



## Board for Professional Medical Conduct

Corning Tower • Empire State Plaza • Albany, NY 12237 • (518) 474-8357  
November 10, 1992

**C. Maynard Guest, M.D.**  
Executive Secretary

### CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Pratima Patel, M.D.  
720 Riverview Road  
Rexford, New York 12148

RE: License No. 117755

Effective Date 11/13/92

Dear Dr. Patel:

Enclosed please find Order #BPMC 92-99 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 12237-0614

Sincerely,

C. Maynard Guest, M.D.  
Executive Secretary  
Board for Professional Medical Conduct

Enclosure

cc: Mae D'Agostino, Esq.  
Maynard, O'Connor and Smith  
80 State Street  
Albany, New York 12207

Frederick Zimmer, Esq.

bcc: Chris Hyman  
Peter Van Buren  
Laura Leeds  
Kenneth Spooner  
Faith Schottenfeld  
Anne Bohenek

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

-----X

IN THE MATTER :  
OF : ORDER  
PRATIMA PATEL, M.D. : BPMC 92-99

-----X

Upon the application of PRATIMA PATEL, M.D.  
(Respondent) for Consent Order, which application is made a part  
hereof, it is

ORDERED, that the application and the provisions thereof  
are hereby adopted and so ORDERED, and 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 by certified mail, whichever is  
earliest.

SO ORDERED,

DATED: 12 October 1992

Charles J. Vacanti  
Charles J. Vacanti, M.D.  
Chairperson  
State Board for Professional  
Medical Conduct

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

-----X  
IN THE MATTER : APPLICATION  
OF : FOR  
PRATIMA PATEL, M.D. : CONSENT  
: ORDER  
-----X

STATE OF NEW YORK )  
COUNTY OF SARATOGA )        ss.:

PRATIMA PATEL, M.D., being duly sworn, deposes and says:

That on or about September 6, 1973, I was licensed to practice as a physician in the State of New York, having been issued License No. 117755 by the New York State Education Department.

I am currently registered with the New York State Education Department to practice as a physician in the State of New York for the period January 1, 1991 through December 31, 1992 with a current registration address of 720 Riverview Road, Rexford, New York 12148.

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

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

I admit guilt to the First Specification as it applies to Paragraphs A and A.1 of the Factual Allegations and all of the facts alleged therein, in full satisfaction of the charges against me.

I hereby agree to the penalty that I be censured and reprimanded.

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



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PRATIMA PATEL, M.D.  
RESPONDENT

Sworn to before me this  
16<sup>th</sup> day of SEPT, 1992



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NOTARY PUBLIC

JOAN A. MOUREAU  
Notary Public, State of New York  
Qualified in Saratoga County  
No. 4830556  
Commission Expires 11-30-93

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

-----X  
: APPLICATION  
IN THE MATTER :  
: FOR  
OF :  
: CONSENT  
PRATIMA PATEL, M.D. :  
: ORDER  
-----X

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

Date: 9/16/92 Pratima Patel  
PRATIMA PATEL, M.D.  
RESPONDENT

Date: 7/22/92 Ma D'Agostino  
MAE D'AGOSTINO, ESQ.  
ATTORNEY FOR RESPONDENT

Date: 10/1/92 Frederick Zimmer  
FREDERICK ZIMMER, ESQ.  
ASSISTANT COUNSEL  
BUREAU OF PROFESSIONAL  
MEDICAL CONDUCT

Date: ~~Nov. 9, 1992~~

*Kathleen M. Tanner*

KATHLEEN M. TANNER  
DIRECTOR  
OFFICE OF PROFESSIONAL  
MEDICAL CONDUCT

Date: 12 October 1992

*Charles J. Vacanti*

CHARLES J. VACANTI, M.D.  
CHAIRPERSON  
STATE BOARD FOR  
PROFESSIONAL MEDICAL CONDUCT

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

-----X  
IN THE MATTER : STATEMENT  
OF : OF  
PRATIMA PATEL, M.D. : CHARGES  
-----X

PRATIMA PATEL, M.D., the Respondent, was authorized to practice medicine in New York State on September 6, 1973 by the issuance of license number 117755 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1991 through December 31, 1992 with a current registration address of 720 Riverview Road, Rexford, New York 12148.

FACTUAL ALLEGATIONS

A. Respondent, at various times, during a period extending from approximately August 26, 1991 through approximately mid-September 1991, at her office at 331 Usher Road, Ballston Lake, New York 12019, employed Barbara Wahl as a nurse. Ms. Wahl's duties included administering injections, drawing blood, doing throat cultures, obtaining urine samples and testing them,

recording height and weight and indicating patient symptoms in the respective patient's medical chart.

1. Respondent employed Ms. Wahl as a nurse even though she was unlicensed to practice as a nurse in New York State during the above period.

#### FIRST SPECIFICATION

Respondent is charged with permitting, aiding or abetting an unlicensed person to perform activities requiring a license, under N.Y. Educ. Law Sec. 6530 (11) (McKinney's Supp. 1992), in that:

1. The Petitioner charges the facts in Paragraph A and A.1.

#### SECOND SPECIFICATION

Respondent is charged with delegating professional responsibilities to a person whom she knew or had reason to know was not qualified by licensure to perform them, under N.Y. Educ. Law Sec. 6530 (25) (McKinney's Supp. 1992), in that:

2. The Petitioner charges the facts in Paragraphs A and A.1.

DATED: Albany, New York

*August 12, 1992*

*Peter D. Van Buren*

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