

Public

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

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

Sue Kelly  
Executive Deputy Commissioner

March 7, 2014

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Jonathan David Ingram, M.D.  
REDACTED

Jonathan David Ingram, M.D.  
2810 Ambassador Caffery Parkway  
Lafayette, Louisiana 70506

Michael G. Bass, Esq.  
NYS Department of Health  
ESP-Corning Tower-Room 2512  
Albany, New York 12237

**RE: In the Matter of Jonathan David Ingram, M.D.**

Dear Parties:

Enclosed please find the Determination and Order (No. 14-55) 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  
Office of Professional Medical Conduct  
Riverview Center  
150 Broadway - Suite 355  
Albany, New York 12204

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.

As prescribed by the New York State Public Health Law §230, subdivision 10, paragraph (i), (McKinney Supp. 2013) and §230-c subdivisions 1 through 5, (McKinney Supp. 2013), "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., Chief Administrative Law Judge  
New York State Department of Health  
Bureau of Adjudication  
Riverview Center  
150 Broadway – Suite 510  
Albany, New York 12204

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  
Chief Administrative Law Judge  
Bureau of Adjudication

JFH:cah  
Enclosure

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

COPY

IN THE MATTER  
OF  
JONATHAN DAVID INGRAM, M.D.  
CO-12-07-3815-A

DETERMINATION  
AND  
ORDER

BPMC #14-55

A hearing was held on February 20, 2014, at the offices of the New York State Department of Health ("the Petitioner"). A Notice of Hearing and Statement of Charges both dated December 11, 2013, were served upon the Respondent, Jonathan David Ingram, M.D. Pursuant to Section 230(10)(e) of the Public Health Law, William P. Dillon, M.D., Chairperson, Eleanor C. Kane, M.D. and Ruth Horowitz, Ph.D. duly designated members of the State Board for Professional Medical Conduct, served as the Hearing Committee in this matter. Christine C. Traskos, Esq. Administrative Law Judge, served as the Administrative Officer.

The Petitioner appeared by James Dering, Esq., General Counsel, by Michael G. Bass, Esq. of Counsel. The Respondent did not appear and was not represented by counsel.

Evidence was received and transcripts of these proceedings were made.

After consideration of the entire record, the Hearing Committee issues this Determination and Order.

**BACKGROUND**

This proceeding was brought pursuant to Public Health Law Section 230(10). The statute provides for an expedited hearing when a licensee is charged 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 an expedited hearing is limited to a determination of the nature and severity of the penalty to be imposed upon the licensee.

In this case, the Respondent is charged with professional misconduct pursuant to Education Law Section 6530(9)(d). The Respondent is also charged with a violation of Education Law Section 6530(2).

Copies of the Notice of Hearing and the Statement of Charges are attached to this Determination and Order as Appendix I.

#### **WITNESSES**

For the Petitioner: None

For the Respondent: None

#### **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." or transcript page numbers ("T."). 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. Jonathan David Ingram, M.D., the Respondent did not appear although he was duly served. (Petitioner's Exs. 2 and 3)

2. Jonathan David Ingram, M.D., the Respondent, was authorized to practice medicine in New York State on July 13, 2007 by the issuance of license number 245159 by the New York State Education Department. (Petitioner's Ex. 4)

3. On or about August 25, 2010, the State of Florida, Board of Medicine, (hereinafter ("Florida Board")), by Notice of Intent to Deny Licensure, ordered that Respondent's application for licensure in the State of Florida be denied. The Florida Board found that Respondent had failed to disclose on his application that he was on probation in medical school, and accordingly, had misrepresented or concealed a material fact during the licensing process. (Petitioner's Ex.5)

4. On or about January 3, 2011, Respondent prepared and/or submitted to the New York State, Education Department, a Registration Renewal Document, wherein he falsely answered 'No' to the question, since your last registration application, 2) Has any licensing or disciplinary authority revoked, annulled, cancelled, accepted surrender of, suspended, placed on probation or refused to issue or renew a professional license or certificate held by you now or previously, or fined, censured, reprimanded or otherwise disciplined you? (Petitioner's Ex. 6 )

5. On or about May 9, 2012, the State Medical Board of Ohio (hereinafter Ohio Board'), by Findings, Order and Journal Entry, revoked Respondent's certificate to practice medicine and surgery. The Ohio Board found that Respondent had consistently failed to comply with investigatory requests, subpoenas and orders. (Petitioner's Ex.7)

## VOTE OF THE HEARING COMMITTEE

### FIRST SPECIFICATION

Respondent violated New York Education Law §6530(9)(d) by having his application for a license refused in another state.

VOTE: Sustained (3-0)

### SECOND SPECIFICATION

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

VOTE: Sustained (3-0)

### THIRD SPECIFICATION

Respondent violated New York Education Law §6530(9)(d) by having disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would, if committed in New York state, constitute professional misconduct under the laws of New York state.

VOTE: Sustained (3-0)

## HEARING COMMITTEE DETERMINATION

The Respondent did not appear at the hearing and offered nothing in the way of mitigation. The Hearing Committee finds that Respondent was not issued a medical license in Florida because he failed to disclose on his application that he was on probation in medical school. Respondent never appeared before the Florida Board to provide an explanation. In 2010, Respondent repeatedly ignored the Ohio Board's request for completed interrogatories. Respondent failed to

appear before the Ohio Board even after he was subpoenaed several times in 2011. In the same year, Respondent lied about the denial of his Florida license on his New York state license renewal application. The Hearing Committee is troubled by Respondent's pattern of concealment and his failure to cooperate with inquiries from both the Florida and Ohio medical Boards. The Hearing Committee has an obligation to protect the health and safety of patients in this state. They see no reason to permit this physician, who has already been banned from practice in two states, the opportunity to maintain his license in New York State.

As a result, the Hearing Committee concludes that Respondent's license to practice medicine in New York State should be revoked. This determination was reached after due consideration of the full spectrum of penalties available pursuant to statute, including revocation, suspension and/or probation, censure and reprimand, the imposition of monetary penalties and dismissal in the interest of justice.

**ORDER**

**IT IS HEREBY ORDERED THAT:**

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

**DATED: Buffalo, New York**

March 6TH, 2014

REDACTED

William P. Dillon, M.D.,  
Chairperson

Eleanor C. Kane, M.D.  
Ruth Horowitz, Ph.D.



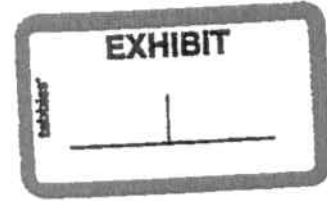
TO:

Jonathan David Ingram, M.D.  
REDACTED

Jonathan David Ingram, M.D.  
2810 Ambassador Caffery Pkwy  
Lafayette, LA 70506

Michael G. Bass, Esq.  
Associate Counsel  
NYS Department of Health  
Bureau of Professional Medical Conduct  
Corning Tower- Rm. 2512  
Empire State Plaza  
Albany, NY 12237

# APPENDIX I



**IN THE MATTER  
OF  
JONATHAN DAVID INGRAM, M.D.**

**NOTICE  
OF  
HEARING**

TO: Jonathan David Ingram, M.D.  
REDACTED

**PLEASE TAKE NOTICE:**

A hearing will be held pursuant to the provisions of N.Y. Pub. Health Law §230 and N.Y. State Admin. Proc. 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 20<sup>th</sup> of February, 2013, at 10:30 a.m., at the Offices of the New York State Department of Health, Riverview Center, 150 Broadway, Suite 510, Albany, NY 12204, 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, which 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.

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

Department attorney: Initial here \_\_\_\_\_

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, Riverview Center, 150 Broadway - Suite 510, Albany, NY 12204-2719, ATTENTION: HON. JAMES HORAN, 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, and 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 N.Y. Pub. 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 N.Y. State Admin. Proc. Act §401 and 10 N.Y.C.R.R. §51.8(b), the Petitioner hereby demands 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 which cannot be photocopied.

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.

DATE Dec. 11, 2013

Albany, NY

REDACTED

Michael A. Hiser  
Deputy Counsel  
Bureau of Professional Medical Conduct

Inquiries should be directed to:  
Michael G. Bass, Associate Counsel  
Bureau of Professional Medical Conduct  
Empire State Plaza

Corning Tower, Room 2512  
Albany, NY 12237  
(518) 473-4282

---

IN THE MATTER  
OF  
JONATHAN DAVID INGRAM, M.D.  
CO-12-07-3815-A

---

STATEMENT  
OF  
CHARGES

JONATHAN DAVID INGRAM, M.D., Respondent, was authorized to practice medicine in New York state on or about July 13, 2007, by the issuance of license number 245159 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about August 25, 2010, the State of Florida, Board of Medicine, (hereinafter "Florida Board"), by NOTICE OF INTENT TO DENY LICENSURE, ordered that Respondent's application for licensure in the State of Florida be DENIED. The Florida Board found that Respondent had failed to disclose on his application that he was on probation in medical school, and accordingly, had misrepresented or concealed a material fact during the licensing process.

B. The conduct resulting in the Florida Board disciplinary action against Respondent would constitute misconduct under the laws of New York State, pursuant to the following section(s) of New York State law:

1. New York Education Law §6530(2) (practicing the profession fraudulently); and/or
2. New York Education Law §6530(21) (filing a false report).

C. On or about January 3, 2011, Respondent prepared and/or submitted to the New York State, Education Department, a Registration Renewal Document, wherein he falsely answered "No" to the question, "since your last registration application, 2) Has any licensing or disciplinary authority revoked, annulled, cancelled, accepted surrender of, suspended, placed on probation, or refused to issue or renew a professional license or certificate held by you now or previously, or fined, censured, reprimanded or otherwise disciplined you?"

D. On or about May 9, 2012, the State Medical Board of Ohio (hereinafter "Ohio Board"), by FINDINGS, ORDER AND JOURNAL ENTRY, REVOKED Respondent's certificate to practice medicine and surgery. The Ohio Board found that Respondent had consistently failed to comply with investigatory requests, subpoenas and orders.

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

1. New York Education Law §6530(16) (willful or grossly negligent failure to comply with substantial provisions of federal, state, or local laws, rules, or regulations governing the practice of medicine), specifically, New York Public Health Law §230(10)(k).

### SPECIFICATIONS

#### FIRST SPECIFICATION

Respondent violated New York Education Law §6530(9)(d) by having his application for a license refused where the conduct resulting in the refusal 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 and B.

#### SECOND SPECIFICATION

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

2. The facts in Paragraphs A and C.

#### THIRD SPECIFICATION

Respondent violated New York Education Law §6530(9)(d) by having disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the disciplinary action would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that Petitioner charges:

3. The facts in Paragraphs D and E.

DATED: Dec-11, 2013  
Albany, New York

REDACTED

---

MICHAEL A. HISER  
Acting Deputy Counsel  
Bureau of Professional Medical Conduct