



**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.  
*Commissioner*  
NYS Department of Health  
Dennis P. Whalen  
*Executive Deputy Commissioner*  
NYS Department of Health  
Anne F. Saile, Director  
*Office of Professional Medical Conduct*

William P. Dillon, M.D.  
*Chair*

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

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

June 23, 2000

***CERTIFIED MAIL-RETURN RECEIPT REQUESTED***

Dwarka Nath Vemuri, M.B.B.S.  
P.O. Box 6154  
Wheeling, West Virginia 26003

RE: License No. 180118

Dear Dr. Vemuri:

Enclosed please find Order #BPMC 00-189 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect June 23, 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: Timothy E. Haught, Esq  
925 Third Street  
P.O. Box 268  
New Martinsville, West Virginia 26115

Robert Bogan, Esq.

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

---

**IN THE MATTER**

**SURRENDER**

**OF**

**ORDER**

**DWARKA NATH VEMURI, M.B.B.S.**

---

DWARKA NATH VEMURI, M.B.B.S., says:

On or about September 25, 1989, I was licensed to practice medicine as a physician in the State of New York having been issued License No. 180118 by the New York State Education Department. I currently reside at P.O. Box 6154  
Wheeling WV 26003

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 the New York State Board for Professional Medical Conduct has charged me with two (2) specifications of professional misconduct as set forth in the Statement of Charges, annexed hereto, made a part hereof, and marked as Exhibit "A."

I am applying to the State Board for Professional Medical Conduct for an agreement to allow me to surrender my license as a physician in the State of New York and request that the Board issue this Surrender Order.

I hereby agree not to contest the two (2) specifications set forth in the Statement of Charges (Exhibit A), as I do not intend to return to the state of New York to practice medicine.

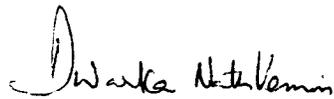
I understand that, in the event that this proposed agreement is not granted by the State Board for Professional Medical Conduct, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me, such proposed agreement shall not 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 Board grants my Application, as set forth herein, an order of the Chairperson of the Board shall be issued in accordance with same upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Order to me at the address set forth above, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is first.

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

Date: 6/7/00, 2000



DWARKA NATH VEMURI, M.B.B.S.  
Respondent

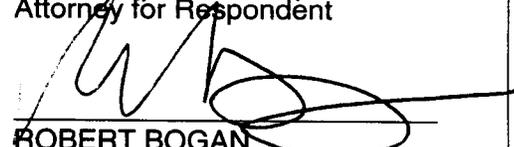
AGREED TO:

Date: 6/7/00, 2000



TIMOTHY E. HAUGHT, ESQ.  
Attorney for Respondent

Date: 3 June, 2000



ROBERT BOGAN  
Assistant Counsel  
Bureau of Professional Medical  
Conduct

Date: June 15, 2000



ANNE F. SAILE  
Director, Office of Professional  
Medical Conduct

# EXHIBIT "A"

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

IN THE MATTER  
OF  
DWARKA NATH VEMURI, M.D.

STATEMENT  
OF  
CHARGES

DWARKA NATH VEMURI, M.D., the Respondent, was authorized to practice medicine in New York state on September 25, 1989, by the issuance of license number 180118 by the New York State Education Department.

## FACTUAL ALLEGATIONS

A. On or about November 12, 1999, the West Virginia Board of Medicine (hereinafter "West Virginia Board"), by an Order (hereinafter "West Virginia Order"), revoked Respondent's license to practice medicine, based on Respondent's having knowingly made a false statement on his license renewal application, demonstrated a lack of professional competence to practice medicine, failed to practice with that level of skill and care which is acceptable, exhibited a pattern of incompetence consisting of repeated acts of negligence, misconduct, dishonesty, and violations of hospital rules and regulations, failed to disclose a criminal misdemeanor conviction and that he had been diagnosed and received treatment for a mental disorder, demonstrated dishonesty, deceit, and self interest in his dealing with patients, hospitals, and the West Virginia Board, caused harm to his patients, and repeatedly violated the Standard of Care imposed by hospitals and the West Virginia Board.

B. The conduct resulting in the West Virginia 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(3) (negligence on more than one occasion);
2. New York Education Law §6530(4) (gross negligence);
3. New York Education Law §6530(5) (incompetence on more than one occasion);
4. New York Education Law §6530(6) (gross incompetence);
5. New York Education Law §6530(16) (failure to comply with federal, state, or local laws, rules, or regulations governing the practice of medicine).
6. New York Education Law §6530(21) (making or filing a false report);
7. New York Education Law §6530(30) (neglecting a patient);
8. New York Education Law §6530(32) (failing to maintain accurate records); and/or
9. New York Education Law §6530(35) (ordering of excessive test or treatment not warranted by the condition of the patient).

### **SPECIFICATIONS**

#### **FIRST SPECIFICATION**

Respondent is charged with professional misconduct by reason of having 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 under the laws of New York state, in that the Petitioner charges:

1. The facts in paragraphs A and/or B.

#### **SECOND SPECIFICATION**

Respondent is charged with professional misconduct by reason of his having violated New York State Education Law §6530(9)(d) by reason of his having had his license to practice

medicine revoked or other disciplinary action taken after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation or other disciplinary action would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that the Petitioner charges:

2. The facts in paragraphs A and/or B.

DATED: *Mar 31*, 2000  
Albany, New York

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

**ORDER**

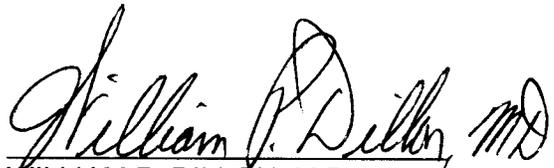
Upon the proposed agreement of DWARKA NATH VEMURI, M.B.B.S., to Surrender his license as a physician in the State of New York, which proposed agreement is made a part hereof, it is AGREED TO and

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

ORDERED, that the name of the Respondent be stricken from the roster of physicians in the State of New York; 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 to Respondent at the addresses set forth in this agreement, or to Respondent's attorney, or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

DATED: 6/16/00, 2000

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