

**These charges are only allegations which
may be contested by the licensee in an
Administrative hearing.**

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

IN THE MATTER

OF

VITALIS OJIEGBE, M.D.

STATEMENT

OF

CHARGES

VITALIS OJIEGBE, M.D., the Respondent, was authorized to practice medicine in New York State on May 26, 2005, by the issuance of license number 236335 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about March 12, 2015, the Maryland State Board of Physicians (Maryland Board) issued a Consent Order which found the Respondent guilty of violating Maryland Medical Practice Act, Maryland Code Annotated, Health Occupations Article §§ 14-404(a)(22), (28), and (40), and §§ 12-102 and 12-105; and Maryland Code of Regulations §§ 10.13.01.04, 10.19.03.05, and 10.19.03.12. The Respondent inappropriately prescribed opioids and other controlled substances; failed to provide quality medical care to patients which met the applicable standards of care; and failed to maintain appropriate medical records. The Maryland Board ordered that the Respondent be reprimanded; imposed probation for two years with a physician monitor; and required the successful completion of continuing medical education courses acceptable to the Maryland Board in the areas of pain management, bariatric medicine and medical record keeping. The Respondent was prohibited from practicing pain management until completion of the continuing medical education course in such area.

B. Respondent's conduct is described in paragraph "A" upon which the finding of unprofessional conduct in the State of Maryland was based would, if committed in New York State, constitute professional misconduct under the laws of the New York State as follows:

1. New York Education Law Section 6530(3) (practicing the profession with negligence on more than one occasion); and/or
2. New York Education Law Section 6530(5) (practicing the profession with incompetence on more than one occasion); and/or
3. New York Education Law Section 6530(32) (failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient).

SPECIFICATIONS OF MISCONDUCT

First Specification

Respondent is charged with committing professional misconduct as defined in New York Education Law Section 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 the facts of the following:

1. The facts of Paragraphs "A" and "B".

Second Specification

Respondent is charged with committing professional misconduct as defined in New York Education Law Section 6530(9)(d) by having his license to practice medicine revoked, suspended or having other disciplinary action taken; or having his or her application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his or her license after disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York State, constitute professional misconduct under the laws of New York State in the facts of the following:

2. The facts of Paragraphs "A" and "B".

DATE: Albany, New York
May 31, 2016


MICHAEL A. HISER, ESQ.
Deputy Counsel
Bureau of Professional Medical Conduct