



Board for Professional Medical Conduct

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

Mark R. Chassin, M.D., M.P.P., M.P.H.
Commissioner

C. Maynard Guest, M.D.
Executive Secretary

August 18, 1994

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Ajay K. Das, M.D.
8211 North Keating Avenue
Skokie, ILL 60076

RE: License No. 156589
Effective Date: 8/25/94

Dear Dr. Das:

Enclosed please find Order #BPMC 94-157 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 12237-0756

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
AJAY K. DAS, M.D. : BPMC #94-157

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Upon the Application of AJAY K. DAS, M.D. (Respondent) to Surrender his license as a physician in the State of New York, which application is made a part hereof, it is

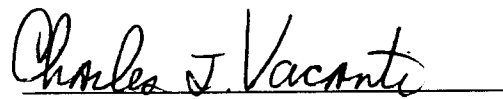
ORDERED, that the application and the provisions thereof are hereby adopted; it is further

ORDERED, that the name of Respondent be stricken from the roster of physicians in the State of New York; it is further

ORDERED, that this order shall take effect as of the date of the personal service of this order upon Respondent, upon receipt by Respondent of this order via certified mail, or seven days after mailing of this order via certified mail, whichever is earliest.

SO ORDERED,

DATED: 12 August 94



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

-----X

IN THE MATTER : APPLICATION TO
OF : SURRENDER
AJAY K. DAS, M.D. : LICENSE

-----X

STATE OF ILLINOIS)

ss.:

COUNTY OF COOK)

AJAY K.DAS, M.D., being duly sworn, deposes and says:

On or about October 5, 1983, I was licensed to practice medicine as a physician in the State of New York having been issued License No.156589 by the New York State Education Department.

I am not currently registered with the New York State Education Department to practice as a physician in the State of New York.

I understand that I have been charged with three Specifications of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A".

I admit guilt to the three Specifications of professional misconduct set forth in the Statement of Charges.


I am applying to the State Board for Professional Medical Conduct for permission to surrender my license as a physician in the State of New York.

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

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

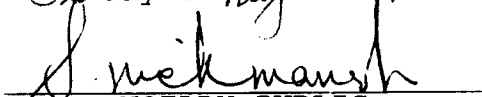
I agree that in the event the State Board for Professional Medical Conduct grants my application, an order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me.

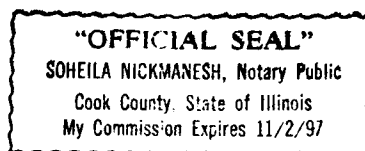
I am making this Application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.


AJAY K. DAS, M.D.
Respondent

Sworn to before me this

3rd day of August, 1994


NOTARY PUBLIC



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

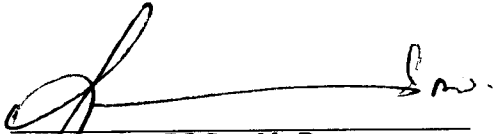
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IN THE MATTER : APPLICATION TO
OF : SURRENDER
AJAY K. DAS, M.D. : LICENSE

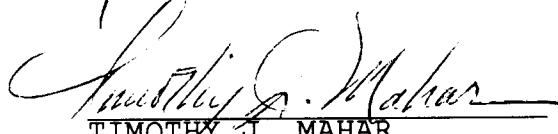
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The undersigned agree to the attached application of the Respondent to surrender his license.

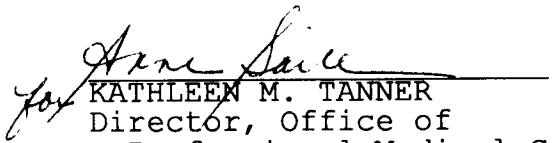
Date: 8/3/, 1994


AJAY K. DAS, M.D.
Respondent

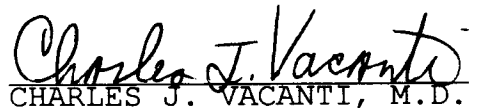
Date: August 4, 1994


TIMOTHY J. MAHAR
Assistant Counsel
Bureau of Professional
Medical Conduct

Date: 8/17, 1994


KATHLEEN M. TANNER
Director, Office of
Professional Medical Conduct

Date: 12 August, 1994


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 : STATEMENT
OF : OF
AJAY K. DAS, M.D. : CHARGES

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AJAY K. DAS, M.D., the Respondent, was authorized to practice medicine in New York State on October 5, 1983, by the issuance of license number 156589 by the New York State Education Department. The Respondent is not currently registered with the New York State Education Department to practice medicine.

FACTUAL ALLEGATIONS

1. On April 20, 1990, Respondent in the case of People of the State of Illinois v. Ajay K. Das (General No. 88-CR-15484) was convicted of Vendor Fraud, a felony, in violation of Chapter 23, §8A-3(a) of the Illinois Revised Statutes upon a plea of guilty in the Circuit Court of Cook County, Illinois.
2. More specifically, on or about July, 1988, Respondent and others caused false billing invoices to be submitted to the Illinois Department of Public Aid (Medicaid) representing that Respondent, as a Medicaid provider, had provided medical care to certain public aid recipients when in fact, neither Respondent, nor any other licensed medical provider, had provided medical care to those recipients. Respondent

was convicted of receiving payments to which he was not entitled totalling between \$5,000.00 and \$10,000.00.

3. On April 20, 1990, Respondent was sentenced to, among other things, two years probation, and the payment of restitution to the Illinois Department of Public Aid in the amount of \$150,000.00.
4. The act for which Respondent was convicted would, if committed in New York State, have constituted a crime under N.Y. Social Services Law §366-b(2) [presenting a false or fraudulent claim for furnishing services with the intent to defraud].
5. On or about July 19, 1990, the Illinois Department of Professional Regulation charged Respondent with violating the Illinois Medical Practice Act, Illinois Revised Statutes, (1987) Chapter 111, par. 4400-22(3) [a license to practice medicine may be revoked, suspended, placed on probationary status or otherwise disciplined upon the conviction of a felony] in connection with Respondent's 1990 conviction for Vendor Fraud.
6. By order dated July 29, 1991, the Illinois Department of Professional Regulation approved of a Stipulation and Recommendation for Settlement entered into by the Respondent which provided, among other things, that Respondent had been convicted of Vendor Fraud in violation of Illinois Revised

Statutes, Chapter 23, §§8A-3(a) (1985), in that "he knowingly and willfully, by a fraudulent scheme," caused false billing invoices to be made to the Illinois Department of Public Aid.

7. The Illinois Department of Professional Regulation disciplined the Respondent by, among other things, requiring Respondent to pay a \$25,000.00 fine, suspending his physician and controlled substances licenses for six months, placing Respondent's physician and controlled substances licenses on five years probation following the suspension, and requiring Respondent to make quarterly reports regarding his medical practice during the probationary term.

8. The conduct upon which the Illinois Department of Professional Regulation took disciplinary action against Respondent's license would, if committed in New York State, constitute professional misconduct under N.Y. Educ. Law §6530(9)(a)(i) [being convicted of committing an act constituting a crime under New York State law] in conjunction with N.Y. Social Services Law §366-b(2) [one who presents a false or fraudulent claim for furnishing services with the intent to defraud is guilty of a class A misdemeanor], and/or N.Y. Educ. Law §6530(2) [practicing the profession fraudulently].

FIRST SPECIFICATION

CRIMINAL CONVICTION BY OTHER STATE

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(9)(a)(iii) (McKinney Supp. 1994) by reason of having been convicted of committing an act constituting a crime under the law of another jurisdiction and which, if committed within this State, would have constituted a crime under New York State law in that Petitioner charges:

1. The facts in Paragraphs 1 through 4.

SECOND SPECIFICATION

FINDING OF GUILT OF PROFESSIONAL MISCONDUCT BY OTHER STATE

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6530(9)(b) (McKinney Supp. 1994) by reason of having been found guilty of improper professional practice or professional misconduct by a duly authorized disciplinary agency of another state, where the conduct resulting in disciplinary action, would if committed in New York State, constitute professional misconduct under the laws of New York State, in that Petitioner charges:


2. The facts in Paragraph 5 through 8.

THIRD SPECIFICATION
DISCIPLINED BY OTHER STATE

Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law §6530(9)(d) (McKinney Supp. 1994) by reason of having disciplinary action taken against his license to practice medicine by a duly authorized professional disciplinary agency of another state, where the conduct resulting in disciplinary action involving the license 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 5 through 8.

DATED: *July 15*, 1994
Albany, New York


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