



New York State Board for Professional Medical Conduct

433 River Street, Suite 303 • Troy, New York 12180-2299 • (518) 402-0863

Antonia C. Novello, M.D., M.P.H., Dr.P.H.
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Dennis P. Whalen
Executive Deputy Commissioner
NYS Department of Health
Anne F. Saile, Director
Office of Professional Medical Conduct

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Chair

Denise M. Bolan, R.P.A.
Vice Chair

Ansel R. Marks, M.D., J.D.
Executive Secretary

December 22, 2000

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Padma Ram, M.D.
140 West 6th Street
Oswego, New York 13126

RE: License No. 164385

Dear Dr. Ram:

Enclosed please find Order #BPMC 00-358 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect December 22, 2000.

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 to Board for Professional Medical Conduct, New York State Department of Health, Hedley Park Place, Suite 303, 433 River Street, Troy, New York 12180.

Sincerely,

Ansel R. Marks, M.D., J.D.
Executive Secretary
Board for Professional Medical Conduct

Enclosure

cc: George F. Mould, Esq.
Martin, Ganotis, Brown, Mould & Currier
5790 Widewaters Parkway
Dewitt, New York 13214

Timothy J. Mahar, Esq.

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

IN THE MATTER
OF
PADMA RAM, M.D.

CONSENT
AGREEMENT
AND
ORDER

BPMC No. 00-358

PADMA RAM, M.D., (Respondent) says:

That on or about October 7, 1985, I was licensed to practice as a physician in the State of New York, having been issued License No. 164385 by the New York State Education Department.

My current address is 140 West 6th Street, Oswego, New York 13126, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

I understand that the New York State Board for Professional Medical Conduct has charged me with thirty-four specifications of professional misconduct.

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A".

I plead no contest to the nineteenth through the twenty-fifth specifications, in full satisfaction of the charges against me. I hereby agree to the following penalty: an eighteen month suspension of my medical license stayed with probation and 150 hours of community service in accordance with the terms set forth in Appendix B, hereto.

I further agree that the Consent Order for which I hereby apply shall impose the following conditions:

That, except during periods of actual suspension, Respondent shall maintain active registration of Respondent's license with

the New York State Education Department Division of Professional Licensing Services, and pay all registration fees. This condition shall be in effect beginning thirty days after the effective date of the Consent Order and will continue while the licensee possesses his/her license; and

That Respondent shall fully cooperate in every respect with the Office of Professional Medical Conduct (OPMC) in its administration and enforcement of this Order and in its investigation of all matters regarding Respondent. Respondent shall respond in a timely manner to each and every request by OPMC to provide written periodic verification of Respondent's compliance with the terms of this Order. Respondent shall meet with a person designated by the Director of OPMC as directed. Respondent shall respond promptly and provide any and all documents and information within Respondent's control upon the direction of OPMC. This condition shall be in effect beginning upon the effective date of the Consent Order and will continue while the licensee possesses his/her license.

I hereby stipulate that any failure by me to comply with such conditions shall constitute misconduct as defined by New York State Education Law §6530(29).

I agree that in the event I am charged with professional misconduct in the future, this agreement and order shall be admitted into evidence in that proceeding.

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

I understand that, in the event that this Application is not granted by the Board, 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 Board shall be made without prejudice to the continuance of any disciplinary proceeding and the final determination by the Board pursuant to the provisions of the Public Health Law.

I agree that, in the event the Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same. I agree that such order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Consent Order to me at the address set forth in this agreement, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is earliest.

I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner. In consideration of the value to me of the acceptance by the Board of this Application, allowing me to resolve this matter without the various risks and burdens of a hearing on the merits, I knowingly waive any right I may have to contest the Consent Order for which I hereby apply, whether administratively or judicially, and ask that the Application be granted.

AFFIRMED:

DATED 12/8/00.



PADMA RAM, M.D.
RESPONDENT

The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

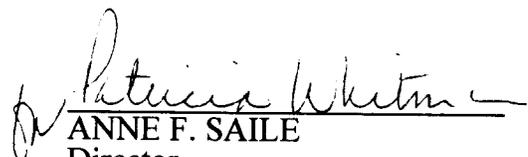
DATE: 12/8/00


GEORGE MOULD, ESQ.
Attorney for Respondent

DATE: 12/12/00


TIMOTHY J. MAHAR
Associate Counsel
Bureau of Professional
Medical Conduct

DATE: 12/18/00


ANNE F. SAILE
Director
Office of Professional
Medical Conduct

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

IN THE MATTER
OF
PADMA RAM, M.D.

CONSENT
ORDER

Upon the proposed agreement of PADMA RAM, M.D. (Respondent) for Consent Order, which application is made a part hereof, it is agreed to and ORDERED, that the application and the provisions thereof are hereby adopted and so ORDERED, and it is further

ORDERED, that this order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Consent Order to Respondent at the address set forth in this agreement or to Respondent's attorney by certified mail, or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

SO ORDERED.

DATED: 12/21/00



WILLIAM P. DILLON, M.D.
Chair
State Board for Professional
Medical Conduct

EXHIBIT "A"

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

-----X

IN THE MATTER : STATEMENT
OF : OF
PADMA RAM, M.D. : CHARGES

-----X

PADMA RAM, M.D., the Respondent, was authorized to practice medicine in New York State on October 7, 1985 by the issuance of license number 164385 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about November 26, 1993, Respondent completed and filed an application for appointment to the medical staff at the then House of The Good Samaritan Hospital (now Samaritan Medical Center) in Watertown, New York. Respondent's application contained the following omissions and/or false responses:

1. In a response to a request on the application for a "Chronology of Professional Career Hospital Affiliations", Respondent omitted from the application her two most recent hospital affiliations at that time, Winthrop University Hospital in Mineola, New York, and Hempstead General Hospital in Hempstead, New York. Respondent had been a member of the medical staffs of Winthrop

University Hospital and Hempstead General Hospital from 1989 until her resignation from each medical staff in 1993.

2. Respondent answered "No" to the following application question: "Have any professional liability suits been filed against you which are presently pending", when in fact Respondent knew that she was a defendant in a medical malpractice action, Michael Baldini, as Administer of the Goods, Chattels and Credits of Rosaria Baldini v. Padma Ram, et. al., which was pending in the Nassau County Supreme Court on November 26, 1993.
3. In response to the following application request, "Please list all previous liability carriers to [sic] include address and dates of coverage", Respondent omitted information regarding her malpractice coverage with Physicians' Reciprocal Insurers which was Respondent's insurer in the Baldini medical malpractice action.
4. Respondent answered "No" to the following application question: "Have you ever been involved in a professional misconduct action", when in fact Respondent knew that on or about March 15, 1993, the Nassau County Board of Health, following two day of hearing, determined that Respondent had committed

multiple violations of sections of the New York Sanitary Code and New York Public Health Law relating to a mammography practice and equipment. A fine of \$170,000.00 was imposed by the Nassau County Board of Health.

B. On or about April 20, 1994, Respondent completed and filed an application for an appointment to the medical staff at Carthage Area Hospital in Carthage, New York. Respondent's application contained the following omissions and/or false responses:

1. In a response to a request on the application for a "Chronology of Professional Career Hospital Affiliations (past ten years)", Respondent omitted her membership on the medical staffs of Winthrop University Hospital and Hempstead General Hospital. Respondent had been a member of the medical staffs of Winthrop University Hospital and Hempstead General Hospital from 1989 until her resignation from each medical staff in 1993.
2. Respondent answered "No" to the following application question: "Have you ever been involved in a professional misconduct action. If so, describe the substance of the action and resolution.", when in fact Respondent knew that on or about March 15, 1993, the Nassau County Board of

Health, following two days of hearing, determined that Respondent had committed multiple violations of sections of the New York Sanitary Code and New York Public Health Law relating to mammography services and equipment. A fine of \$170,000.00 was imposed by the Nassau County Board of Health.

3. Respondent answered "No" to the following application question: "Have any professional liability suits been filed against you which are presently pending?", when in fact Respondent knew that she was a defendant in a medical malpractice action, Michael Baldini, as Administer of the Goods, Chattels and Credits of Rosari Baldini v. Padma Ram, et. al., which was pending in the Nassau County Supreme Court on April 20, 1994.
4. In a response to a request on the application for the following information, "Please list all previous professional liability carriers [sic] to include address and dates of coverage", Respondent omitted information regarding her malpractice coverage with Physicians' Reciprocal Insurers which was Respondent's insurer in the Baldini medical malpractice action.
5. On or about December 6, 1994, Respondent amended her application of April 20, 1994 for appointment to the

medical staff of Carthage Area Hospital to include information regarding her medical staff positions at Winthrop University Hospital and Hempstead General Hospital, and the Baldini medical malpractice action. On or about December 13, 1994, Respondent submitted a revised application for appointment to the medical staff of Carthage Area Hospital which included information regarding her medical staff positions at Winthrop University Hospital and Hempstead General Hospital, the Baldini medical malpractice action, and the Nassau County Board of Health action against her former mammography practice. The amendment to the April 20, 1994 application and the revised application of December 13, 1994 were made by Respondent after the information previously omitted was independently discovered by the House of the Good Samaritan Hospital during its investigations of the application submitted by Respondent to that hospital.

C. On or about December 22, 1994, Respondent completed and filed an application for appointment to the medical staff at Oswego Hospital in Oswego, New York. Respondent's application contained the following omissions and/or false responses:

1. Respondent answered "No" to the following

application questions: "Have you ever been refused membership on a hospital medical staff?" "Have your privileges at any hospital ever been *** not renewed?", when in fact Respondent had been advised by The House of Good Samaritan approximately one week before that her application for permanent privileges at that hospital would be denied unless she withdrew her application and that her temporary privileges would not be renewed. Respondent withdrew her application to the House of Good Samaritan Hospital after receiving notification that her application would not be approved.

SPECIFICATIONS

FIRST THROUGH NINTH SPECIFICATIONS

FRAUDULENT PRACTICE

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(2) by reason of her having practiced the profession fraudulently, in that Petitioner charges:

1. The facts set forth in paragraphs A and A.1.
2. The facts set forth in paragraphs A and A.2.
3. The facts set forth in paragraphs A and A.3.
4. The facts set forth in paragraphs A and A.4.
5. The facts set forth in paragraphs B and B.1.
6. The facts set forth in paragraphs B and B.2.
7. The facts set forth in paragraphs B and B.3.

8. The facts set forth in paragraphs B and B.4.
9. The facts set forth in paragraphs C and C.1.

TENTH THROUGH EIGHTEENTH

WILLFULLY MAKING OR FILING A FALSE REPORT

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(21) by reason of his willfully making or filing a false report, in that Petitioner charges:

10. The facts set forth in paragraphs A and A.1.
11. The facts set forth in paragraphs A and A.2.
12. The facts set forth in paragraphs A and A.3.
13. The facts set forth in paragraphs A and A.4.
14. The facts set forth in paragraphs B and B.1.
15. The facts set forth in paragraphs B and B.2.
16. The facts set forth in paragraphs B and B.3.
17. The facts set forth in paragraphs B and B.4.
18. The facts set forth in paragraphs C and C.1.

NINETEENTH THROUGH TWENTY-FIFTH SPECIFICATIONS

VIOLATION OF PUBLIC HEALTH LAW §2805-k

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(14) by reason of having failed to provide information required by Public Health Law §2805-k(1)(a) - (d) on applications granting or renewing professional privileges, in that Petitioner charges:

19. The facts set forth in paragraphs A and A.1.
20. The facts set forth in paragraphs A and A.2.
21. The facts set forth in paragraphs A and A.4.
22. The facts set forth in paragraphs B and B.1.
23. The facts set forth in paragraphs B and B.2.
24. The facts set forth in paragraphs B and B.3.
25. The facts set forth in paragraphs C and C.1.

TWENTY-SIXTH THROUGH THIRTY-FOURTH SPECIFICATIONS

MORAL UNFITNESS

Respondent is charged with professional misconduct under N.Y. Educ. Law §6530(20) by reason of her having engaged in conduct in the practice of medicine which evidences moral unfitness to practice medicine, in that Petitioner charges:

26. The facts set forth in paragraphs A and A.1.
27. The facts set forth in paragraphs A and A.2.
28. The facts set forth in paragraphs A and A.3.
29. The facts set forth in paragraphs A and A.4.
30. The facts set forth in paragraphs B and B.1.
31. The facts set forth in paragraphs B and B.2.
32. The facts set forth in paragraphs B and B.3.
33. The facts set forth in paragraphs B and B.4.
34. The facts set forth in paragraphs C and C.1.

DATED: *December 12*, 2000
Albany, New York

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

EXHIBIT "B"

Terms of Probation

1. Respondent shall conduct herself in all ways in a manner befitting her professional status, and shall conform fully to the moral and professional standards of conduct and obligations imposed by law and by her profession. Respondent acknowledges that if she commits professional misconduct as enumerated in New York State Education Law §6530 or §6531, those acts shall be deemed to be a violation of probation and that an action may be taken against Respondent's license pursuant to New York State Public Health Law §230(19).
2. Respondent shall submit written notification to the New York State Department of Health addressed to the Director, Office of Professional Medical Conduct (OPMC), Hedley Park Place, 433 River Street Suite 303, Troy, New York 12180-2299; said notice is to include a full description of any employment and practice, professional and residential addresses and telephone numbers within or without New York State, and any and all investigations, charges, convictions or disciplinary actions by any local, state or federal agency, institution or facility, within thirty days of each action.
3. Respondent shall fully cooperate with and respond in a timely manner to requests from OPMC to provide written periodic verification of Respondent's compliance with the terms of this Order. Respondent shall personally meet with a person designated by the Director of OPMC as requested by the Director.
4. Any civil penalty not paid by the date prescribed herein shall be subject to all provisions of law relating to debt collection by New York State. This includes but is not limited to the imposition of interest, late payment charges and collection fees; referral to the New York State Department of Taxation and Finance for collection; and non-renewal of permits or licenses [Tax Law section 171(27)]; State Finance Law section 18; CPLR section 5001; Executive Law Section 32].
5. The period of probation shall be tolled during periods in which Respondent is not engaged in the active practice of medicine in New York State. Respondent shall notify the Director of OPMC, in writing, if Respondent is not currently engaged in or intends to leave the active practice of medicine in New York State for a period of thirty (30) consecutive days or more. Respondent shall then notify the Director again prior to any change in that status. The period of probation shall resume and any terms of probation which were not fulfilled shall be fulfilled upon Respondent's return to practice in New York State.
6. Respondent's professional performance may be reviewed by the Director of OPMC. This review may include, but shall not be limited to, a review of office records, patient records and/or hospital charts, interviews with or periodic visits with Respondent and his/her staff at practice locations or OPMC offices.
7. Respondent shall maintain legible and complete medical records which accurately reflect the evaluation and treatment of patients. The medical records shall contain all information required by State rules and regulations regarding controlled substances.

8. Respondent shall perform 150 hours of community service. The service must be medical in nature, and delivered in a facility or with an organization equipped to provide medical services and serving a needy or medically underserved population. A written proposal for community service must be submitted to, and is subject to the written approval of the Director of OPMC. Community service performed prior to written approval shall not be credited toward compliance with this Order.
9. Respondent shall comply with all terms, conditions, restrictions, limitations and penalties to which he or she is subject pursuant to the Order and shall assume and bear all costs related to compliance. Upon receipt of evidence of noncompliance with, or any violation of these terms, the Director of OPMC and/or the Board may initiate a violation of probation proceeding and/or any such other proceeding against Respondent as may be authorized pursuant to the law.