



Board for Professional Medical Conduct

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

Mark R. Chassin, M.D., M.P.P., M.P.H.
Commissioner

C. Maynard Guest, M.D.
Executive Secretary

November 18, 1994

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Atul R. Shah, M.D.
12613 Caramaran Place
Tampa, Florida 33624

RE: License No. 189453
Effective Date: 11/25/94

Dear Dr. Shah:

Enclosed please find Order #BPMC 94-242 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,

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

Enclosure

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

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IN THE MATTER :
OF : ORDER
ATUL R. SHAH, M.D. : BPMC #94-242

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Upon the Application of ATUL R. SHAH, 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

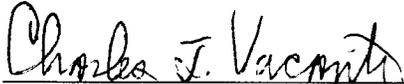
ORDERED, that the application and the provisions thereof are hereby adopted; it is further

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: 14 November 1994



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 TO
OF : SURRENDER
ATUL R. SHAH, M.D. : LICENSE

-----X

STATE OF FLORIDA)

ss.:

COUNTY OF ()

ATUL R. SHAH, M.D. being duly sworn, deposes and says:

1. I was licensed to practice medicine as a physician in the State of New York on July 1, 1992 having been issued License No. 189453 by the New York State Education Department. I am not currently registered with the New York State Education Department to practice as a physician in the State of New York.
2. I understand that the New York State Board for Professional Medical Conduct has charged me with one specification of professional misconduct. A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as "Exhibit A."
3. I hereby admit guilt to the one specification of

professional misconduct, which is based on the New Jersey Board of Medical Examiners' denial of my application for licensure, as set forth in the Statement of Charges.

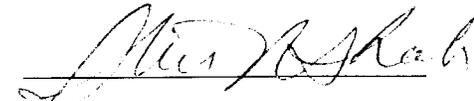
4. I hereby make this Application to the State Board for Professional Medical Conduct and request that it be granted.

5. 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.

6. 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.

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


ATUL R. SHAH, M.D.
Respondent

Sworn to before me this
day of , 1994

NOTARY PUBLIC

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. DEC. 3, 1994
BONDED THRU GENERAL INS. UND.

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

-----X

IN THE MATTER : APPLICATION TO
TO : SURRENDER
ATUL R. SHAH, M.D. : LICENSE

-----X

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

Date: _____, 1994

Atul R. Shah
ATUL R. SHAH, M.D.
Respondent

Date: _____, 1994

Nancy S. Paikoff
NANCY S. PAIKOFF
Attorney for Respondent

Date: *Feb*, 1994

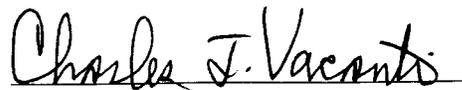
E. Marta Sachey
E. MARTA SACHEY
Associate Counsel
Bureau of Professional
Medical Conduct

Date: Nov. 9, 1994



KATHLEEN M. TANNER
Director, Office of
Professional Medical Conduct

Date: 14 November 1994



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
ATUL R. SHAH, M.D. : CHARGES

-----X

ATUL R. SHAH, M.D. the Respondent, was authorized to practice medicine in New York State on July 1, 1992 by the issuance of license number 189453 by the New York State Education Department. Respondent is not currently registered with the New York State Education Department to practice medicine in New York State. Respondent was last registered for the period January 1, 1992 through December 30, 1992.

FACTUAL ALLEGATIONS

1. The State of New Jersey Board of Medical Examiners, by Final Order filed February 18, 1993, denied Respondent's application for licensure to practice medicine and surgery in New Jersey based upon Respondent's misrepresentations and false statements in his application for licensure in New Jersey which constituted the employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense in violation of New Jersey Statutes Annotated §45:1-21(b) and Respondent's demonstrated lack of good moral

EXHIBIT A

character.

2. More specifically, Respondent falsely indicated that he was a specialist in internal medicine when, in fact, he was still a resident in training; Respondent falsely indicated that he engaged in academics\research at the Bergen Pines Hospital when, in fact, he had not worked at that Hospital but had actually been employed as a phlebotomist at a regional blood center affiliated with the Hospital and when, in fact, Respondent had not engaged in work related to academics or research; and Respondent falsely indicated that he had been a physician's assistant in New York.

3. The conduct underlying the New Jersey Board's denial of a license to Respondent would, if committed in New York State, constitute professional misconduct under N.Y. Educ. Law §6530(2) [fraudulent practice] and/or §6530(20) [moral unfitness] and/or §6530(21) [willfully making or filing a false report] (McKinney Supp. 1994).

SPECIFICATION

Respondent is charged with professional misconduct under N.Y. Education Law §6530(d) (McKinney Supp. 1994) by reason of having his license to practice medicine revoked, suspended or having other disciplinary action taken, or having his application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York State, constitute professional misconduct under the laws of New York State in that Petitioner charges the facts in Paragraphs 1 through 3.

DATED: *Sept. 16*, 1994
Albany, New York


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