



**Board for Professional Medical Conduct**

Corning Tower • Empire State Plaza • Albany, NY 12237 • (518) 474-8357

November 7, 1991

**C. Maynard Guest, M.D.**  
Executive Secretary

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Parvin Zisman, M.D.  
11-43 47th Avenue  
Long Island City, New York 11101

Effective Date: 11/12/91

RE: License No. 106659

Dear Dr. Zisman:

Enclosed please find Order #BPMC 91-09 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 12237-0614

Sincerely,

C. Maynard Guest, M.D.  
Executive Secretary  
Board for Professional Medical Conduct

Enclosure

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

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IN THE MATTER :  
OF : ORDER  
PARVIN ZISMAN, M.D. : #BPMC 91-09

-----X

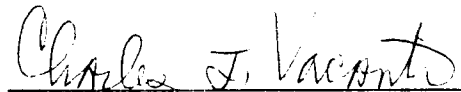
Upon the application of PARVIN ZISMAN, M.D., which application is made a part hereof, it is

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 the respondent or seven days after mailing by certified mail.

SO ORDERED,

DATED: 7 November 1991



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 : APPLICATION  
OF : FOR  
PARVIN ZISMAN, M.D. : CONSENT  
: ORDER  
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STATE OF NEW YORK )  
COUNTY OF *NASSAU* ) 85. :

FARVIN ZISMAN, M.D., being duly sworn, deposes and says:

That on or about July 23, 1970, I was licensed to practice as a physician in the State of New York, having been issued License No. 106659 by the New York State Education Department.

I am currently registered with the New York State Education Department to practice as a physician in the State of New York for the period January 1, 1989 through December 31, 1991 from The New York Foundling Hospital, 11-43 47th Avenue, Long Island City, New York 11101.

I understand that the New York State Board of Professional Medical Conduct has charged me with nine Specifications of professional misconduct.

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

I admit guilt to the Second Specification and all of the facts alleged therein in satisfaction of all the specifications of misconduct.

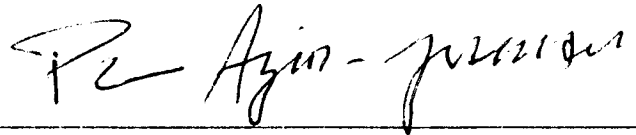
I hereby agree to the penalty that my license to practice as a physician in the State of New York be suspended for one year, the execution of which shall be stayed, and probation for two years under terms reflected in Exhibit B, annexed hereto.

I hereby make this application to the Board for Professional Medical Conduct and request that it be granted.

I understand that, in the event that this application is not granted by the 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 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 for Professional Medical Conduct shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board for Professional Medical Conduct pursuant to the provisions of the Public Health Law.

I agree that, in the event the Board for Professional Medical Conduct grants my application, as set forth herein, an order of the Chairperson of the Board for Professional Medical Conduct may be issued in accordance with same.

No promises 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.



PARVIN ZISMAN, M.D.  
Respondent

Sworn to before me this  
2nd day of October, 1991.

  
NOTARY PUBLIC

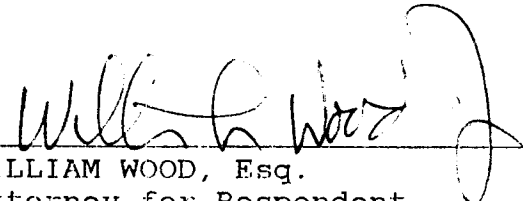
MARILYN GRAF  
NOTARY PUBLIC, State of New York  
No. 30-4931987  
Qualified in Nassau County  
Commission Expires May 31, 1992


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

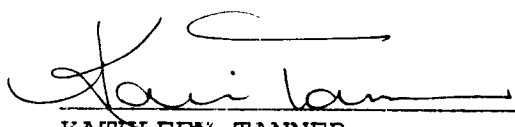
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IN THE MATTER : APPLICATION  
OF : FOR  
PARVIN ZISMAN, M.D. : CONSENT  
: ORDER  
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The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

Date: October 2, 1991   
PARVIN ZISMAN, M.D.  
Respondent

Date: Sept 30, 1991   
WILLIAM WOOD, Esq.  
Attorney for Respondent

Date: Oct. 28, 1991   
DANIEL J. PERSING, Esq.  
Associate Attorney  
NYS Department of Health

Date: Nov. 8, 1991   
KATHLEEN TANNER  
Director, Office of Professional  
Medical Conduct

PARVIN ZISMAN, M.D.

The undersigned, Chairperson of the Board for Professional Medical Conduct, has reviewed said application and grants the application.

Date: 7 November 1991

Charles J. Vacanti  
CHARLES J. VACANTI, M.D.  
Chairperson, Board for Professional  
Medical Conduct

EXHIBIT A

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

-----X  
IN THE MATTER : STATEMENT  
OF : OF  
PARVIN ZISMAN, M.D. : CHARGES  
-----X

PARVIN ZISMAN, M.D., the Respondent, was authorized to practice medicine in New York State on July 23, 1970, by the issuance of license number 106659 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 from The New York Foundling Hospital, 11-43 47th Avenue, Long Island City, New York 11101.

FACTUAL ALLEGATIONS

A. On or about February 5, 1988, Patient A (all patient names are listed in the Appendix), an eleven month-old child, was admitted to Arden Hill Hospital in Goshen, New York (hereinafter, "the Hospital") by Respondent upon a diagnosis of otitis media, and to rule out pneumonia.

1. Respondent failed to timely respond to the seriousness of Patient A's symptoms upon admission, including but not limited to



tachycardia, lethargy and crying on flexion of the neck.

2. Respondent failed to record an adequate physical examination of Patient A upon admission.
3. Respondent ordered inappropriate and unnecessary treatment and/or diagnostic testing in the initial course of therapy, including but not limited to, a nasal culture, a croupette, and administration of cefoxitin.
4. Respondent ordered inadequate treatment for Patient A's seizures, including but not limited to, insufficient dosages of phenobarbital and Dilantin.
5. Respondent did not remain with Patient A or ensure care by another physician on February 6, 1988, from the time Patient A's initial seizures ceased through her discharge from the Hospital upon transfer to the Westchester County Medical Center despite the seriousness of Patient A's illness and emergent need for care.

B. On or about January 7, 1988, Patient B, a two year-old child, was admitted to the Hospital upon a diagnosis of gastroenteritis and dehydration.

1. Respondent failed to adequately and timely treat Patient B following a report of blood cultures positive for H. influenza after less than 24 hours from the sample taken January 7, 1988.
2. Respondent backdated an entry in Patient B's record relating to an alleged January 8, 1988, visit.
3. Respondent falsely recorded that she examined Patient B on January 8, 1988.

C. On or about December 21, 1987, Patient C, a two week-old infant, was admitted to the Hospital, by the Respondent upon a diagnosis of failure to thrive, blood diarrhea, upper respiratory infection, and to rule out sepsis.

1. Respondent failed to record an adequate medical history upon admission.
2. Respondent failed to record an adequate physical examination upon admission.
3. Respondent ordered unnecessary throat and nasal cultures on the date of admission.
4. Respondent failed to perform a lumbar puncture upon admission.

#### SPECIFICATIONS

##### FIRST SPECIFICATION

##### PRACTICING WITH GROSS NEGLIGENCE

Respondent is charged with practicing with gross negligence on a particular occasion under N.Y. Educ. Law §6530(4)[ as added by Ch. 606, Laws of 1991, and formerly N.Y. Educ. Law §6509(2) (McKinney 1985)], in that Petitioner charges:

1. The facts in Paragraphs A and A.1, A and A.3, A and A.4, and/or A and A.5.

SECOND SPECIFICATION

PRACTICING THE PROFESSION WITH NEGLIGENCE

ON MORE THAN ONE OCCASION

Respondent is charged with practicing the profession with negligence on more than one occasion under N.Y. Educ. Law §6530(3) [as added by Ch. 606, Laws of 1991, and formerly N.Y. Educ. Law §6509(2) (McKinney 1985)], in that Petitioner charges:

2. The facts in Paragraphs A and A.1, A and A.3, A and A.4, A and A.5, B and B.1, C and C.3, and/or C and C.4.

THIRD SPECIFICATION

ABANDONING A PATIENT IN NEED

OF EMERGENT CARE

Respondent is charged with abandoning or neglecting a patient under and in need of immediate professional care, without making reasonable arrangements for the continuation of such care, under N.Y. Educ. Law §6530(30) (McKinney 1985), [as added by Ch. 606, Laws of 1991 and formerly N.Y. Educ. Law §6509(9) (McKinney 1985) and 8 N.Y.C.R.R. §29.2(a)(1)(1987)], in that Petitioner charges:

3. The facts in Paragraphs A and A.5.

FOURTH THROUGH SIXTH SPECIFICATIONS

FAILING TO MAINTAIN ACCURATE PATIENT RECORDS

Respondent is charged with failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient under N.Y. Educ. Law §6509(9) (McKinney 1985) and 8 N.Y.C.R.R. §29.2(a)(3) (1987)], in that Petitioner charges:

4. The facts in Paragraphs A and A.2.
5. The facts in Paragraphs B and B.2., and/or B and B.3.
6. The facts in Paragraphs C and C.1., and/or C and C.2.

SEVENTH AND EIGHTH SPECIFICATIONS

ORDERING EXCESSIVE TESTS OR TREATMENTS

Respondent is charged with ordering of excessive tests or treatment not warranted by the condition of the patient, under N.Y. Educ. Law §6530(35) [as added by Ch. 606, Laws of 1991, and formerly N.Y. Educ. Law §6509(9) (McKinney 1985) and 8 N.Y.C.R.R. §29.2(a)(7)(1987)], in that Petitioner charges:

7. The facts in Paragraphs A and A.3.
8. The facts in Paragraphs C and C.3.

NINTH SPECIFICATION

PRACTICING THE PROFESSION OF FRAUDULENTLY

Respondent is charged with practicing the profession fraudulently under N.Y. Educ. Law §6530(2) [as added by Ch. 606, Laws of 1991, and formerly N.Y. Educ. Law §6509(2) (McKinney 1985), in that Petitioner charges:

9. The facts in Paragraphs B and B.2., and B and B.3.

DATED: Albany, New York

*November 4, 1991*

*Peter D. Van Buren*

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

## EXHIBIT B

### TERMS OF PROBATION

PARVIN ZISMAN, M.D.

1. The Respondent, during the period of probation, shall conduct herself in all ways in a manner befitting her professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by her profession.
2. The Respondent shall comply with all applicable federal, state and local laws, rules and regulations governing the practice of medicine.
3. The Respondent shall submit written notification to the New York State Health Department, addressed to the Director, Office of Professional Medical Conduct, New York State Department of Health, Corning Tower - Room 438, Empire State Plaza, Albany, New York 12237-0614, of her employment, practice, residence, and telephone number within or without the State of New York, or any change thereof.
4. The Respondent shall submit to the Director of the Office of Professional Medical Conduct quarterly written declarations under penalty of perjury, stating whether or not there has been compliance with all of the conditions of probation.
5. The Respondent shall be monitored by a physician licensed to practice medicine in the State of New York, to be nominated by the Respondent and approved by the Director of the Office of Professional Medical Conduct. The monitor shall be responsible for reviewing the professional performance of the licensee by randomly selecting office records, patient records and hospital charts, and shall be in a position to personally observe the practice of the Respondent. The Respondent shall execute any waiver or release which is necessary for the monitoring physician to report to the Office of Professional Medical Conduct. The monitoring physician shall submit quarterly reports to the Director of the Office of Professional Medical Conduct regarding the quality of the Respondent's practice. The monitoring physician shall immediately submit a report to the Office of Professional Medical Conduct upon a determination that the Respondent is not practicing medicine with reasonable skill and safety to the Respondent's patients or refuses to cooperate with the monitor. The monitor shall acknowledge his/her willingness to comply with these monitoring responsibilities by executing an acknowledgement form.

6. The Respondent shall submit to random and unannounced urine screenings for drugs and alcohol at least four times quarterly, to be conducted by the monitoring physician.
7. The Respondent shall continue in treatment with a psychotherapist familiar with the Respondent's admission and discharge from Fair Oaks Hospital until such time as the psychotherapist determines treatment is no longer necessary. Termination of treatment shall be on notice to the Office of Professional Medical Conduct with a detail of the progress of the Respondent and reasons for termination of psychotherapy. The Respondent shall execute a waiver for release of information from the psychotherapist to the Office of Professional Medical Conduct. The psychotherapist shall submit quarterly reports detailing the Respondent's progress to treatment. The psychotherapist shall immediately report to the Office of Professional Medical Conduct if the Respondent unilaterally terminates treatment and shall also report any significant pattern of absences, any failure to take prescribed medications, and all other significant failure to comply with the treatment plan. The psychotherapist shall acknowledge the duties imposed under this term by executing an acknowledgement form.
8. So long as there is full compliance with every term herein set forth, the Respondent may, if she is registered, practice as a physician in New York in accordance with the terms of probation, provided, however, that upon receipt of evidence of noncompliance or any other violation of the terms of probation, a violation of probation proceeding and/or such other proceeding as may be warranted, may be initiated against the Respondent pursuant to the New York Public Health Law or any other applicable law.