

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

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IN THE MATTER :
OF : ORDER
SANJIV SHARMA, M.D. : BPMC #93-175

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Upon the application of SANJIV SHARMA, 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: 1 November 1993

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
SANJIV SHARMA, M.D. : CONSENT
: ORDER
-----X

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

SANJIV SHARMA, M.D., being duly sworn, deposes and says:

That on or about October 9, 1986 I was licensed to practice as a physician in the State of New York, having been issued License No. 168070 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, 1993 through December 31, 1994.

I understand that the New York State Board of Professional Medical Conduct has charged me with 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 admit guilt to the Second Specification in full satisfaction of the charges against me.

I hereby agree to the following penalty: a one year suspension of my license to practice medicine in New York State, which suspension shall be stayed upon submission to the Office of Professional Medical Conduct (OPMC) of an evaluation report by a psychiatrist acceptable to OPMC. Once the report has been submitted, Respondent may continue to practice medicine in New York State subject to terms of probation, annexed hereto, made a part hereof, and marked as "Exhibit "B," for a probationary period of one year.

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.

Sanjiv Sharma

SANJIV SHARMA, M.D.
RESPONDENT

Sworn to before me this
25th day of *October*, 1993.

Donald R. Schechter
NOTARY PUBLIC

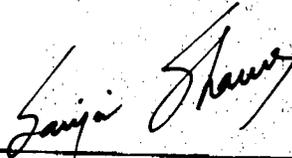
DONALD R. SCHECHTER
Notary Public State of New York
No. 4515590
Qualified in Nassau County
Commission Expires *Nov 30, 1993*

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

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 IN THE MATTER : APPLICATION
 OF : FOR
 SANJIV SHARMA, M.D. : CONSENT
 : ORDER
 -----X

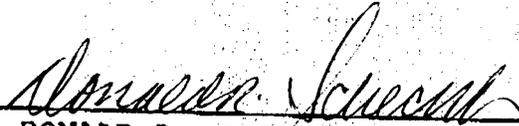
The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

Date: 10/25/93



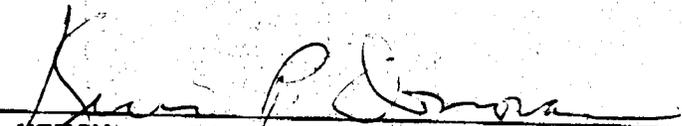
 SANJIV SHARMA, M.D.
 RESPONDENT

Date: 10/25/93



 DONALD R. SCHECHTER, ESQ.
 ATTORNEY FOR RESPONDENT

Date: 10/26/93



 KEVIN P. DONOVAN
 ASSISTANT COUNSEL
 BUREAU OF PROFESSIONAL
 MEDICAL CONDUCT

Date: Nov. 2, 1993

Kathleen M. Tanner

KATHLEEN M. TANNER
DIRECTOR
OFFICE OF PROFESSIONAL
MEDICAL CONDUCT

Date: 1 November 1993

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
SANJIV SHARMA, M.D. : CHARGES

-----X

SANJIV SHARMA, M.D., the Respondent, was authorized to practice medicine in New York State on October 9, 1986, by the issuance of license number 168070 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, 1993, through December 31, 1994, at a registered address of 10 Gerhard Road, Plainview, New York 11803.

FACTUAL ALLEGATIONS

A. On or about June 26, 1992, Respondent, under pretext of working with Nurse A concerning using a stethoscope with a patient, knowingly grabbed Nurse A's breast and buttocks.

B. On or about April 5, 1991, Respondent, under pretext of working with Nurse B concerning a patient, knowingly stroked Nurse B's skin and grabbed one of her buttocks.

Exhibit A

SPECIFICATION OF CHARGES

FIRST AND SECOND SPECIFICATIONS

MORAL UNFITNESS

The Respondent is charged with conduct in the practice of medicine which evidences moral unfitness to practice medicine within the meaning of Education Law Section 6530(20) (McKinney Supp. 1993) in that Petitioner charges:

- 1. The facts of Paragraph A.
- 2. The facts of Paragraph B.

THIRD AND FOURTH SPECIFICATION

PRACTICING THE PROFESSION FRAUDULENTLY

The Respondent is charged with practicing the profession fraudulently within the meaning of New York Education Law Section 6530(2) (McKinney Supp. 1993) in that Petitioner charges:

- 3. The facts of paragraph A.
- 4. The facts of paragraph B.

DATED: ^{New York,} ~~Albany,~~ New York

July 20, 1993


 CHRIS STERN HYMAN
 Chief Counsel
 Bureau of Professional Medical
 Conduct

EXHIBIT "B"

TERMS OF PROBATION

1. SANJIV SHARMA, M.D., during the period of probation, shall conduct himself in all ways in a manner befitting his professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by his profession;
2. Respondent shall undergo therapy as deemed necessary by the psychiatrist who submitted the evaluation report to the Office of Professional Medical Conduct.
3. Respondent shall submit written notification to the New York State Department of Health (NYSDOH), addressed to the Director, Office of Professional Medical Conduct, New York State Health Department, Corning Tower Building, 4th Floor, Empire State Plaza Albany, New York 12237 of any employment and practice, of Respondent's residence and telephone number, of any change in Respondent's employment, practice, residence, or telephone number within or without the State of New York;
4. Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, no later than the first three months of the period of probation;
5. Respondent shall submit written proof to the NYSDOH, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board or by the Board of Regents; said proof of the above to be submitted no later than the first two months of the period of probation;

6. Respondent shall comply with all terms, conditions, restrictions, and penalties to which he is subject pursuant to the order of the Board;
7. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his or her aforementioned profession in accordance with the terms of probation; provided, however, that upon receipt of evidence of noncompliance with, or any violation of these terms, the Director of the Office of Professional Medical Conduct and/or the Board may initiate a violation of probation proceeding and/or such other proceeding against Respondent as may be authorized pursuant to the Public Health Law.