

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

IN THE MATTER

OF

TRIVANDRUM S. RAMASWAMY, M.D.
CO-04-11-5775-A

COMMISSIONER'S
ORDER
AND
NOTICE OF
REFERRAL
PROCEEDING

TO: TRIVANDRUM S. RAMASWAMY, M.D.
Inmate # 138855
Plainfield Correctional Facility
7272 Moon Road
Plainfield, IN 46168

The undersigned, Antonia C. Novello, M.D., M.P.H., Dr. P.H., Commissioner of the New York State Department of Health, after an investigation, upon the recommendation of a committee on professional medical conduct of the State Board for Professional Medical Conduct, and upon the Statement of Charges attached, hereto, and made a part hereof, has determined that **TRIVANDRUM S. RAMASWAMY, M.D.**, Respondent, licensed to practice medicine in New York state on November 12, 1976, by license number 129333, has been found guilty of committing acts constituting a felony under the law of another jurisdiction, which if committed within New York state, would have constituted a felony under New York state law.

It is therefore,

ORDERED, pursuant to N.Y. Public Health Law Section 230(12)(b), that effective immediately, **TRIVANDRUM RAMASWAMY, M.D.**, Respondent, shall not practice medicine in the State of New York or in any other jurisdiction where that practice is dependent on a valid New York State license to practice medicine. This order shall remain in effect unless modified or vacated by the Commissioner of Health pursuant to N.Y. Public Health Law Section 230(12).

PLEASE TAKE NOTICE that a hearing will be held pursuant to the provisions of N.Y. Public Health Law Section 230, and N.Y. State Admin. Proc. Act Sections 301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board of Professional Medical Conduct, on the 21st day of April, 2005, at 10:00 am in the forenoon at Hedley Park Place, 5th Floor, 433 River Street, Troy, New York. The Respondent may file an answer to the Statement of Charges with the below-named attorney for the Department of Health.

At the hearing, evidence will be received concerning the allegations set forth in the Statement of Charges, that is attached. A stenographic record of the hearing will be made and the witnesses at the hearing will be sworn and examined. The Respondent shall appear in person at the hearing and may be represented by counsel. The Respondent has the right to produce witnesses and evidence on his behalf, to issue or have subpoenas issued on his behalf for the production of witnesses and documents. Such evidence or sworn testimony shall be strictly limited to evidence and testimony relating to the nature and severity of the penalty to be imposed upon the licensee. Where the charges are based on the conviction of state law crimes in other jurisdictions, evidence may be offered that would show that the conviction would not be a crime in New York state. The Committee also may limit the number of witnesses whose testimony will be received, as well as the length of time any witness will be permitted to testify. Respondent has the right cross-examine witnesses and examine evidence produced against him. A summary of the Department of Health Hearing Rules is enclosed. Pursuant to Section 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.

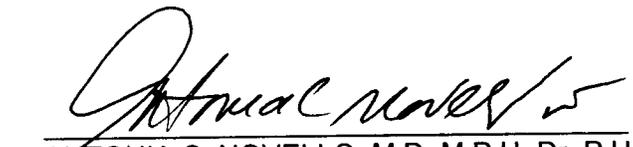
The hearing will proceed whether or not the Respondent appears at the hearing. Scheduled hearing dates are considered dates certain and, therefore, adjournment requests are not routinely granted. Requests for adjournments must be made in writing to the Administrative Law Judge's Office, Hedley Park Place, 433 River Street, 5th Floor, Troy, New York 12180 (518-402-0751), 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. Claims of court engagement will require detailed affidavits of actual engagement. Claims of illness will require medical documentation.

At the conclusion of the hearing, the committee shall make findings of fact, conclusions concerning the charges sustained or dismissed, and, in the event that any of the charges are sustained, a determination of the penalty or sanction 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 MAY BE FINED OR SUBJECT TO OTHER
SANCTIONS SET FORTH IN NEW YORK PUBLIC
HEALTH LAW SECTION 230-A. YOU ARE URGED
TO OBTAIN AN ATTORNEY FOR THIS MATTER.**

DATED: Albany, New York

March 10, 2005


ANTONIA C. NOVELLO, M.D. M.P.H., Dr. P.H.,
Commissioner

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

IN THE MATTER
OF
TRIVANDRUM S. RAMASWAMY, D.O.
CO-04-11-5775-A

STATEMENT
OF
CHARGES

TRIVANDRUM S. RAMASWAMY, D.O., the Respondent, was authorized to practice medicine in New York state on November 12, 1976, by the issuance of license number 129333 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about May 24, 2004, in the Madison Superior Court, Division I, County of Madison, State of Indiana, Respondent was found guilty of four (4) counts of Theft, a Class D Felony, for which he was sentenced to twenty four (24) months confinement on each count, four (4) counts of Intimidation, a Class A Misdemeanor, for which he was sentenced to twelve (12) months confinement on each count, Corrupt Business Influence, a Class C felony, for which he was sentenced to seven (7) years confinement (4 years executed, the balance suspended), all sentences to run concurrently, the first three (3) years to be served at the Department of Correction, the final year to be served on electronic monitoring.

B. On or about October 7, 2004, the Medical Licensing Board of Indiana, (hereinafter "Indiana Board"), by a Findings of Fact, Ultimate Findings of Fact, Conclusions of Law and Order (hereinafter "Indiana Order"), REVOKED Respondent's license to practice medicine, based on fraud or material deception in the course of professional services or activities, lewd or immoral conduct in connection with the delivery of personal services to the public, and being convicted of a crime, as set forth in Paragraph A, above.

C. The conduct resulting in the Indiana Board's disciplinary action against Respondent would constitute misconduct under the laws of New York State, pursuant to the following sections of New York State law:

1. New York Education Law §6530(2) (practicing the profession fraudulently);
2. New York Education Law §6530(9)(a)(i) (being convicted of committing an act constituting a crime under state law);
3. New York Education Law §6530(17) (executing undue influence on the patent);
and/or
4. New York Education Law §6530(20) (moral unfitness).

SPECIFICATIONS

FIRST SPECIFICATION

Respondent violated New York Education Law §6530(9)(a)(iii) by being 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 Paragraph A.

SECOND SPECIFICATION

Respondent violated New York Education Law §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 committed in New York state, in that Petitioner charges:

1. The findings in Paragraphs A, B, and/or C.

THIRD SPECIFICATION

Respondent violated New York Education Law §6530(9)(d) by having his license to practice medicine revoked or having other disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation or other disciplinary action would constitute professional misconduct under the laws New York state, in that Petitioner charges:

3. The facts in Paragraphs A, B, and/or C.

DATED: *March 10*, 2005
Albany, New York

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