

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

IN THE MATTER
OF
ELMER MANALO, M.D.
CO-07-10-5813-A

COMMISSIONER'S
SUMMARY
ORDER

TO: ELMER P. MANALO, M.D.

Redacted Address

ELMER P. MANALO, M.D.
8051 S. Emerson Ave.
#370
Indianapolis, IN 46237

ELMER P. MANALO, M.D.
11530 E. Washington Street
Indianapolis, IN 46229-2828

The undersigned, Richard 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 the duly authorized professional disciplinary agency of another jurisdiction, the Medical Licensing Board of Indiana (hereinafter "Indiana Board"), has made a finding substantially equivalent to a finding that the practice of medicine by **ELMER P. MANALO, M.D.**, Respondent, New York license no. 156913, in that jurisdiction, constitutes an imminent danger to the health of its people, as is more fully set forth in the Medical Licensing Board of Indiana, Agreement for Summary Suspension, dated October 2, 2007, effective September 27, 2007, and Extensions of Summary Suspension Order, dated December 11, 2007, March 31, 2008, and May 19, 2008, attached, hereto, as Appendix "A" and made a part, hereof.

It is, therefore:

ORDERED, pursuant to New York Public Health Law §230(12)(b), that effective immediately, **ELMER P. MANALO, M.D.**, shall not practice medicine in the State of New York or in any other jurisdiction where that practice is predicated on a valid New York State license to practice medicine.

Any practice of medicine in the State of New York 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.

This Order shall remain in effect until the final conclusion of a hearing which shall commence within thirty days after the final conclusion of the disciplinary proceeding in the State of Alabama. The 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 a date and at a location to be set forth in a written Notice of Summary Hearing to be provided to the Respondent after the final conclusion of the Indiana proceeding. Said written Notice may be provided in person, by mail, or by other means. If Respondent wishes to be provided said written notice at an address other than that set forth above, Respondent shall so notify, in writing, both the attorney whose name is set forth in this Order, and the Director of the Office of Professional Medical Conduct, at the addresses set forth below.

Respondent shall notify the Director of the Office of Professional Medical Conduct, New York State Department of Health, 433 River Street, Suite 303, Troy, NY 12180-2299 via Certified Mail, Return Receipt Requested, of the final conclusion of the proceeding

immediately upon such conclusion.

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 forth in New York Public Health Law §230-a. You are urged to obtain an attorney to represent you in this matter.

DATE: Albany, New York

July 14, 2008

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

BEFORE THE MEDICAL LICENSING BOARD OF INDIANA
CAUSE NO. 2007 MLB 025

IN THE MATTER OF THE)
LICENSE OF)
ELMER MANALO, M.D.)

LICENSE NO: 01040595)
)
)



**ORDER CONTINUING FINAL HEARING AND INDEFINITE EXTENSION OF
SUMMARY SUSPENSION ORDER**

The Medical Licensing Board of Indiana ("Board"), pursuant to the authority of Indiana Code § 4-21.5-4-1 *et seq.* and Indiana Code § 25-1-9-10, by a vote of 6-0-0, **SUMMARILY SUSPENDS** the license held by Elmer Manalo, M.D., ("Respondent") at the Board's April 24, 2008 meeting as the Board finds that an emergency exists and that the Respondent represents a clear and immediate danger to the public health and safety if allowed to practice medicine in the State of Indiana.

The State of Indiana was represented by Elizabeth E. Kiefner, Deputy Attorney General. Respondent was represented by Counsel Mary Ann Wunder. Respondent's counsel presented a written document signed by both Respondent and his counsel which indicated that the Respondent's medical license will be placed on an additional period of summary suspension through the final hearing in this matter.

WHEREFORE, RESPONDENT IS ORDERED to immediately cease and desist from all acts constituting the practice of medicine for a period of time through the final hearing in this matter.

IT IS FURTHER ORDERED, that Respondent shall immediately surrender all indicia of licensure, including his pocket license and wall license, to the Board in care of the Indiana Professional Licensing Agency, 402 West Washington Street, Room W072, Indianapolis, Indiana 46204.

Respondent's counsel also presented a motion to continue the final hearing currently scheduled for April 24, 2008 which was approved by the Board by a vote of 6-0-0. The final hearing in this matter is continued until further notice from the Board.

SO ORDERED, this 19 day of May, 2008; this Order is effective as of April 24, 2008.

MEDICAL LICENSING BOARD OF
INDIANA

By:

Redacted Signature
Francis L. Kelly
Executive Director
Indiana Professional Licensing Agency

Copies to:

Elmer Manalo, M.D.
11530 East Washington Street
Indianapolis, IN 46229

SENT CERTIFIED MAIL NO. 7006 2760 0003 4664 8616
RETURN RECEIPT REQUESTED

Mary Ann Wunder
Counsel for Respondent Elmer Manalo, M.D.
5330 Madison Ave
Indianapolis, IN 46227-4244

SENT CERTIFIED MAIL NO. 7006 2760 0003 4664 8609
RETURN RECEIPT REQUESTED

Deputy Attorney General Elizabeth E. Kiefner
Office of the Attorney General
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis, IN 46204-2770

BEFORE THE MEDICAL LICENSING BOARD OF INDIANA
CAUSE NO. 2007 MLB 025

IN THE MATTER OF THE)
LICENSE OF)
ELMER MANALO, M.D.)
)
)
LICENSE NO: 01040595A)



EXTENSION OF SUMMARY SUSPENSION ORDER

The Medical Licensing Board of Indiana ("Board"), pursuant to the authority of Indiana Code § 4-21.5-4-1 *et seq.* and Indiana Code § 25-1-9-10, by a vote of 5-0-0, **SUMMARILY SUSPENDS** the license held by Elmer Manalo, M.D., ("Respondent") through the Board's April 24, 2008 meeting as the Board finds that an emergency exists and that the Respondent represents a clear and immediate danger to the public health and safety if allowed to practice medicine in the State of Indiana.

The State of Indiana was represented by Elizabeth E. Kiefner, Deputy Attorney General. Respondent was represented by Counsel Mary Ann Wunder. The parties presented a written agreement that the Respondent's medical license will be placed on an additional period of summary suspension through April 24, 2008.

WHEREFORE, RESPONDENT IS ORDERED to immediately cease and desist from all acts constituting the practice of medicine for a period of time through April 24, 2008.

IT IS FURTHER ORDERED, that Respondent shall immediately surrender all indicia of licensure, including his pocket license and wall license, to the Board in care of the Indiana Professional Licensing Agency, 402 West Washington Street, Room W072, Indianapolis, Indiana 46204.

SO ORDERED, this 31 day of March, 2007; this Order is effective as of
March 27, 2008.

MEDICAL LICENSING BOARD OF
INDIANA

By: Redacted Signature
Frances L. Kelly
Executive Director
Indiana Professional Licensing Agency

Copies to:

Elmer Manalo, M.D.
11530 East Washington Street
Indianapolis, IN 46229

Mary Ann Wunder
Counsel for Respondent Elmer Manalo, M.D.
5330 Madison Ave
Indianapolis, IN 46227-4244

SENT CERTIFIED MAIL NO. 7006 2760 000 3 4661 1214
RETURN RECEIPT REQUESTED

Deputy Attorney General Elizabeth E. Kiefner
Office of the Attorney General
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis, IN 46204-2770

BEFORE THE MEDICAL LICENSING
BOARD OF INDIANA
CAUSE NO. 2007 MLB 0025

IN THE MATTER OF THE)
LICENSE OF)
ELMER MANALO, M.D.)
)
)
LICENSE NO: 01040595A)



EXTENSION OF SUMMARY SUSPENSION ORDER

The Medical Licensing Board of Indiana ("Board"), pursuant to the authority of Indiana Code § 4-21.5-4-1 *et seq.* and Indiana Code § 25-1-9-10, by a vote of 5-0-0, **SUMMARILY SUSPENDS** the license held by Elmer Manalo, M.D., ("Respondent") for an additional 90 days after his original summary suspension ends on December 27, 2007, as the Board finds that an emergency exists and that the Respondent represents a clear and immediate danger to the public health and safety if allowed to practice medicine in the State of Indiana.

The State of Indiana was represented by Elizabeth E. Kiefner, Deputy Attorney General. Respondent was represented by Counsel Mary Ann Wunder. The parties presented a written agreement that the Respondent's medical license will be placed on an additional ninety (90) days suspension until March 27, 2008.

WHEREFORE, RESPONDENT IS ORDERED to immediately cease and desist from all acts constituting the practice of medicine for a period of an additional 90 days until March 27, 2008.

IT IS FURTHER ORDERED, that Respondent shall immediately surrender all indicia of licensure, including his pocket license and wall license, to the Board in care of

the Indiana Professional Licensing Agency, 402 West Washington Street, Room W072,
Indianapolis, Indiana 46204.

SO ORDERED, this 11 day of December 2007; this Order is effective as of
December 28, 2007.

MEDICAL LICENSING BOARD OF INDIANA

By: Redacted Signature
Francis L. Kelly
Executive Director
Indiana Professional Licensing Agency

Copies to:

Elmer Manalo, M.D.
Cardiac and Vascular Physicians
11530 East Washington Street
Indianapolis, Indiana 46229

Mary Ann Wunder
Counsel for Respondent Elmer Manalo, M.D.
5330 Madison Ave
Indianapolis, IN 46227-4244
SENT CERTIFIED MAIL NO. 7006 2760 0003 8661 2099
RETURN RECEIPT REQUESTED

Deputy Attorney General Elizabeth E. Kiefner
Office of the Attorney General
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis, IN 46204-2770

BEFORE THE MEDICAL
LICENSING BOARD OF
INDIANA
CAUSE NO. 2007 MLB 025

IN THE MATTER OF THE)
LICENSE OF)
ELMER MANALO, M.D.,)
)
LICENSE NO: 01040595)



AGREEMENT FOR SUMMARY SUSPENSION

The Medical Licensing Board of Indiana ("Board"), pursuant to the authority of Indiana Code § 4-21.5-4-1 *et seq.* and Indiana Code § 25-1-9-10, by a vote of 6-1-0, **SUMMARILY SUSPENDS** the license held by Elmer Manalo, M.D., ("Respondent") for ninety (90) days, as the Board finds that an emergency exists and that the Respondent represents a clear and immediate danger to the public health and safety if allowed to practice medicine in the State of Indiana.

The State of Indiana was represented by Elizabeth E. Kiefner, Deputy Attorney General. Respondent was present and represented by counsel, Mary Ann Wunder.

This NON-FINAL emergency order is based on the parties' verbal agreement that the Respondent's medical license will be placed on a ninety (90) days suspension.

WHEREFORE, RESPONDENT IS ORDERED to immediately cease and desist from all acts constituting the practice of medicine for a period of ninety (90) days from the date of this Order.

IT IS FURTHER ORDERED, that Respondent shall immediately surrender all indicia of licensure, including his pocket license and wall license, to the Board in care of the Indiana Professional Licensing Agency, 402 West Washington Street, Room W072, Indianapolis, Indiana 46204.

SO ORDERED, this 02 day of October, 2007; this Order is effective as of
27th day of September, 2007.

MEDICAL LICENSING BOARD OF INDIANA

By: *Redacted Signature*

Frances L. Kelly
Executive Director
Indiana Professional Licensing Agency

Copies to:

Mary Ann Wunder
5330 Madison Ave
Indianapolis, IN 46227-4244

SENT CERTIFIED MAIL NO. ~~7006 2760 0003 4661 1016~~
RETURN RECEIPT REQUESTED

Deputy Attorney General Elizabeth E. Kiefner
Office of the Attorney General
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis, IN 46204-2770