



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

December 29, 1994

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Arvind Talati, M.D.
~~405 F. Brookridge Drive~~ *1108 Resden Run*
Salisbury, Maryland 21801

RE: License No. 117909

Dear Dr. Talati:

Effective Date: 1/5/95

Enclosed please find Order #BPMC 94-282 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, M.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: Joseph Horwitz, Esq.
1776 South Naperville Road
Building A, Suite 203
Wheaton, ILL 60187

Cindy Fascia, Esq.

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

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IN THE MATTER :
OF : ORDER
ARVIND TALATI, M.D. : BPMC #94-282

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Upon the application of ARVIND TALATI, M.D. (Respondent) for Consent Order, which application is made a part hereof, it is

ORDERED, that the application and the provisions thereof are hereby adopted and so ORDERED, and 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 by certified mail, whichever is earliest.

SO ORDERED,

DATED: 23 December 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

-----X
IN THE MATTER : APPLICATION
OF : FOR
ARVIND TALATI, M.D. : CONSENT
: ORDER
-----X

STATE OF ILLINOIS)
COUNTY OF DuPAGE) SS.:

ARVIND TALATI, M.D., being duly sworn, deposes and says:

1. I was authorized to practice medicine in New York State on September 6, 1973 by the issuance of license number 117909 by the New York State Education Department.
2. I am not currently registered to practice medicine in New York State.
3. I understand that the New York State Board for Professional Medical Conduct [hereafter "Board"] 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."
4. I hereby admit guilt to the one specification of professional misconduct which is set forth in the

Statement of Charges, in that I was disciplined by the Maryland State Board of Physician Quality Assurance, and said Maryland discipline is the basis for the New York charges against me.

5. I hereby agree to the following penalties:

- (a) Suspension of my license for one year, such suspension stayed.
- (b) A three year period of probation, under the Terms of Probation set forth and attached hereto as "Exhibit B," which period shall begin on the effective date of the Order issued pursuant to this Application and which period shall run only during those times when I am engaged in the practice of medicine in New York State.
- (c) I will limit my medical license to the following extent: I agree that I will not practice bariatric medicine, dietary medicine, weight loss or control medicine; or provide any

weight loss or control,
dietary, or nutritional
counseling in any form in the
State of New York.

6. I hereby make this Application to the Board and request that it be granted.
7. I understand that, in the event this Application is not granted by the Board, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct 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.
8. 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.
9. I am making this Application of my own free will and accord and not under duress, compulsion or

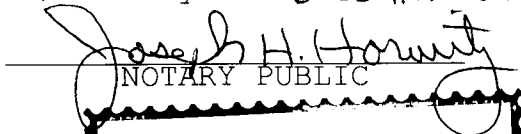
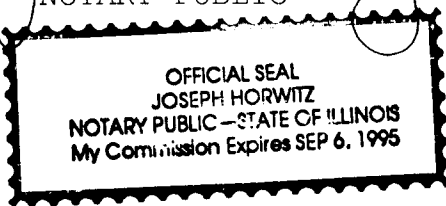
restraint of any kind or manner.



ARVIND TALATI, M.D.
RESPONDENT

Sworn to before me this

9th day of December, 1994.

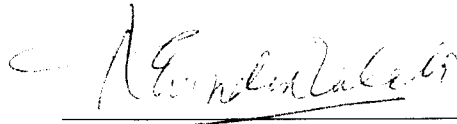

NOTARY PUBLIC

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

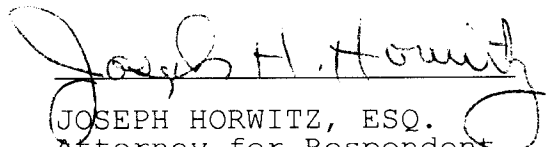
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IN THE MATTER : APPLICATION
OF : FOR
ARVIND TALATI, M.D. : CONSENT
: ORDER
-----X

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

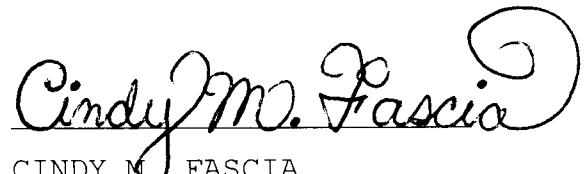
DATE: December 9, 1994


ARVIND TALATI, M.D.
Respondent

DATE: December 9, 1994


JOSEPH HORWITZ, ESQ.
Attorney for Respondent

DATE: December 20, 1994


CINDY M. FASCIA
Associate COUNSEL
Bureau of Professional
Medical Conduct

DATE:

dec. 21, 1994

Kathleen M. Tanner

KATHLEEN M. TANNER
DIRECTOR
Office of Professional
Medical Conduct

DATE:

23 December 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

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IN THE MATTER : STATEMENT
OF : OF
ARVIND TALATI, M.D. : CHARGES

-----X

ARVIND TALATI, M.D., the Respondent, was authorized to practice medicine in New York State on September 6, 1973, by the issuance of license number 117909 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. The Maryland State Board of Physician Quality Assurance, on or about January 25, 1994, issued charges against Respondent under the Maryland Medical Practice Act. Respondent was charged with violating Maryland Health Occ. Code Ann. §14-404(a)(22), in that he failed to meet appropriate standards for the delivery of quality medical care. The Allegations of Fact in said charges pertained to Respondent's treatment of twenty patients. A Show Cause Order was also filed on or about said date by the Maryland Board with regard to whether Respondent's license to practice medicine should be summarily suspended.

2. On or about January 26, 1994, the Maryland Board held a hearing on the Show Cause Order as to whether or not Respondent's Maryland medical license should be summarily suspended. At said

hearing, the parties agreed that the summary suspension of Respondent's medical license and the charges against him be resolved through a Consent Order.

3. On or about February 23, 1994, the Maryland Board issued Findings of Fact, Conclusions of Law, and a Consent Order in resolution of the charges against Respondent. The Board concluded as a matter of law that Respondent failed to meet appropriate standards of medical care with regard to his weight loss management treatment of twenty patients, in violation of Maryland Health Occ. Ann. §14-404(a)(22).

4. Under the terms of said Order, Respondent's license to practice medicine in Maryland was suspended for one year. Said suspension was stayed, and Respondent was placed on probation for three years. Respondent agreed to annual peer review of his practice, with written peer review reports to go to the Board. Based on the Peer Review Reports, the Board could order Respondent to have a Board approved physician supervise Respondent's practice for the remainder of his probation. Respondent would be required to meet with the supervisor every three months to review medical records of Respondent's patients. Respondent also agreed that he would not practice "dietary medicine, bariatric medicine, weight loss medicine or provide any weight loss or dietary counseling in the State of Maryland."

5. Respondent's conduct upon which the Maryland Board found him guilty of failing to meet appropriate standards of

medical care would, if committed in New York State, constitute professional misconduct under the laws of New York State, specifically N.Y. Educ. Law §6530(3) [practicing with negligence on more than one occasion] (McKinney Supp. 1994).

FIRST SPECIFICATION

Respondent is charged with professional misconduct pursuant to N.Y. Educ. Law §6530(9)(b) (McKinney Supp. 1994), by reason of his 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 1 through 5.

DATED: *Oct. 21*, 1994
Albany, New York



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

EXHIBIT B

TERMS OF PROBATION

ARVIND TALATI, M.D.

1. Respondent shall conduct himself during the period of probation in a manner befitting his professional status and shall conform fully to the ethical and professional standards of conduct imposed by law and his profession.
2. Respondent shall submit written notification to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, New York State Department of Health, Corning Tower Building, 4th Floor, Empire State Plaza, Albany, New York 12237 [hereinafter "OPMC"] of his employment and practice, of Respondent's residence and telephone number. Respondent shall notify OPMC in writing of any change in Respondent's employment, practice, residence, or telephone number within or without New York State. Said written notification shall be within thirty days of the change.
3. Respondent shall submit to OPMC, no later than three months after the effective date of this Order, written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS with regard to said registration fees.
4. Respondent shall submit to OPMC, no later than two months after the effective date of this Order, written proof that (a) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of medicine in New York State and does not desire to register and that (b) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board or the Board of Regents.
5. Respondent shall cooperate with a Medical Coordinator of OPMC or other physician, designated by the Director of OPMC, who may every three months during the probation period review Respondent's practice of medicine. Such reviews may include, without limitation and at the discretion of the Medical Coordinator or other physician, interviews with Respondent, random review of Respondent's patient records, or any other reasonable means of reviewing Respondent's practice of medicine. Respondent's cooperation shall include, without limitation, providing at the direction of the Medical Coordinator or other physician, the names, medical treatment or evaluation provided and/or medical records of patients Respondent has seen.

6. Respondent shall assume and bear all costs related to compliance with the Terms of Probation.
7. Respondent, so long as there is full compliance with every term herein, may practice his profession in accordance with the Terms of Probation; provided, however, that upon receipt of evidence of noncompliance with or violation of these terms, the Director of OPMC and/or the Board may initiate a violation of probation proceeding and/or such other proceeding against Respondent as may be authorized by the Public Health Law.