



Barbara A. DeBuono, M.D., M.P.H.  
Commissioner of Health

**New York State Board for Professional Medical Conduct**

Corning Tower • Empire State Plaza • Albany, NY 12237 • (518) 474-8357

Charles J. Vacanti, M.D.  
Chair

October 22, 1996

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Madurai Krishnan, M.D.  
9913 Third Avenue  
Brooklyn, New York 11204

RE: License No. 129830

Dear Dr. Krishnan:

Effective Date: 10/29/96

Enclosed please find Order #BPMC 96-250 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect upon receipt of this letter or seven (7) days after the date of this letter, whichever is earlier.

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.

Board for Professional Medical Conduct  
New York State Department of Health  
Empire State Plaza  
Tower Building-Room 438  
Albany, New York 12237-0756

Sincerely,

Charles Vacanti, M.D.

Chair

Board for Professional Medical Conduct

Enclosure

cc: David Steckler, Esq.  
Garfunkel, Wild & Travis  
111 Great Neck Road  
Great Neck, New York 11021-5402

Marcia Kaplan, Esq.

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

IN THE MATTER  
OF  
MADURAI KRISHNAN, M.D.

SURRENDER  
ORDER  
BPMC #96-250

Upon the Application of MADURAI KRISHNAN, M.D. (Respondent) to Surrender his/her license as a physician in the State of New York, which application is made a part hereof, it is

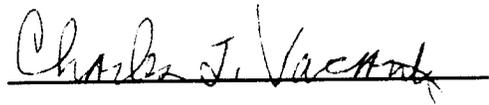
ORDERED, that the application and the provisions thereof are hereby adopted; it is further

ORDERED, that the name of Respondent be stricken from the roster of physicians in the State of New York; it is further

ORDERED, that this order shall take effect as of the date of the personal service of this order upon Respondent, upon receipt by Respondent of this order via certified mail, or seven days after mailing of this order via certified mail, whichever is earliest.

SO ORDERED.

DATED: 18 October 1996

  
CHARLES J. VACANTI, M.D.  
Chairperson  
State Board for Professional  
Medical Conduct



I understand that, in the event that the application 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 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 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 State Board for Professional Medical Conduct grants my application, an order shall be issued striking my name from the roster of physicians in the State of New York without further notice to me.

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.

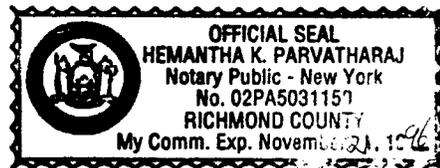
*Madurai N. Krishnan*

MADURAI KRISHNAN, M.D.  
Respondent

Sworn to before me this

*6th* day of *October*, 1996

*Hemantha K. Parvatharaj*  
NOTARY PUBLIC



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

IN THE MATTER  
OF  
MADURAI KRISHNAN, M.D.

APPLICATION TO  
SURRENDER  
LICENSE

The undersigned agree to the attached application of the Respondent to surrender his license.

Date: Oct 6<sup>th</sup>, 1996

Madurai N. Krishnan

MADURAI KRISHNAN, M.D.  
Respondent

Date: October 6, 1996

David E. Steckler

DAVID STECKLER, Esq.  
Attorney for Respondent

Date: \_\_\_\_\_, 1996

Marcia E. Kaplan

MARCIA E. KAPLAN  
Associate Counsel  
Bureau of Professional  
Medical Conduct

Date: 10/10, 1996

Anne Saile

ANNE F. SAILE  
Acting Director  
Office of Professional Medical Conduct

Date: 18 October 1996

Charles J. Vacanti

CHARLES J. VACANTI, M.D.  
Chairperson  
State Board for Professional Medical Conduct

IN THE MATTER  
OF  
MADURAI KRISHNAN, M.D.

STATEMENT  
OF  
CHARGES

MADURAI KRISHNAN, M.D., the Respondent, was authorized to practice medicine in New York State on or about February 11, 1977 by the issuance of license number 129830 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

- A. With regard to PATIENT A (all patients are identified in Appendix A):
1. On or about September 26, 1995, during a patient visit at Respondent's office at 9913 Third Avenue, Brooklyn, N.Y., in the course of a purported physical examination, but not in fact for a proper medical purpose, while Patient A was naked from the waist up at his instruction, Respondent inappropriately:
    - a. caused Patient A to hug him;
    - b. touched Patient A's breasts;
    - c. placed his face against Patient A's face;
    - d. placed his ear against Patient A's chest and said he was "listening for spasms of her heart";
    - e. touched Patient A's breasts with his hands while he rocked back and forth against her buttocks with his erect penis.
  2. On or about October 12, 1995, during a patient visit at Respondent's office at 9913 Third Avenue, Brooklyn, N.Y. in the

course of a purported physical examination, but not in fact for a proper medical purpose, Respondent inappropriately:

- a. touched Patient A's breasts with his hands while telling her he was "pushing gas out" of her breasts and rocked back and forth against her buttocks with his erect penis.

B. With regard to PATIENT B:

1. On or about September 22, 1995, during a patient visit at Respondent's office at 9913 Third Avenue, Brooklyn, N.Y., in the course of a purported physical examination, but not in fact for a proper medical purpose, Respondent inappropriately touched Patient B's breasts with his hands and/or made inappropriate inquiries regarding her sexual behavior.
2. On or about October 20, 1995, during a patient visit at Respondent's office at 9913 Third Avenue, Brooklyn, N.Y., in the course of a purported physical examination, but not in fact for a proper medical purpose, Respondent inappropriately touched Patient B's breasts and/or made inappropriate inquiries regarding her sexual behavior.

C. With regard to PATIENT C:

1. On repeated occasions, in or about 1984, on or about May 1, 1987, and/or on or about March 4, 1988, during patient visits at Respondent's office at 9920 Fourth Avenue, Brooklyn, N.Y., in the course of purported medical treatment, but not in fact for a proper medical purpose, Respondent inappropriately touched Patient C's

breasts with his hands while he pressed against her buttocks with his erect penis.

D. With regard to PATIENT D:

1. In or about 1979, at Lutheran Medical Center, in the course of a purported physical examination, but not in fact for a proper medical purpose, Respondent inappropriately touched Patient D's vagina.

E. On or about September 26, 1996, after trial, Respondent was convicted in the Criminal Court of the State of New York, County of Kings, of two counts of Sexual Abuse in the Third Degree, a crime in violation of N.Y. Penal Law Section 130.55, in that on or about September 25, 1995 (Count 1) and on or about October 12, 1995 (Count 2), at 9913 Third Ave, Brooklyn, N.Y., Respondent's medical office, Respondent subjected Patient A to sexual contact without her consent by: placing his hands on her buttocks over her clothing while pulling her toward him without her consent; and standing behind her and placing his hands on her breast while he pressed his erect penis into her buttocks, through clothing, without her consent.

## **SPECIFICATION OF CHARGES**

### **FIRST THROUGH FOURTH SPECIFICATIONS**

#### **MORAL UNFITNESS**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(20)(McKinney Supp. 1996) by engaging in conduct in the practice of the profession of medicine that evidences moral unfitness to practice as alleged in the facts of the following:

1. Paragraph A, and each of its subparagraphs.
2. Paragraph B, and each of its subparagraphs.
3. Paragraph C, and each of its subparagraphs.
4. Paragraph D, and each of its subparagraphs.

### **FIFTH THROUGH EIGHTH SPECIFICATIONS**

#### **PATIENT ABUSE**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(31)(McKinney Supp. 1996) by willfully harassing, abusing, or intimidating a patient either physically or verbally, as alleged in the facts of:

5. Paragraph A, and each of its subparagraphs.
6. Paragraph B, and each of its subparagraphs.
7. Paragraph C, and each of its subparagraphs.
8. Paragraph D, and each of its subparagraphs.

**NINTH THROUGH TWELFTH SPECIFICATIONS**

**FRAUDULENT PRACTICE**

Respondent is charged with committing professional misconduct as defined by N.Y. Educ. Law §6530(2)(McKinney Supp. 1996) by practicing the profession of medicine fraudulently as alleged in the facts of the following:

9. Paragraph A, and each of its subparagraphs.
10. Paragraph B, and each of its subparagraphs.
11. Paragraph C, and each of its subparagraphs.
12. Paragraph D, and each of its subparagraphs.

**THIRTEENTH SPECIFICATION**

**CRIMINAL CONVICTION (N.Y.S.)**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(9)(a)(i)(McKinney Supp. 1996) by having been convicted of committing an act constituting a crime under New York state law, as alleged in the following:

13. Paragraph E.

DATED: September 17, 1996  
New York, New York

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ROY NEMERSON  
Deputy Counsel  
Bureau of Professional  
Medical Conduct