

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

IN THE MATTER
OF
ELEONORA ZHAROV, M.D.
FR-01-12-6108-A

COMMISSIONER'S
ORDER
AND
NOTICE OF
HEARING

TO: ELEONORA ZHAROV, M.D.
7133 Peri Lane
Brooklyn, NY 11234

ELEONORA ZHAROV, M.D.
Prompt Comprehensive Medical, P.C.
63-118 Woodhaven Blvd.
Rego Park, NY 11374

T. Lawrence Tabak, Esq.
Augustine, Kern, Schoppman, P.C.
420 Lakeville Road
Lake Success, NY 11042

Gregory J. Naclerio, Esq.
Ruskin Moscou Faltischek, P.C.
East Tower 15th Floor
190 EAB Plaza
Uniondale, NY 11556-0190

The undersigned, Antonia C. Novello, M.D., M.P.H., Dr. P.H., Commissioner of the New York State Department 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 hereof, has determined ELEONORA ZHAROV, M.D., has been found guilty of committing acts constituting a felony under New York State law in the Supreme Court of the State of New York, County of Queens, Criminal Term.

It is therefore,

ORDERED, pursuant to N.Y. Public Health Law Section 230(12)(b), that effective immediately ELEONORA ZHAROV, M.D., Respondent, (license number 191209), shall not practice medicine in the State of New York or in any other jurisdiction where that

practice of medicine is predicated on a valid New York State license to practice medicine. This order shall remain in effect unless modified or vacated by the Commissioner of Health pursuant to N.Y. Public Health Law Section 230(12).

PLEASE TAKE NOTICE that a hearing will be held pursuant to the provisions of N.Y. Public Health Law Section 230, and N.Y. State Admin. Proc. Act Sections 301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board of Professional Medical Conduct, on the 21st day of November, 2002 at 10:00 am in the forenoon at Hedley Park Place, 5th Floor, 433 River Street, Troy, New York 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, that 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 her behalf, to issue or have subpoenas issued on her behalf for the production of witnesses and documents, and to cross-examine witnesses and examine evidence produced against her. A summary of the Department of Health Hearing Rules is enclosed. Pursuant to Section 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 Administrative Law Judge's Office, Hedley Park Place, 433 River Street, 5th Floor,

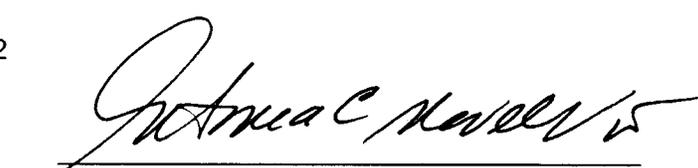
Troy, New York 12180 (518-402-0751), upon notice to the attorney for the Department of Health whose name appears below, at least five days prior to the scheduled hearing date. Claims of court engagement will require detailed affidavits of actual engagement. Claims of illness will require medical documentation.

At the conclusion of the hearing, the committee shall make findings of fact, conclusions concerning the charges sustained or dismissed, and, in the event that 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 MAY BE FINED OR SUBJECT TO OTHER
SANCTIONS SET FORTH IN NEW YORK PUBLIC
HEALTH LAW SECTION 230-a. YOU ARE
URGED TO OBTAIN AN ATTORNEY FOR THIS
MATTER.**

DATED: Albany, New York

September 13, 2002


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

or

Richard Zahnleuter
Associate Counsel
Bureau of Professional Medical Conduct
2512 Corning Tower
Empire State Plaza
Albany, NY 12237
(518) 486-1841

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FR-01-12-6108-A

STATEMENT
OF
CHARGES

ELEONORA ZHAROV, M.D., the Respondent, was authorized to practice medicine as a Physician in New York State on January 8, 1993, by the issuance of license number 191209 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about April 10, 2002, in the Supreme Court of the State of New York, County of Queens, Criminal Term, Respondent was found guilty, based on a plea of guilty, of Insurance Fraud in the Fourth Degree, a class E felony and was sentenced to a three (3) year conditional discharge and a mandatory surcharge.

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: *Sept. 13*, 2002
Albany, New York


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