



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*

Dennis J. Graziano, 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

December 12, 2001

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Zvi Marom, M.D.
305 East 83rd Steeet
Apartment 4F
New York, NY 10028

RE: License No. 124457

Dear Dr. Marom:

Enclosed please find Order #BPMC 01-300 of the New York State Board for Professional Medical Conduct. This Order and any penalty provided therein goes into effect December 12, 2001.

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: Amy Kulb, Esq.
Jacobsen and Goldberg
585 Stewart Avenue
Garden City, New York 11530

Daniel Guenzburger, Esq.

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

IN THE MATTER
OF
ZVI MAROM, M.D.

CONSENT
ORDER

BPMC No. 01-300

Upon the proposed agreement of ZVI MAROM, M.D. (Respondent) for Consent Order, which application is made a part hereof, it is agreed to and

ORDERED, that the application and the provisions thereof are hereby adopted and so ORDERED, and 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 of the Consent Order to Respondent at the address set forth in this agreement or to Respondent's attorney by certified mail, or upon transmission via facsimile to Respondent or Respondent's attorney, whichever is earliest.

SO ORDERED.

DATED: 12/10/01


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

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

IN THE MATTER
OF
ZVI MAROM, M.D.

CONSENT
AGREEMENT
AND
ORDER

ZVI MAROM, M.D., representing all statements herein made to be true, deposes and says:

That on or about July 3, 1975, I was licensed to practice as a physician in the State of New York, having been issued License No. 124457 by the New York State Education Department.

305 E. 83rd St - Apt 4F

My current address is NYC, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address.

10028

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

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

I agree not to contest the fourth, fifth, twelfth and thirteenth specifications of misconduct, in full satisfaction of the charges against me. I hereby agree to the following penalty:

Pursuant to §230-a(2) of the Public Health law, my license to practice medicine in the State of New York shall be suspended for a period of thirty-six months, with the last thirty-three months of said suspension to be stayed. The period of actual license suspension shall commence at the close of business on December 31, 2001. Pursuant to §230-a(9) of the Public Health Law, I shall be placed on probation for a period of three years, subject to the terms set forth in attached Exhibit "B."

The period of probation shall commence at the conclusion of the three month period of actual license suspension.

I further agree that the Consent Order for which I hereby apply shall impose the following conditions:

That, except during periods of actual suspension, Respondent shall maintain active registration of Respondent's license with the New York State Education Department Division of Professional Licensing Services, and pay all registration fees. This condition shall be in effect beginning thirty days after the effective date of the Consent Order and will continue while the licensee possesses his/her license; and

That Respondent shall fully cooperate in every respect with the Office of Professional Medical Conduct (OPMC) in its administration and enforcement of this Order and in its investigation of all matters regarding Respondent.

Respondent shall respond in a timely manner to each and every request by OPMC to provide written periodic verification of Respondent's compliance with the terms of this Order. Respondent shall meet with a person designated by the Director of OPMC as directed. Respondent shall respond promptly and provide any and all documents and information within Respondent's control upon the direction of OPMC. This condition shall be in effect beginning upon the effective date of the Consent Order and will continue while the licensee

possesses his/her license.

I hereby stipulate that any failure by me to comply with such conditions shall constitute misconduct as defined by New York State Education Law §6530(29).

I agree that in the event I am charged with professional misconduct in the future, this agreement and order shall be admitted into evidence in that proceeding.

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 agree that such order shall be effective upon issuance by the Board, which may be accomplished by mailing, by first class mail, a copy of the Consent Order to me at the address set forth in this agreement, or to my attorney, or upon transmission via facsimile to me or my attorney, whichever is earliest.

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.

DATED 11/24/21



ZVI MAROM, M.D.
RESPONDENT

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

DATE: 11/21/01

Amy Kullb
AMY KULLB, ESQ.
Jacobsen and Goldberg
Attorney for Respondent

DATE: 11/27/01

Daniel Guenzburger
DANIEL GUENZBURGER
ASSOCIATE COUNSEL
Bureau of Professional
Medical Conduct

DATE: 12/07/01

Dennis J. Graziano
DENNIS J. GRAZIANO
Director
Office of Professional
Medical Conduct

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

Exhibit A

IN THE MATTER
OF
ZVI MAROM, M.D.

AMENDED
STATEMENT
OF
CHARGES

ZVI MAROM, M.D., the Respondent, was authorized to practice medicine in New York State on or about July 3, 1975 by the issuance of license number 124457 by the New York State Education Department.

FACTUAL ALLEGATIONS

- A. On an application for reappointment to the department of medicine at Parkway Hospital dated May 19, 2000 the Respondent:
1. Knowingly and falsely represented that he had never failed an examination by any specialty board, when, in fact, he knew that he had failed the American Board of Internal Medicine certifying examination in 1986, 1988, and 1989. Respondent intended to deceive.
 2. Knowingly and falsely represented that he was board eligible in the medical specialty of medicine, when, in fact, he knew that on or about February 22, 1999 the American Board of Internal Medicine had revoked his eligibility for admission to the Certification Examination in Internal Medicine because of a false representation of his board certification status in the State of Israel. Respondent intended to deceive.

B. On an application for reappointment to the medical staff of North Shore University Hospital at Forest Hills dated November 9, 2000, the Respondent knowingly and falsely represented that he had never been investigated with respect to his board certification status and, further, that he was not the subject of a pending or stayed professional sanction, when, in fact, he knew that on or about February 22, 1999 the American Board of Internal Medicine, after conducting an investigation, imposed the professional sanction of revoking his eligibility for board certification in internal medicine. Respondent intended to deceive.

C. On or about March 24, 1998 the Respondent applied to the Israel Medical Association Scientific Council for approval to use the title of specialist in internal medicine.

1. Respondent knowingly and falsely represented that he was board certified by the American Board of Internal Medicine ("ABIM") in the sub-specialty of pulmonary medicine, when, in fact, he knew that he was not board certified in pulmonary medicine. Respondent appended to the application a fabricated board certificate purportedly issued to him by the ABIM in pulmonary medicine. Respondent intended to deceive.
2. Respondent knowingly and falsely represented to the Israel Medical Association Scientific Council that he was board certified by the ABIM in internal medicine, when, in fact, he knew that he was not board certified in internal medicine. In

connection with his application the Respondent submitted a fabricated certificate purportedly issued to him by the ABIM for the specialty of internal medicine. Respondent intended to deceive.

- D. On an application for reappointment to the Mount Sinai Medical Center dated May 23, 1989, the Respondent knowingly and falsely represented that he held board certification status in internal medicine, when, in fact he knew that he was not board certified. Respondent intended to deceive.
- E. On an application for reappointment to the Mount Sinai Medical Center dated January 18, 1991, the Respondent knowingly and falsely represented that he held board certification status in internal medicine, when, in fact he knew that he was not board certified. Respondent intended to deceive.
- F. On an application for reappointment to the Mount Sinai Medical Center dated January 20, 1993, the Respondent knowingly and falsely represented that he held board certification status in internal medicine, when, in fact he knew that he was not board certified. Respondent intended to deceive.

SPECIFICATION OF CHARGES

FIRST THROUGH EIGHTH SPECIFICATIONS

FRAUDULENT PRACTICE

Respondent is charged with committing professional misconduct as defined by N.Y. Educ. Law §6530(2) by practicing the profession of medicine fraudulently

as alleged in the facts of the following:

- 1. Paragraphs A and A1.
- 2. Paragraphs A and A2.
- 3. Paragraph B.
- 4. Paragraphs C and C1.
- 5. Paragraphs C and C2.
- 6. Paragraph D
- 7. Paragraph E.
- 8. Paragraph F.

NINTH THROUGH SIXTEENTH SPECIFICATIONS

FALSE REPORT

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(21) by wilfully making or filing a false report, or failing to file a report required by law or by the department of health or the education department, as alleged in the facts of:

- 9. Paragraphs A and A1.
- 10. Paragraphs A and A2.
- 11. Paragraph B.
- 12. Paragraphs C and C1.
- 13. Paragraphs C and C2.
- 14. Paragraph D
- 15. Paragraph E.
- 16. Paragraph F.

SEVENTEENTH SPECIFICATION

MORAL UNFITNESS

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law §6530(20) 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:

17. Paragraphs A, A1, A2, B, C, C1,C2, D, E, and F.

DATED: November 14, 2001
New York, New York



Roy Nemerson
Deputy Counsel
Bureau of Professional
Medical Conduct

212 208 8700 7-14-10

EXHIBIT "B"

Terms of Probation

1. Respondent shall conduct himself/herself in all ways in a manner befitting his/her professional status, and shall conform fully to the moral and professional standards of conduct and obligations imposed by law and by his/her profession. Respondent acknowledges that if s/he commits professional misconduct as enumerated in New York State Education Law §6530 or §6531, those acts shall be deemed to be a violation of probation and that an action may be taken against Respondent's license pursuant to New York State Public Health Law §230(19).
2. Respondent shall submit written notification to the New York State Department of Health addressed to the Director of the Office of Professional Medical Conduct, New York State Department of Health, 433 River Street, Suite 303, Troy, NY 12180-2299; said notice is to include a full description of any employment and practice, professional and residential addresses and telephone numbers within or without New York State, and any and all investigations, charges, convictions or disciplinary actions by any local, state or federal agency, institution or facility, within thirty days of each action.
3. Any civil penalty not paid by the date prescribed herein shall be subject to all provisions of law relating to debt collection by New York State. This includes but is not limited to the imposition of interest, late payment charges and collection fees; referral to the New York State Department of Taxation and Finance for collection; and non-renewal of permits or licenses [Tax Law section 171(27)]; State Finance Law section 18; CPLR section 5001; Executive Law section 32].
4. The period of probation shall be tolled during periods in which Respondent is not engaged in the active practice of medicine in New York State. Respondent shall notify the Director of OPMC, in writing, if Respondent is not currently engaged in or intends to leave the active practice of medicine in New York State for a period of thirty (30) consecutive days or more. Respondent shall then notify the Director again prior to any change in that status. The period of probation shall resume and any terms of probation which were not fulfilled shall be fulfilled upon Respondent's return to practice in New York State.
5. Respondent's professional performance may be reviewed by the Director of OPMC. This review may include, but shall not be limited to, a review of office records, patient records and/or hospital charts, interviews with or periodic visits with Respondent and his/her staff at practice locations or OPMC offices.
6. Respondent shall maintain legible and complete medical records which accurately reflect the evaluation and treatment of patients. The medical records shall contain all information required by State rules and regulations regarding controlled substances.
7. Respondent shall submit for review by the Office of Professional Medical Conduct, at the address set forth in paragraph 2, all applications related to the practice of medicine that he submits to any governmental agency,

hospital or other entity , including but not limited to hospital credential applications, applications for medical licensure, applications to health maintenance organizations, applications for Medicaid and Medicare privileges, applications to third party reimbursement providers. Copies of the aforementioned applications should be provided to OPMC within 30 days of the date that Respondent has submitted the application.

8. Respondent shall comply with all terms, conditions, restrictions, limitations and penalties to which he or she is subject pursuant to the Order and shall assume and bear all costs related to compliance. Upon receipt of evidence of noncompliance with, or any violation of these terms, the Director of OPMC and/or the Board may initiate a violation of probation proceeding and/or any such other proceeding against Respondent as may be authorized pursuant to the law.