



***New York State Board for Professional Medical Conduct***

*433 River Street, Suite 303 • Troy, New York 12180-2299 • (518) 402-0863*

Antonia C. Novello, M.D., M.P.H., Dr. P.H.  
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NYS Department of Health*

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NYS Department of Health*

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*Vice Chair*

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

*Public*

December 6, 2005

***CERTIFIED MAIL-RETURN RECEIPT REQUESTED***

Adam J. Perahia, M.D.  
403 Hawthorne Avenue  
Staten Island, NY 10314

Re: License No. Resident

Dear Dr. Perahia:

Enclosed is a copy of Order #BPMC 05-280 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect December 13, 2005.

**If the penalty imposed by this Order is a surrender, revocation or suspension, you are required to deliver your license and registration within five (5) days of receipt of this Order to the 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: Henry Putzell, III, Esq.  
565 Fifth Avenue  
New York, NY 10017-2413

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

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IN THE MATTER

CONSENT

OF

ORDER

ADAM J. PERAHIA, M.D.

BPMC No. #05-280

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Upon the application of **ADAM J. PERAHIA, M.D.**, (Respondent) in the attached Consent Agreement and Order, which is made a part of this Consent Order, it is

ORDERED, that the Consent Agreement, and its terms, are adopted and it is further

ORDERED, that this Order shall be effective upon issuance by the Board, either by mailing of a copy of this Consent Order, either by first class mail to Respondent at the address in the attached Consent Agreement or by certified mail to Respondent's attorney, OR upon facsimile transmission to Respondent or Respondent's attorney, whichever is first.

SO ORDERED.

DATED: \_\_\_\_\_

12-5-05



KENDRICK A. SEARS, M.D.

Chair  
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

CONSENT

OF

AGREEMENT

ADAM J. PERAHIA, M.D.  
NY-04-03-1126-A

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AND ORDER

**ADAM J. PERAHIA, M.D.**, (Respondent) representing that all of the following statements are true, deposes and says:

That on or about July 2002, I was authorized to practice as a physician in the State of New York, as a medical (pediatric) resident at Children's Hospital, Montefiore Medical Center (MMC), Bronx, New York.

My current address is 403 Hawthorne Avenue, Staten Island, NY 10314.

I understand that the New York State Board for Professional Medical Conduct has charged me with two (2) specifications of professional misconduct.

A copy of the Statement of Charges, marked as Exhibit "A", is attached to and part of this Consent Agreement.

I do not contest the two (2) Specifications, in full satisfaction of the charges against me, and agree to the following penalty:

Pursuant to New York Public Health Law §230-a(6), a limitation shall be placed precluding the issuance of any further license or registration to me to practice medicine in New York State.

I agree further that I shall not practice medicine in New York State in any capacity to include, but not limited to as an intern or resident.

I stipulate that my failure to comply with any conditions of this Order shall constitute misconduct as defined by New York State Education Law §6530(29).

I agree that if I am charged with professional misconduct in the future, this Consent Agreement and Order shall be admitted into evidence in that proceeding.

I ask the Board to adopt this Consent Agreement.

I understand that if the Board does not adopt this Consent Agreement, none of its terms shall bind me or constitute an admission of any of the acts of alleged misconduct; this Consent Agreement shall not be used against me in any way and shall be kept in strict confidence; and the Board's denial shall be without prejudice to the pending disciplinary proceeding and the Board's final determination pursuant to the Public Health Law.

I agree that if the Board adopts this Consent Agreement, the Chair of the Board shall issue a Consent Order in accordance with its terms. I agree that this Order shall take effect upon its issuance by the Board, either by mailing of a copy of the Consent Order by first class mail to me at the address in this Consent Agreement, or to my attorney by certified mail, or upon facsimile transmission to me or my attorney, whichever is first. The Order, this agreement, and all attached Exhibits shall be public documents, with only patients identities, if any, redacted.

I stipulate that the proposed sanction and Order are authorized by Public Health Law Sections 230 and 230-a and that the Board for Professional Medical Conduct and the Office of Professional Medical Conduct have the requisite powers to carry out all included terms. I ask the Board to adopt this Consent Agreement of my own free will and not under duress, compulsion or restraint. In consideration of the value to me of the Board's adoption of this Consent Agreement, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive my right to contest the Consent Order for which I apply, whether administratively or judicially, I agree to be bound by the Consent Order, and ask that the Board adopt this Consent Agreement.

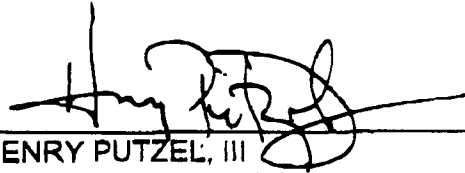
AFFIRMED:

DATED: 10/26/05

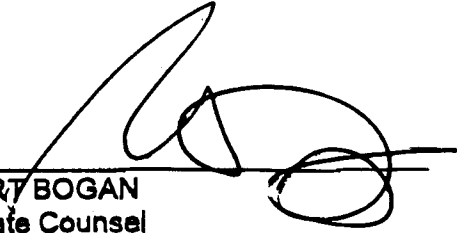
  
\_\_\_\_\_  
ADAM J. PERAHIA, M.D.  
Respondent

The undersigned agree to Respondent's attached Consent Agreement and to its proposed penalty, terms and conditions thereof.

DATE: 11/18/05

  
HENRY PUTZEL, III  
Attorney for Respondent

DATE: 28 Nov 2005

  
ROBERT BOGAN  
Associate Counsel  
Bureau of Professional Medical Conduct

DATE: 22 December 2005

  
DENNIS J. GRAZIANO  
Director  
Office of Professional Medical Conduct

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

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**IN THE MATTER**  
**OF**  
**ADAM J. PERAHIA, M.D.**  
**NY-04-03-1126-A**

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**STATEMENT**  
**OF**  
**CHARGES**

**ADAM J. PERAHIA, M.D.**, the Respondent, was a medical (pediatric) resident at Children's Hospital, Montefiore Medical Center (MMC), Bronx, New York from on or about July 2002 until present.

**FACTUAL ALLEGATIONS**

A. On or about June 30, 2005, in the United States District Court, Southern District of New York, Respondent was found guilty, based on a plea of guilty, of one (1) count of Possession of Child Pornography Transported in Interstate or Foreign Commerce, in violation of Title 19, U.S. Code, Section 2252A(a)(5)(B), a felony, and was sentenced to twenty four (24) months imprisonment and three (3) years supervised release upon release from imprisonment, both to run concurrently with twenty four (24) months imprisonment and three (3) years supervised release imposed pursuant to the conviction set forth in Paragraph B, below, and to pay a \$100 assessment.


B. On or about June 30, 2005, in the United District Court, Southern District of New York, Respondent was found guilty, based on a plea of guilty to one (1) count of Conspiracy to Commit Copyright Infringement, in violation of Title 18, U.S. Code, Section 371, a felony, and was sentenced to twenty four (24) months imprisonment, three (3) years supervised release upon release from imprisonment, both to run concurrently with twenty four (24) months imprisonment and the three (3) years supervised release imposed pursuant to the conviction set forth in Paragraph A, above, and to pay a \$100 assessment and \$423.09 restitution.

**FIRST AND SECOND SPECIFICATIONS**

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

1. The facts in Paragraph A.
2. The facts in Paragraph B.

DATED: *Nov. 16*, 2005  
Albany, New York

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