



STATE OF NEW YORK
DEPARTMENT OF HEALTH

433 River Street, Suite 303 Troy, New York 12180-2299

Richard F. Daines, M.D.
Commissioner

November 8, 2007

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Vladimir Kirkorov, M.D.

Redacted Address

Robert Bogan, Esq.
NYS Department of Health
Hedley Park Place
433 River Street - 4th Floor
Troy, New York 12180

Vladimir Kirkorov, M.D.

Redacted Address

RE: In the Matter of Vladimir Kirkorov, M.D.

Dear Parties:

Enclosed please find the Determination and Order (No. 07-246) of the Hearing Committee in the above referenced matter. This Determination and Order shall be deemed effective upon the receipt or seven (7) days after mailing by certified mail as per the provisions of §230, subdivision 10, paragraph (h) of the New York State Public Health Law.

Five days after receipt of this Order, you will be required to deliver to the Board of Professional Medical Conduct your license to practice medicine together with the registration certificate. Delivery shall be by either certified mail or in person to:

Office of Professional Medical Conduct
New York State Department of Health
Hedley Park Place
433 River Street - Fourth Floor
Troy, New York 12180

If your license or registration certificate is lost, misplaced or its whereabouts is otherwise unknown, you shall submit an affidavit to that effect. If subsequently you locate the requested items, they must then be delivered to the Office of Professional Medical Conduct in the manner noted above.

As prescribed by the New York State Public Health Law §230, subdivision 10, paragraph (i), (McKinney Supp. 2007) and §230-c subdivisions 1 through 5, (McKinney Supp. 2007), "the determination of a committee on professional medical conduct may be reviewed by the Administrative Review Board for professional medical conduct." Either the licensee or the Department may seek a review of a committee determination.

Request for review of the Committee's determination by the Administrative Review Board stays penalties other than suspension or revocation until final determination by that Board. Summary orders are not stayed by Administrative Review Board reviews.

All notices of review must be served, by certified mail, upon the Administrative Review Board and the adverse party within fourteen (14) days of service and receipt of the enclosed Determination and Order.

The notice of review served on the Administrative Review Board should be forwarded to:

James F. Horan, Esq., Administrative Law Judge
New York State Department of Health
Bureau of Adjudication
Hedley Park Place
433 River Street, Fifth Floor
Troy, New York 12180

The parties shall have 30 days from the notice of appeal in which to file their briefs to the Administrative Review Board. Six copies of all papers must also be sent to the attention of Mr. Horan at the above address and one copy to the other party. The stipulated record in this matter shall consist of the official hearing transcript(s) and all documents in evidence.

Parties will be notified by mail of the Administrative Review Board's Determination and Order.

Sincerely,

Redacted Signature

James F. Horan, Acting Director
Bureau of Adjudication

JFH:cah

Enclosure

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

COPY

IN THE MATTER
OF
VLADIMIR KIRKOROV, M.D.

DETERMINATION
AND
ORDER
BPMC #07-246

A hearing was held on October 18, 2007, at the offices of the New York State Department of Health ("the Petitioner"). A Commissioner's Order and Notice of Referral Proceeding, dated December 21, 2006, and a Statement of Charges, also dated December 21, 2006, were served upon the Respondent, **Vladimir Kirkorov, M.D.** Pursuant to Section 230(10)(e) of the Public Health Law, **Fred S. Levinson, M.D.**, Chairperson, **James T. Adams, M.D.**, and **Randolph H. Manning, Ph.D.**, duly designated members of the State Board for Professional Medical Conduct, served as the Hearing Committee in this matter. **John Wiley, Esq.**, Administrative Law Judge, served as the Administrative Officer.

The Petitioner appeared by **Thomas Conway, Esq.**, General Counsel, by **Robert Bogan, Esq.**, of counsel. The Respondent did not appear at the hearing either in person or by counsel.

Evidence was received and transcripts of these proceedings were made.

After consideration of the entire record, the Hearing Committee issues this Determination and Order.

BACKGROUND

This case was brought pursuant to Public Health Law Section 230(10)(p). The statute provides for an expedited hearing when a licensee is charged solely with a violation of Education Law Section 6530(9). In such cases, a licensee is charged with misconduct based upon a prior criminal conviction in New York State or another jurisdiction, or upon a prior administrative adjudication regarding conduct that would amount to professional misconduct, if committed in New York. The scope of an expedited hearing is limited to a determination of the nature and severity of the penalty to be imposed upon the licensee.

In the instant case, the Respondent is charged with professional misconduct pursuant to Education Law Section 6530(9)(a)(i). Copies of the Commissioner's Order and Notice of Referral Proceeding and the Statement of Charges are attached to this Determination and Order as Appendix 1.

WITNESSES

For the Petitioner:	None
For the Respondent:	None

FINDINGS OF FACT

The following Findings of Fact were made after a review of the entire record in this matter. Numbers below in parentheses refer to exhibits, denoted by the prefix "Ex." These citations refer to evidence found persuasive by the Hearing Committee in arriving at a particular finding. All Hearing Committee findings were unanimous.

1. Vladimir Kirkorov, M.D., the Respondent, was authorized to practice medicine in New York State on July 2, 1996, by the issuance of license number 203548 by the New York State Education Department (Petitioner's Ex. 4).

2. On June 29, 2006, in the Supreme Court of the State of New York, Queens County, the Respondent was convicted of seven counts of Insurance Fraud in the Third Degree, in violation of New York Penal Law Section 176.20, a class D felony; seventeen counts of Insurance Fraud in the Fourth Degree, in violation of Penal Law Section 176.15, a class E felony; one count of Grand Larceny in the Third Degree, in violation of Penal Law Section 155.35, a class D felony; seven counts of Grand Larceny in the Fourth Degree, in violation of Penal Law Section 155.30, a class E felony; 24 counts of Falsifying Business Records in the First Degree, in violation of Penal Law Section 175.10, a class E felony; one count of Scheme to Defraud, in violation of Penal Law Section 190.65, a class E felony; and two counts of Petit Larceny, in violation of Penal Law Section 155.25, a class A misdemeanor. On July 25, 2006, the Respondent was sentenced to concurrent sentences of two to six years imprisonment for the Insurance Fraud in the Third Degree and Grand Larceny in the Third Degree convictions, one to three years imprisonment for the other felony convictions and one year imprisonment for the Petit Larceny convictions. (Petitioner's Ex. 5).

VOTE OF THE HEARING COMMITTEE

SPECIFICATION

"Respondent violated New York Education Law Section 6530(9)(a)(i) by having been convicted of committing an act constituting a crime under New York state law..."

VOTE: Sustained (3-0)

HEARING COMMITTEE DETERMINATION

The Respondent did not appear at the hearing. The Administrative Law Judge stated that the Respondent had requested an adjournment of the hearing and that the request had been denied. The Administrative Law Judge ruled that the Petitioner had met the requirements of law for service of the Commissioner's Order and Notice of

Referral Proceeding and the Statement of Charge on the Respondent, that jurisdiction had been established over the Respondent and that the hearing could proceed on the merits despite the absence of the Respondent.

The Respondent's crimes are both serious and numerous. Because the Respondent did not appear at the hearing, there is no evidence in the record of mitigating circumstances, rehabilitation or remorse. The Petitioner recommended that the Respondent's license to practice medicine be revoked. This recommendation will be adopted by the Hearing Committee.

ORDER

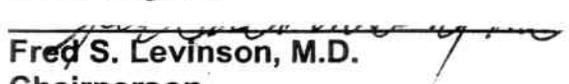
IT IS HEREBY ORDERED THAT:

1. The Respondent's license to practice medicine in New York State is revoked.
2. This Order shall be effective upon service on the Respondent in accordance with the requirements of Public Health Law Section 230(10)(h).

DATED: Middletown, New York

November 7, 2007

Redacted Signature


Fred S. Levinson, M.D.
Chairperson

James T. Adams, M.D.
Randolph H. Manning, Ph.D.

APPENDIX I

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

IN THE MATTER
OF
VLADIMIR KIRKOROV, M.D.
CO-06-08-4583-A

COMMISSIONER'S
ORDER
AND
NOTICE OF
REFERRAL
PROCEEDING

TO: VLADIMIR KIRKOROV, M.D.

Redacted Address

The undersigned, Antonia C. Novello, M.D., M.P.H., Dr.P.H., Commissioner of Health, after an investigation, upon the recommendation of a Committee on Professional Medical Conduct of the State Board for Professional Medical Conduct, and upon the Statement of Charges attached hereto and made a part that **VLADIMIR KIRKOROV M.D.**, Respondent, licensed to practice medicine in the State of New York as a physician on July 2, 1996, by license number 203548, has been found guilty of committing an act constituting a felony under New York State law in the Supreme Court of the State of New York, Queens County, Kew Gardens, New York.

It is therefore:

ORDERED, pursuant to New York Public Health Law §230(12), that effective immediately **VLADIMIR KIRKOROV, M.D.**, Respondent, shall not practice medicine as a physician in the State of New York or in any other jurisdiction where that practice is predicated on a valid New York State license to practice medicine as a physician. This Order shall remain in effect unless modified or vacated by the Commissioner of Health pursuant to New York Public Health Law §230(12).

PLEASE TAKE NOTICE that a hearing will be held pursuant to the provisions of New York Public Health Law §230, and New York State Administrative Procedure Act §§301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct on the 18th day of January, 2007, at 10:00 a.m., at Hedley Park Place, 433 River Street, 5th Floor, Troy, New York 12180, at the offices of the New York State Health Department, and at such other adjourned dates, times and places as the committee may direct. The Respondent may file an answer to the Statement of Charges with the below-named attorney for the Department of Health.

At the hearing, evidence will be received concerning the allegations set forth in the Statement of Charges, which is attached. A stenographic record of the hearing will be made and the witnesses at the hearing will be sworn and examined. The Respondent shall appear in person at the hearing and may be represented by counsel. The Respondent has the right to produce witnesses and evidence on his behalf, to issue or have subpoenas issued on his behalf for the production of witnesses and documents and to cross-examine witnesses and examine evidence produced against him. A summary of the Department of Health Hearing Rules is enclosed. Pursuant to §301(5) of the State Administrative Procedure Act, the Department, upon reasonable notice, will provide at no charge a qualified interpreter of the deaf to interpret the proceedings to, and the testimony of, any deaf person.

The hearing will proceed whether or not the Respondent appears at the hearing. Scheduled hearing dates are considered dates certain and, therefore, adjournment requests are not routinely granted. Requests for adjournments must be made in writing to the New York State Department of Health, Division of Legal Affairs, Bureau of Adjudication, Hedley Park Place, 433 River Street, Fifth Floor South, Troy, NY 12180, ATTENTION: HON. SEAN D. O' BRIEN, DIRECTOR, BUREAU OF ADJUDICATION, and by telephone (518-402-0748), upon notice to the attorney for the Department of Health whose name appears below, and at least five days prior to the scheduled hearing date. Claims of court engagement will require detailed affidavits of actual engagement. Claims of illness will require medical documentation.

At the conclusion of the hearing, the committee shall make findings of fact, conclusions concerning the charges sustained or dismissed, and, in the event any of the charges are sustained, a determination of the penalty or sanction to be imposed or appropriate action to be taken. Such determination may be reviewed by the administrative review board for professional medical conduct.

THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT YOUR LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE BE REVOKED OR SUSPENDED, AND/OR THAT YOU BE FINED OR SUBJECT TO OTHER SANCTIONS SET FORTH IN NEW YORK PUBLIC HEALTH LAW §230-a. YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATED: Albany, New York

December 21, 2006

Redacted Signature

ANTONIA C. NOVELLO, M.D. M.P.H, Dr. P.H.,
Commissioner

Inquires should be addressed to:

Robert Bogan
Associate Counsel
Office of Professional Medical Conduct
433 River Street – Suite 303
Troy, New York 12180
(518) 402-0828

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

IN THE MATTER
OF
VLADIMIR KIRKOROV, M.D.
CO-06-08-4583-A

STATEMENT
OF
CHARGES

VLADIMIR KIRKOROV, M.D. Respondent, was authorized to practice medicine, as a Physician Assistant in New York state on July 2, 1996, by the issuance of license number 203548 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about June 29, 2006, in Supreme Court of the State of New York, Queens County, Kew Gardens, New York, Respondent was found guilty, based on a plea of guilty, of eight (8) counts of Insurance fraud in the third degree, in violation of New York Penal Law, §176.20, a class D felony; six (6) counts of Grand larceny in the third degree, in violation of New York Penal Law, §155.30, a class E felony; fifteen (15) counts of Falsifying business records in the first degree, in violation of New York Penal Law, §175.10, a class E felony; two (2) counts of Insurance fraud in the fourth degree, a class E felony; two (2) counts of Petit larceny, in violation of New York Penal Law, §155.25, a class A misdemeanor; one (1) count of Grand larceny in the third degree, in violation of New York Penal Law, §155.35, a class D felony; fifteen (15) counts of Insurance fraud in the fourth degree, in violation of New York Penal Law, §176.15, a class E felony; nine (9) counts of Falsifying business records in the first degree, in violation of New York Penal Law, §195.10, a class E felony; one (1) count of Scheme to defraud in the first degree, in violation of New York Penal Law, §190.65, a class E felony; and on or about July 25, 2006, was sentenced to 2 to 6 years imprisonment for each count Insurance fraud in the third degree; 1 to 3 years imprisonment for each count of Grand larceny in the fourth degree; 1 to 3 years imprisonment, for each count of Falsifying business records in the first degree; 1 to 3 years imprisonment for each count of Insurance fraud in the fourth degree; 1 year imprisonment for each count of Petit larceny; 1 to 3 years imprisonment for each count of for each count of Falsifying business records in the first degree; and 1 to 3 years imprisonment for Scheme to defraud in the first degree.

SPECIFICATION

Respondent violated New York Education Law §6530(9)(a)(i) by having been convicted of committing an act constituting a crime under New York state law, in that Petitioner charges:

1. The facts in Paragraph A.

DATED: *Dec. 21*, 2006
Albany, New York

Redacted Signature

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