

*Public*

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

IN THE MATTER  
OF  
AR MEDICAL ART, P.C.  
CO-09-04-2620-A

COMMISSIONER'S  
ORDER  
AND  
NOTICE OF  
REFERRAL  
PROCEEDING

TO: AR MEDICAL ART, P.C.  
c/o ALEXANDER ROZENBERG, M.D.  


AR MEDICAL ART, P.C.  
c/o ALEXANDER ROZENBERG, M.D.  
401 Ditmas Avenue, #LL  
Brooklyn, NY 11218

AR MEDICAL ART, P.C.  
c/o ALEXANDER ROZENBERG, M.D.  


AR MEDICAL ART, P.C.  
c/o ALEXANDER ROZENBERG, M.D.  


The undersigned, Richard F. Daines, M.D., Commissioner of Health, pursuant to New York Public Health Law §230, upon the recommendation of a Committee on Professional Medical Conduct of the State Board for Professional Medical Conduct, has determined that **AR MEDICAL ART, P.C.**, Respondent, has been convicted of committing an act constituting a felony under New York state law, in the Supreme Court of the State of New York, County of Kings, Criminal Term: Part 33, New York, as is more fully set forth in the Statement of Charges attached, hereto, and made a part, hereof.

It is, therefore:

ORDERED, pursuant to New York Public Health Law §230(12)(b), effective immediately **AR MEDICAL ART, P.C.**, shall not practice medicine in the State of New

York. This Order shall remain in effect unless modified or vacated by the Commissioner of Health pursuant to New York Public Health Law §230(12).

**ANY PRACTICE OF MEDICINE IN VIOLATION OF THIS COMMISSIONER'S ORDER SHALL CONSTITUTE PROFESSIONAL MISCONDUCT WITHIN THE MEANING OF NEW YORK EDUCATION LAW §6530(29) AND MAY CONSTITUTE UNAUTHORIZED MEDICAL PRACTICE, A FELONY, DEFINED BY NEW YORK EDUCATION LAW §6512.**

PLEASE TAKE NOTICE that a hearing will be held pursuant to the provisions of New York Public Health Law §230 and New York State Administrative Procedure Act §§301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct on the 22<sup>nd</sup> day of April, 2010, at 10:00 a.m., at Hedley Park Place, 433 River Street, 5<sup>th</sup> Floor, Troy, New York 12180, at the offices of the New York State Health Department and at such other adjourned dates, times, and places as the committee may direct. Respondent may file an answer to the Statement of Charges with the below-named attorney for the Department of Health.

At the hearing, evidence will be received concerning the allegations set forth in the Statement of Charges, that is attached. A stenographic record of the hearing will be made and the witnesses at the hearing will be sworn and examined. Respondent shall appear in person at the hearing and may be represented by counsel who shall be an attorney admitted to practice in New York state. Respondent has the right to produce witnesses and evidence on its behalf, to issue or have subpoenas issued on its behalf for the production of witnesses and documents, and to cross-examine witnesses and examine evidence produced against him. A summary of the Department of Health Hearing Rules is enclosed. Pursuant to §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 hearing will proceed whether or not Respondent appears at the hearing. Scheduled hearing dates are considered dates certain and adjournment requests are not, therefore, routinely granted. Requests for adjournments must be made in writing to the New York State Department of Health, Division of Legal Affairs, Bureau of Adjudication, Hedley Park Place, 433 River Street, Fifth Floor South, Troy, NY 12180, ATTENTION: HON. JAMES F. HORAN, ACTING DIRECTOR, BUREAU OF ADJUDICATION, and by telephone (518-402-0748), upon notice to the attorney for the Department of Health whose name appears below, at least five days prior to the scheduled hearing date. Claims of court engagement will require detailed affidavits of actual engagement. Claims of illness will require medical documentation.

At the conclusion of the hearing, the committee shall make findings of fact, conclusions concerning the charges sustained or dismissed, and, in the event any of the charges are sustained, a determination of the penalty or sanction to be imposed or appropriate action to be taken. Such determination may be reviewed by the administrative review board for professional medical conduct.

**THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT YOUR  
NEW YORK STATE CERTIFICATE OF INCORPORATION BE REVOKED OR  
SUSPENDED AND/OR THAT YOU BE FINED OR SUBJECT TO OTHER  
SANCTIONS SET FORTH IN NEW YORK PUBLIC HEALTH LAW §230-a.  
YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN  
THIS MATTER.**

DATED: Albany, New York  
3/8/2010

Redacted Signature

  
RICHARD F. DAINES, M.D.  
Commissioner of Health  
New York State Department of Health

Inquires should be addressed to:

Robert Bogan  
Associate Counsel  
Office of Professional Medical Conduct  
433 River Street – Suite 303  
Troy, New York 12180  
(518) 402-0828

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

---

IN THE MATTER  
OF  
AR MEDICAL ART, P.C.  
CO-09-04-2620-A

---

STATEMENT  
OF  
CHARGES

AR MEDICAL ART, P.C., Respondent, is a professional service corporation duly authorized by the filing of its certificate of incorporation with the Department of State on February 8, 2000, to practice medicine in the State of New York pursuant to Article 15 of the Business Corporation Law.

Respondent is subject to the jurisdiction of the State Board for Professional Medical Conduct, and the prehearing and hearing procedures of Title II-A of Article 2 of the New York Public Health Law, pursuant to New York Business Corporation Law Section 1503(d).

**FACTUAL ALLEGATIONS**

A. A professional service corporation may be organized by one or more individuals who are duly authorized by law to render the same professional service, pursuant to New York Business Corporation Law Section 1503(a).

B. On or about February 8, 2000, by a certificate of Incorporation, Respondent was formed as a professional service corporation, with ALEXANDER ROZENBERG, M.D. as the sole shareholder, director, and officer of such corporation.

C. From on or about February 8, 2000, to the present, ALEXANDER ROZENBERG, M.D. is and was the sole shareholder, director, and officer of Respondent.

D. On or about February 20, 2009, in the Supreme Court of the State of New York, County of Kings, Criminal Term: Part 33, New York, Respondent was found guilty, in a contested matter, of one (1) count of Scheme to defraud in the first degree, in violation of New York Penal Law §190.65, a class E felony, five (5) counts of Falsifying business records in the first degree, in violation of New York Penal Law §175.10, a class E felony, and four (4) counts of Insurance fraud in the fifth degree, in violation of New York Penal Law §176.10, a class A misdemeanor, and on or about June 30, 2009, was sentenced, on each count of Scheme to

defraud in the first degree and Falsifying business records in the first degree, to a three (3) year conditional discharge, and on each count of Insurance fraud in the fifth degree, to one (1) year conditional discharge, all concurrent with each other, and a \$250.00 surcharge and a \$25.00 CVAF.

**SPECIFICATION**

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

1. The facts in Paragraph A, B, C, and/or D.

DATED: *March 8*, 2010  
Albany, New York

Redacted Signature

---

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