

Nirav R. Shah, M.D., M.P.H.  
Commissioner

**NEW YORK**  
state department of  
**HEALTH**

Sue Kelly  
Executive Deputy Commissioner

Public

April 29, 2011

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Adedamola Olagoke Oni, M.D.

REDACTED

Richard J. Zahnleuter, Esq.  
NYS Department of Health  
ESP-Corning Tower-Room 2512  
Albany, New York 12237

William L. Wood, Jr., Esq.  
Wood & Scher  
222 Bloomingdale Road – Suite 311  
White Plains, New York 10605

**RE: In the Matter of Adedamola Olagoke Oni, M.D.**

Dear Parties:

Enclosed please find the Determination and Order (No. 11-101) 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 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.

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facebook.com/NYSDOH  
twitter.com/HealthNYGov

As prescribed by the New York State Public Health Law §230, subdivision 10, paragraph (i), (McKinney Supp. 2007) and §230-c subdivisions 1 through 5, (McKinney Supp. 2007), "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

James F. Horan, Acting Director  
Bureau of Adjudication

JFH:  
Enclosure

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

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IN THE MATTER

OF

ADEDAMOLA OLAGOKE ONI, M.D.

DETERMINATION

AND

COPY

ORDER

BPMC #11-101

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A hearing was held on March 24, 2011, at the offices of the New York State Department of Health ("the Petitioner"). A Notice of Referral Proceeding and a Statement of Charges, both dated January 21, 2011, were served upon the Respondent, **Adedamola Olagoke Oni, M.D.**

Pursuant to Section 230(10)(e) of the Public Health Law, **Therese G. Lynch, M.D.**, Chair, **James R. Dickson, M.D.**, and, **Virginia R. Marty**, duly designated members of the State Board for Professional Medical Conduct, served as the Hearing Committee in this matter. **David A. Lenihan, Esq.**, Administrative Law Judge, served as the Administrative Officer. The Petitioner appeared by **James E. Dering, Esq.**, General Counsel, by **Richard J. Zahnleuter, Esq.**, of Counsel. The Respondent, **Adedamola Olagoke Oni, M.D.**, did appear with counsel, **William L. Wood, Jr. Esq.**, of **Wood & Scher**, White Plains, New York. 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 matter has been denominated a "Direct Referral +" case. As such, this case has two aspects. In the first aspect, the "plus" part if you will, the Respondent was charged with failing to report criminal charges brought against him in Georgia, and with failing to report a disciplinary proceeding brought against him in Tennessee. This aspect of the case was heard pursuant to the provisions of New York Public Health Law §230 and New York State Administrative Procedure Act §-301-307 and 401. The second aspect of this case entailed a regular direct referral case, which was brought pursuant to Public Health Law Section 230(10) (p). The statute provides for an expedited hearing when a licensee is charged solely with a violation of Education Law Section 6530(9). In such cases, a licensee is charged with misconduct based upon a prior criminal conviction in New York State or another jurisdiction, or upon a prior administrative adjudication regarding conduct that would amount to professional misconduct, if committed in New York. The scope of a direct referral case is limited to a determination of the nature and severity of the penalty to be imposed upon the licensee.

In the instant direct referral case, the Respondent is charged with four specifications of professional misconduct pursuant to the Education Law §6530. First, Respondent violated New York Education Law §6530(9)(b) by having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state, to wit, the Tennessee Board of Medical Examiners. Second, Respondent violated New York Education Law §6530(9)(d) by having his license to practice medicine suspended and/or having other disciplinary action taken by a duly

authorized professional disciplinary agency of another state, to wit, the Tennessee Board of Medical Examiners. The third through the eighth charges detail the "plus" charges. Specifically, in the Third Specification, Respondent was charged with violating New York Education Law §6530(2) by practicing the profession fraudulently. In the Sixth through Eighth Specifications, the Respondent was charged with violating New York Education Law §6530(21) by willfully making or filing a false report, namely the failure to disclose the Georgia criminal matters in his New York registrations.

Copies of the Notice of Referral Proceeding and the Statement of Charges are attached to this Determination and Order as Appendix 1.

#### **WITNESSES**

For the Petitioner:

None

For the Respondent:

Adedamola Olagoke Oni, M.D.

#### **FINDINGS OF FACT**

The following Findings of Fact were made after a review of the entire record in this matter. Numbers below in parentheses refer to exhibits, denoted by the prefix "Ex." These citations refer to evidence found persuasive by the Hearing Committee in arriving at a particular finding. Conflicting evidence, if any, was considered and rejected in favor of the cited evidence. All Hearing Committee findings were unanimous.

1. The Respondent, Adedamola Olagoke Oni, M.D., did appear with counsel and was duly served. (Petitioner's Exhibit 10)
2. Adedamola Olagoke Oni, M.D., the Respondent, was authorized to practice medicine in New York State on November 7, 2000, by the issuance of license number 219709 by the New York State Education Department. (Petitioner's Ex. 4)
3. On or about September 18, 2007, the Tennessee Board of Medical Examiners (hereinafter "Tennessee Board"), by a "Letter of Reprimand" (hereinafter "Tennessee Letter"), issued a "Reprimand for engaging in unprofessional conduct." The Tennessee Board assessed against Respondent three Civil penalties for a total of \$3,000.00 and costs not to exceed \$4,000.00, based on Respondent having displayed "unprofessional conduct" by "misdiagnosing" a skin lesion, prescribing a drug directly to a patient despite the drug being indicated for use solely by a physician, failing to refer the patient to a dermatologist, and failing to maintain an accurate and complete medical record.
4. In the next subsequent New York registration renewal questionnaire, signed by Respondent on or about November 21, 2007, in response to question 2(b), "Since your last registration application, has any licensing or disciplinary authority.. reprimanded or otherwise disciplined you?", Respondent checked "No." (Petitioner's Ex. 7)
5. In an "Accusation" filed on or about September 17, 2003 in the State Court of Fulton County, State of Georgia, Respondent was criminally charged with 2 Counts of "Simple Battery."
6. In an "Indictment" filed on or about February 18, 2003 in the State Court of Fulton County, State of Georgia, Respondent was criminally charged with 3 Counts of "Burglary" and 1 Count of "Theft by Taking."

7. In the next subsequent New York registration renewal questionnaire, signed by Respondent on or about October 24, 2003, in response to question 2(c), "Since your last registration application, c. Are criminal charges pending against you in any court?", Respondent checked "No." (Petitioner's Ex. 7)

**VOTE OF THE HEARING COMMITTEE**

**SPECIFICATIONS**

**FIRST SPECIFICATION**

"Respondent violated New York Education Law §6530(9)(b) by 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..."

VOTE: Sustained (3-0)

**SECOND SPECIFICATION**

"Respondent violated New York Education Law §6530(9)(d) by having his license to practice medicine suspended and/or having other disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the license suspension and/or other disciplinary action would, if committed in New York

State, constitute professional misconduct under the laws New York State..."

VOTE: Sustained (3-0)

### **THIRD THROUGH FIFTH SPECIFICATIONS**

"Respondent violated New York Education Law §6530(2) by practicing the profession fraudulently..."

VOTE: Sustained (3-0)

### **SIXTH THROUGH EIGHTH SPECIFICATIONS**

"Respondent violated New York Education Law §6530(21) by willfully making or filing a false report..."

VOTE: Sustained (3-0)

### **HEARING COMMITTEE DETERMINATION**

The Respondent did appear at the hearing with counsel. The Administrative Law Judge, after considering the documentary evidence, which included a Stipulation acknowledging Service of the Notice of Referral Proceeding and the Statement of Charges (Petitioner's Exhibit 10), ruled that the Petitioner had met the requirements of law for service of process. The Administrative Law Judge found that jurisdiction had been established over the Respondent and that the hearing could proceed.



There were two parts to this case. The first part was a regular direct referral case in which the Tennessee Board issued a Reprimand to the Respondent for engaging in unprofessional conduct. The record shows that the Tennessee Board assessed against Respondent three Civil penalties for a total of \$3,000.00 and costs not to exceed \$4,000.00, based on Respondent having displayed unprofessional conduct by misdiagnosing a skin lesion, prescribing a drug directly to a patient despite the drug being indicated for use solely by a physician, failing to refer the patient to a dermatologist, and failing to maintain an accurate and complete medical record.

In an attempt to explain and downplay this incident, the Respondent testified that this was a Medicaid patient who had to be given a prescription for the particular medication, Oxisoralen lotion, which the patient was to fill at a pharmacy and bring back to the office for the lotion to be applied under UV light. (T. 20). According to the Respondent, the patient left and never came back and this was the basis of the Tennessee reprimand set forth in Exhibit 5, which had an effective date of September 18, 2007.

The Direct Referral aspect of this incident, the Tennessee Reprimand, was a serious matter but the panel determined that this charge, in and of itself, it would not elevate the penalty imposed in New York to the level of revocation. The "DR +" aspect of this incident -- the failure to report it on his subsequent New York registration -- was, however, deemed a matter of very serious concern for the panel and the dishonesty evidenced by the failure to report the reprimand is one of the reasons the panel decided that revocation was the appropriate penalty in this case. Exhibit 7 in the record shows the Respondent's November 21, 2007 registration wherein he checked "NO" to the question

"Since your last registration application, has any licensing or disciplinary authority.. reprimanded or otherwise disciplined you?" (Petitioner's Ex. 7)

The panel deemed this dishonesty serious enough to warrant revocation. The record shows that the Respondent not only failed to report the reprimand but he also failed to report two criminal charges. It is noted that there was an additional "DR +" allegation wherein the Respondent was charged with failing to report two separate criminal charges brought against him in Georgia. In the first criminal matter, it appears that an "Accusation" was filed on or about September 17, 2003 in the State Court of Fulton County, State of Georgia. In this case, Respondent was criminally charged with two Counts of "Simple Battery." The documentation of this charge is set forth in the record at Exhibit 8. The second Georgia case involved an "Indictment" filed on or about February 18, 2003 in the State Court of Fulton County, State of Georgia. In this Indictment, the Respondent was criminally charged with three Counts of "Burglary" and one Count of "Theft by Taking." The record of this second set of Georgia charges is set forth in the record herein at Exhibit 9.

In his defense, the Respondent presented certificates showing that he was presently in good standing at his hospital, the Erlanger Baroness Campus in Chattanooga (Respondent's A) and was also in good standing with the medical board in Tennessee, (Respondent's B and C). In addition, the Respondent presented an affidavit from his Tennessee lawyer, Jeffrey Boehm, to explain the Georgia conviction for burglary and larceny. This affidavit (Respondent's D) avers that the charge was eventually discharged in 2008 and the Respondent was exonerated. The panel took note of this affidavit and the attached certificate from the court, which does indeed indicate that there was an Order of

Discharge under the Georgia First Offender Act, which did exonerate the Respondent on November 18, 2008.

The panel found that, while the criminal charge may well have been removed from the Respondent's criminal record, it does not alter the fact that the Respondent lied on his 2007 New York registration about the charge. (See Department's Exhibit 7) On review of all the facts and circumstances in this case, the panel concluded the underlying charges in this case, taken by themselves, would not necessarily warrant a revocation. Nevertheless, when taken together and when, as in this case, they are lied about, they raise the issue of honesty and on that basis the panel felt compelled to order a revocation and this was done unanimously.

The first item considered was the Tennessee component of the case. Exhibit # 5 in the record is a Letter of Reprimand from Tennessee wherein the Respondent was reprimanded by the Tennessee Board of Medical Examiners, on September 18, 2007, for engaging in unprofessional conduct and fined \$3,000.00 and costs not to exceed \$4,000.00. This exhibit shows that the Respondent was found to have displayed unprofessional conduct by misdiagnosing a skin lesion and prescribing a drug to a patient which should have been used only by a physician. In and of itself, the reprimand in Exhibit 5 would not call for a New York revocation. However, the Department went on to show, through Exhibit # 7, that the Respondent did not report this reprimand on his subsequent New York registration in November of 2007.

The record goes on to show that the Respondent was dishonest when he answered "No" to the question of whether he had been reprimanded by any licensing or disciplinary authority. (T. 51) The panel was unanimous in considering this dishonesty in reporting a

serious matter of character. When this failure to report was coupled with two other such lapses, the panel felt that this misconduct warranted revocation.

The record, at Exhibit # 9, goes to show additional dishonesty in connection with a prior criminal charge. In Exhibit # 9 the Respondent on March 17, 2003, by his signature, pled "Not Guilty" to three counts of burglary and of theft by taking. Exhibit # 7, which was signed on October 24, 2003, has the Respondent answering "No" to the question of whether any criminal charges were pending against him in any court. This answer came only a few months after the signed plea and it was clear to the panel that this answer shows fraud and misrepresentation.

On review, the panel finds that there were three separate instances of failing to disclose matters that should have been disclosed on the licensing application, namely the Tennessee reprimand and the two criminal charges in Georgia.

The panel weighed all the evidence and testimony and appreciated the testimonials and certificates submitted in support of the Respondent. Nevertheless, the panel was troubled and concerned by the Respondent's patent lack of respect for truth. The panel saw this lack of respect for truth as a serious defect in his moral character and thus was unanimous in concluding that the only appropriate remedy was revocation of his license to practice medicine in New York.

**ORDER**

**IT IS HEREBY ORDERED THAT:**

1. The specifications of professional misconduct, as set forth in the Statement of Charges, are **SUSTAINED**.
2. The license of the Respondent to practice medicine in New York State is hereby revoked.
3. This Order shall be effective upon service on the Respondent in accordance with the requirements of Public Health Law Section 230(10)(h).

DATED: Pittsford, New York

April 28, 2011

REDACTED

Therese G. Lynch, M.D., Chair

James R. Dickson, M.D.  
Virginia R. Marty

To:

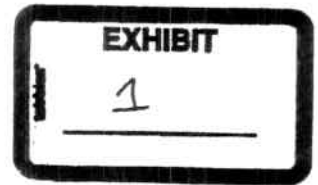
Adedamola Olagoke Oni, M.D.

REDACTED

William L. Wood, Jr., Esq.  
Wood & Scher  
222 Bloomingdale Road, Suite 311  
White Plains, New York 10605

Richard J. Zahnleuter, Esq.  
Attorney for Petitioner  
Associate Counsel  
NYS Department of Health  
Bureau of Professional Medical Conduct  
Corning Tower, Room 2512  
Empire State Plaza  
Albany, New York 12237

## APPENDIX 1



**IN THE MATTER**  
**OF**  
**ADEDAMOLA OLAGOKE ONI, M.D.**  
**CO-07-10-6205-A**

**NOTICE**  
**OF**  
**HEARING**

TO: ADEDAMOLA OLAGOKE ONI, M.D.

REDACTED

ADEDAMOLA OLAGOKE ONI, M.D.  
Omni Primary Care Center  
1000 East Third St.  
Chattanooga, TN 37403

**PLEASE TAKE NOTICE:**

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 March 24, 2011, at 10:00 a.m., at the Offices of the New York State Department of Health, Hedley Park Place, 433 River Street, 5<sup>th</sup> Floor, Troy, NY 12180 , and at such other adjourned dates, times, and places as the committee may direct.

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. You 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. You have the right to produce witnesses and evidence on your behalf, to issue or have subpoenas issued on your behalf in order to require the production of witnesses and documents, and you may cross-examine witnesses and examine evidence produced against you. A Summary of the Department of Health Hearing Rules is enclosed.

The hearing will proceed whether or not you appear at the hearing. Please note that requests for adjournments must be made in writing and by telephone 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, (henceforth "Bureau of Adjudication"), (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. Adjournment requests are not routinely granted as scheduled dates are considered dates certain. Claims of court engagement will require detailed Affidavits of actual engagement. Claims of illness will require medical documentation.

Pursuant to the provisions of New York Public Health Law §230(10)(c), you shall file a written answer to each of the charges and allegations in the Statement of Charges not less than ten days prior to the date of 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 such 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. 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. Pursuant to the terms of New York State Administrative Procedure Act §401 and 10 N.Y.C.R.R. §51.8(b), the Petitioner demands, hereby, disclosure of the evidence that the Respondent intends to introduce at the hearing, including the names of witnesses, a list of and copies of documentary evidence and a description of physical or other evidence that cannot be photocopied.



**YOU ARE ADVISED, HEREBY, THAT THE ATTACHED CHARGES WILL BE MADE PUBLIC FIVE BUSINESS DAYS AFTER THEY ARE SERVED.**

Department Attorney: Initial here \_\_\_\_\_

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 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 LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE BE REVOKED OR SUSPENDED, AND/OR THAT YOU BE FINED OR SUBJECT TO OTHER SANCTIONS SET OUT IN NEW YORK PUBLIC HEALTH LAW §§230-a. YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.**

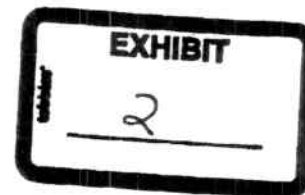
DATED: Albany, New York  
*January 21*, 2011

REDACTED

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

Inquiries should be directed to:  
Richard J. Zahnleuter  
Associate Counsel  
Bureau of Professional Medical Conduct  
Corning Tower - Room 2512  
Empire State Plaza  
Albany, NY 12237  
(518) 473-4282

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



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IN THE MATTER  
OF  
ADEDAMOLA OLAGOKE ONI, M.D.  
CO-07-10-6205-A

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STATEMENT  
OF  
CHARGES

ADEDAMOLA OLAGOKE ONI, M.D., Respondent, was authorized to practice medicine in New York State on November 7, 2000, by the issuance of license number 219709 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about September 18, 2007, the Tennessee Board of Medical Examiners (hereinafter "Tennessee Board"), by a "Letter of Reprimand" (hereinafter "Tennessee Letter"), issued a "Reprimand ... for engaging in unprofessional conduct," assessed against Respondent 3 Civil Penalties for a total of \$3,000.00 and costs not to exceed \$4,000.00, based on Respondent having displayed "unprofessional conduct" by "misdiagnosing" a skin lesion, prescribing a drug directly to a patient despite the drug being indicated for use solely by a physician, failing to refer the patient to a dermatologist, and failing to maintain an accurate and complete medical record.

B. The conduct resulting in the Tennessee Board disciplinary action against Respondent would constitute misconduct under the laws of New York State, pursuant to the following sections of New York State law:

1. New York Education Law 6530(25) (delegating professional responsibilities to a person not qualified by training, experience or licensure); and/or
2. New York Education Law 6530(32) (failing to maintain a record that accurately reflects the evaluation and treatment of a patient).

C. In the next subsequent New York registration renewal questionnaire, signed by Respondent on or about November 21, 2007, in response to question 2(b), "Since your last

registration application, b. Has any licensing or disciplinary authority...reprimanded or otherwise disciplined you?", Respondent checked "No."

D. In an "Accusation" filed on or about September 17, 2003 in the State Court of Fulton County, State of Georgia, Respondent was criminally charged with 2 Counts of "Simple Battery."

E. In an "Indictment" filed on or about February 18, 2003 in the State Court of Fulton County, State of Georgia, Respondent was criminally charged with 3 Counts of "Burglary" and 1 Count of "Theft by Taking."

F. In the next subsequent New York registration renewal questionnaire, signed by Respondent on or about October 24, 2003, in response to question 2(c), "Since your last registration application, c. Are criminal charges pending against you in any court?", Respondent checked "No."

### **SPECIFICATIONS OF MISCONDUCT**

#### **FIRST SPECIFICATION**

Respondent violated New York Education Law §6530(9)(b) by 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 A, B, B(1), and/or B(2).

#### **SECOND SPECIFICATION**

Respondent violated New York Education Law §6530(9)(d) by having his license to practice medicine suspended and/or having other disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the license suspension and/or other disciplinary action would, if committed in New York State, constitute professional misconduct under the laws New York State, in that Petitioner charges:

2. The facts in Paragraphs A, B, B(1), and/or B(2).

**THIRD THROUGH FIFTH SPECIFICATIONS**

Respondent violated New York Education Law §6530(2) by practicing the profession fraudulently, in that Petitioner charges:

3. The facts in Paragraphs A and C.
4. The facts in Paragraphs D and F.
5. The facts in Paragraphs E and F.

**SIXTH THROUGH EIGHTH SPECIFICATIONS**

Respondent violated New York Education Law §6530(21) by willfully making or filing a false report, in that Petitioner charges:

6. The facts in Paragraphs A and C.
7. The facts in Paragraphs D and F.
8. The facts in Paragraphs E and F.

DATED: *January 21*, 2011  
Albany, New York

REDACTED

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