



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

*433 River Street, Suite 303 • Troy, New York 12180-2299 • (518) 402-0863*

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*NYS Department of Health*  
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*Office of Professional Medical Conduct*

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*Vice Chair*  
*Katherine A. Hawkins, M.D., J.D.*  
*Executive Secretary*

August 24, 2009

***CERTIFIED MAIL-RETURN RECEIPT REQUESTED***

Borko B. Djordjevic, M.D.

Redacted Address

Re: License No. 129670

Dear Dr. Djordjevic:

Enclosed is a copy of Order BPMC #09-160 of the New York State Board for Professional Medical Conduct. This order and any penalty provided therein goes into effect August 31, 2009.

**If the penalty imposed by this Order is a surrender, revocation or suspension, you are required to deliver your license and registration within five (5) days of receipt of this Order to: Office of Professional Medical Conduct, c/o Physician Monitoring Unit, New York State Department of Health, 433 River Street, Suite 303, Troy, NY 12180-2299.**

If the document(s) are lost, misplaced or destroyed, you are required to submit to this office an affidavit to that effect. Enclosed for your convenience is an affidavit. Please complete and sign the affidavit before a notary public and return it to the Office of Professional Medical Conduct.

Sincerely,

Redacted Signature

Katherine A. Hawkins, M.D., J.D.  
Executive Secretary  
Board for Professional Medical Conduct

Enclosure

cc: Michael Goch, Esq.  
5850 Canoga Avenue, Suite 400  
Woodland Hills, CA 91367-6554

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

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IN THE MATTER  
OF  
BORKO B. DJORDJEVIC, M.D.

CONSENT ORDER

BPMC No. #09-160

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Upon the proposed agreement of **BORKO B. DJORDJEVIC, 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 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: 8-21-2009

Redacted Signature

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KENDRICK A. SEARS, M.D.  
Chair  
State Board for Professional  
Medical Conduct

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

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**IN THE MATTER**  
**OF**  
**BORKO B. DJORDJEVIC, M.D.**  
**CO-07-09-5573-A**

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**CONSENT AGREEMENT**  
**AND ORDER**

**BORKO B. DJORDJEVIC, M.D.**, (Respondent) states:

That on or about January 14, 1977, I was licensed to practice as a physician in the State of New York, having been issued license number 129670 by the New York State Education Department.

My current address is Redacted Address, and I will advise the Director of the Office of Professional Medical Conduct of any change of my address within thirty (30) days thereof.

I understand that the New York State Board for Professional Medical Conduct has charged me with three (3) Specifications of professional misconduct.

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

I do not contest the three (3) Specifications and agree to the following penalty:

My license shall be suspended for an indefinite period of no less than seven (7) years and until I successfully complete the probation set forth in the Division of Medical Quality, Medical Board of California, Department of Consumer Affairs, Decision, dated September 7, 2007, and any extensions or modifications, thereof. One year after the effective date of

this order and after compliance with all conditions, I may petition the State Board for Professional Medical Conduct for a Modification Order, staying the suspension and permitting me to practice as a physician under whatever limitation(s), term(s) of probation, or further conditions the Board, in its reasonable discretion, exercised by a Committee on Professional Conduct, may impose. I understand and agree that the Committee's determination shall not be reviewable through recourse to the Administrative Review Board.

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

That, except during periods of actual suspension, I shall maintain current registration of my 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 Respondent possesses his license; and

That I 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. I 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. I shall meet with a person designated by the Director of OPMC as directed. I shall respond promptly and provide any and all documents and information within my 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 I possess my license.

I stipulate, hereby, 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 make, hereby, 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.

AFFIRMED

DATED

Aug 15/09

Redacted Signature

BORKO B. DJORDJEVIC, 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:

19 August 2009

Redacted Signature

ROBERT BOGAN  
ASSOCIATE COUNSEL  
Bureau of Professional Medical Conduct

DATE:

8/20/09

Redacted Signature

KEITH W. SERVIS  
Director  
Office of Professional Medical Conduct

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

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IN THE MATTER  
  
OF  
  
**BORKO B. DJORDJEVIC, M.D.**  
**CO-07-09-5573-A**

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STATEMENT  
  
OF  
  
CHARGES

**BORKO B. DJORDJEVIC, M.D.**, Respondent, was authorized to practice medicine in New York State on January 14, 1977, by the issuance of license number 129670 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about December 13, 2004, in the United States District Court for the Central District of California, Respondent was found guilty, based on a plea of guilty of False Declaration, in violation of 18USC §152(2), a felony, and was sentenced to five (5) years probation, a \$100.00 special assessment and a \$5,000.00 fine.

B. On or about September 7, 2007, the Division of Medical Quality, Medical Board of California, Department of Consumer Affairs (hereinafter "California Board"), by a Decision (hereinafter "California Decision"), revoked Respondent's license to practice medicine, stayed the revocation, and placed him on seven (7) years probation under terms and conditions that, inter alia, suspended him from the practice of medicine for three (3) months, required that he complete continuing medical education and an ethics course, that he have a psychiatric evaluation, that he not supervise physician assistants, and required him to complete five hundred twenty (520) hours of community service within the first two (2) years of probation, based on the federal conviction set forth in Paragraph A, above, and a state crime and general unprofessional conduct.

C. On or about June 13, 2008, the State of New Jersey, Department of Law and Public Safety, Division of Consumer Affairs, State Board of Medical Examiners (hereinafter "New Jersey Board"), by a Consent Order of Suspension (hereinafter New Jersey Order), suspended Respondent's license to practice medicine and surgery for a minimum of seven (7) years, based on, inter alia, his federal conviction, set forth in Paragraph A, above and the California Decision, set forth in Paragraph B, above.

D. The conduct resulting in the California Board disciplinary action against Respondent would constitute misconduct under the laws of New York state, pursuant to the following sections of New York state law:

1. New York State Education Law §6530(9)(a)(ii) (being convicted of committing an act constituting a crime under federal law).

E. The conduct resulting in the New Jersey Board disciplinary action against Respondent would constitute misconduct under the laws of New York state, pursuant to the following sections of New York state law:

1. New York State Education Law §6530(9)(a)(ii) (being convicted of committing an act constituting a crime under federal law).

2. New York State Education Law §6530(d) (having his license to practice medicine suspended and/or having other disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the suspension and/or other disciplinary action would, if committed in this state, constitute professional misconduct under the laws of this state).

**SPECIFICATIONS**

**FIRST SPECIFICATION**

Respondent violated New York State Education Law §6530(9)(ii) by being convicted of committing an act constituting a crime under federal law, in that Petitioner charges:

1. The facts in Paragraph A.

**SECOND AND THIRD SPECIFICATIONS**

Respondent violated New York State Education Law §6530(9)(d) by having his license to practice medicine suspended and/or having other disciplinary action taken by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the suspension and/or other disciplinary action would, if committed in New York state, constitute professional misconduct under the laws of New York state, in that the Petitioner charges:

2. The facts in Paragraphs A and/or B.
3. The facts in Paragraphs A and/or C.

DATED: *Aug. 17*, 2009

Redacted Signature

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