence. All Hearing Committee findings were unanimous unless otherwise stated.

1. **MEHMET FATIH RAMAZANOGLU, M.D.**, the Respondent, was authorized to practice medicine in New York State on July 3, 1987 by the issuance of license number 170898 by the New York State Education Department. (Pet's. Ex. 3)

2 On January 26, 1999, in the United States District Court, Northern District of New York, the Respondent plead guilty to conspiracy to Commit Mail Fraud, in violation of Title 18, United States Code §371, and to Subscribing a False Income Tax Return, in violation of Title 26, United States Code §722206(1).

On July 1, 1999, the Respondent was sentenced to eighteen (18) months imprisonment, three (3) years supervised release, and ordered to pay a \$100.00 assessment, a \$22,000.00 fine, and \$44,992.23 in restitution. (Pet's. Ex. 4)

## HEARING COMMITTEE CONCLUSIONS

The Hearing Committee concludes that the Respondent violated New York Education Law §6530(9)(a)(ii) by reason of having been convicted of an act constituting a crime under federal law.

**VOTE OF THE HEARING COMMITTEE**

**SPECIFICATION**

Respondent violated New York Education Law §6530(9)(a)(ii) by reason of having been convicted of an act constituting a crime under federal law.

VOTE: SUSTAINED (3-0)

**HEARING COMMITTEE DETERMINATION**

The Respondent was convicted in federal court of serious crimes, conspiracy to commit mail fraud, and to subscribing a false income tax return. He was sentenced to eighteen month imprisonment, fined and ordered to make restitution.

The Respondent testified at the hearing but he did not offer any convincing or credible evidence in mitigation of the charges.

The Hearing Committee determines that the Respondent's license to practice in the State of New York should be **REVOKED**.

ORDER

IT IS HEREBY ORDERED THAT:

1. The Respondent's license to practice medicine in the Sate of New York is hereby REVOKED.
2. This **ORDER** shall be effective upon service on the Respondent or the Respondent's attorney by personal service or by certified or registered mail.

DATED: *Marcellus*, New York

*11, 8* 1999

REDACTED

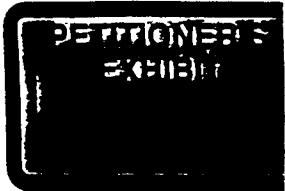
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**ANDREW MERRITT, M.D.**  
**Chairperson**

**MARGERY SMITH, M.D.**  
**SR. MARY THERESA MURPHY**



APPENDIX I



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

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IN THE MATTER : NOTICE OF  
OF : REFERRAL  
MEHMET FATIH RAMAZANOGLU, M.D. : PROCEEDING

-----X

TO: MEHMET FATIH RAMAZANOGLU, M.D.  
Ray Brook Correctional Facility  
Ray Brook, NY 12977

PLEASE TAKE NOTICE THAT:

An adjudicatory proceeding will be held pursuant to the provisions of N.Y. Pub. Health Law §230(10)(p) and N.Y. State Admin. Proc. Act Sections 301-307 and 401. The proceeding will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct (Committee) on the 1st day of September, 1999 at 10:00 in the forenoon of that day at the Hedley Park Place, 5th Floor, 433 River Street, Troy, New York 12180.

At the proceeding, evidence will be received concerning the allegations set forth in the Statement of Charges, which is attached. A stenographic record of the proceeding will be made and the witnesses at the proceeding will be sworn and examined.

You may appear in person at the proceeding and may be represented by counsel. You may produce evidence or sworn testimony on your behalf. Such evidence or sworn testimony shall be strictly limited to evidence and testimony relating to the nature and severity of the penalty to be imposed upon the licensee. Where the charges are based on the conviction of state

law crimes in other jurisdictions, evidence may be offered which would show that the conviction would not be a crime in New York State. The Committee also may limit the number of witnesses whose testimony will be received, as well as the length of time any witness will be permitted to testify.

If you intend to present sworn testimony, the number of witnesses and an estimate of the time necessary for their direct examination must be submitted to the New York State Department of Health, Division of Legal Affairs, Bureau of Adjudication, Hedley Park Place, 5th Floor, 433 River Street, Troy, New York 12180, ATTENTION: HON. TYRONE BUTLER, DIRECTOR, BUREAU OF ADJUDICATION, (henceforth "Bureau of Adjudication") as well as the Department of Health attorney indicated below, on or before August 23, 1999.

Pursuant to the provisions of N.Y. Public Health Law §230(10)(p), you must file a written answer to each of the Charges and Allegations in the Statement of Charges no later than ten days prior to the hearing. Any charge or allegation not so answered shall be deemed admitted. You may wish to seek the advice of counsel prior to filing an answer. The answer shall be filed with the Bureau of Adjudication, at the address indicated above, and a copy shall be forwarded to the attorney for the Department of Health whose name appears below. You may file a brief and affidavits with the Committee. Six copies of all papers you wish to submit must be filed with the Bureau of Adjudication at the address indicated above on or before August 23, 1999 and a copy of all papers must be served on the same date on the Department of Health attorney indicated below. Pursuant to Section 301(5) of the State Administrative Procedure Act, the

Department, upon reasonable notice, will provide at no charge a qualified interpreter of the deaf to interpret the proceedings to, and the testimony of, any deaf person.

The proceeding may be held whether or not you appear. Please note that requests for adjournments must be made in writing to the Bureau of Adjudication, at the address indicated above, with a copy of the request to the attorney for the Department of Health, whose name appears below, at least five days prior to the scheduled date of the proceeding. Adjournment requests are not routinely granted. Claims of court engagement will require detailed affidavits of actual engagement. Claims of illness will require medical documentation. Failure to obtain an attorney within a reasonable period of time prior to the proceeding will not be grounds for an adjournment.

The Committee will make a written report of its findings, conclusions as to guilt, and a determination. Such determination may be reviewed by the administrative review board for professional medical conduct.

SINCE THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT SUSPENDS OR REVOKES YOUR LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE AND/OR IMPOSES A FINE FOR EACH OFFENSE CHARGED, YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATED: Albany, New York  
*July 26*, 1999

REDACTED

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

Inquiries should be addressed to:

Robert Bogan  
Assistant Counsel  
Office of Professional Medical Conduct  
433 River Street  
Suite 303  
Troy, NY 12180  
(518) 402-0820

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

-----X  
IN THE MATTER : STATEMENT  
OF : OF  
MEHMET FATIH RAMAZANOGLU, M.D. : CHARGES  
-----X

MEHMET FATIH RAMAZANOGLU, M.D., the Respondent, was authorized to practice medicine in New York state on July 3, 1987 by the issuance of license number 170898 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about January 26, 1999, in the United States District Court, Northern District of New York, Respondent plead guilty to conspiracy to Commit Mail Fraud, in violation of Title 18, United States Code § 371, and to Subscribing a False Income Tax Return, in violation of Title 26, United States Code § 7206(1), and on or about July 1, 1999, was sentenced to eighteen (18) months imprisonment, three (3) years supervised release, and to pay a \$100.00 assessment, a \$22,000.00 fine, and \$44,992.23 in restitution.

**SPECIFICATION**

Respondent violated New York Education Law §6530(9)(a)(ii) by reason of having been convicted of an act constituting a crime under federal law in that Petitioner charges:

1. The facts in paragraphs A.

DATED: *July 26*, 1999  
Albany, New York

REDACTED

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