



Board for Professional Medical Conduct

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

C. Maynard Guest, M.D.
Executive Secretary

January 23, 1995

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

S. Mohammad Marashi, M.D.
Sacred Heart Doctor's Building
West 105 8th Avenue
Suite 424
Spokane, Washington 99204

RE: License No. 100715

Dear Dr. Marashi:

Effective Date: 1/30/95

Enclosed please find Order #BPMC 95-13 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 Secretary
Board for Professional Medical Conduct

Enclosure

cc: Daniel Guenzburger, Esq.

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

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IN THE MATTER :
OF : ORDER
S. MOHAMMAD MARASHI, M.D. : BPMC #95-13

-----x

Upon the application of S. MOHAMMAD MARASHI, M.D.
(Respondent) for Consent Order, which application is made a part
hereof, it is

ORDERED, that the application and the provisions thereof are
hereby adopted and so ORDERED, and 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 by certified mail, whichever is
earliest.

SO ORDERED,

DATED: 18 January 1995



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
: APPLICATION
IN THE MATTER :
OF : FOR
S. MOHAMMAD MARASHI, M.D. : CONSENT
: ORDER
-----X

STATE OF WASHINGTON) ss.:
COUNTY OF -----)

S. MOHAMMAD MARASHI, M.D., being duly sworn, deposes and says:

That on or about July 16, 1966, I was licensed to practice as a physician in the State of New York, having been issued License No. 100715 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. I maintain an office at 105 West 8 th Avenue, Spokane, Washington. I understand that the New York State Board for Professional Medical Conduct has charged me with two Specifications of professional misconduct.

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

I admit ~~guilt~~^{M.M.D.} to the two specifications in full satisfaction of the charges against me.

I hereby agree to the penalty of one year stayed suspension and one year probation.

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.

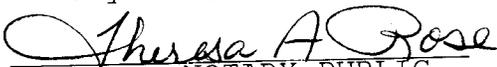
I am making this Application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner.



S. MOHAMMAD MARASHI, M.D. *M.D.*

RESPONDENT

Sworn to before me this
20th day of Dec , 1994.


NOTARY PUBLIC

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

-----X
IN THE MATTER : APPLICATION
OF : FOR
S. MOHAMMAD MARASHI, M.D. : CONSENT
: ORDER
-----X

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

DATE: Dec. 29, 1994

S. Mohammad Marashi, M.D.

S. MOHAMMAD MARASHI, M.D.
RESPONDENT

DATE: January 4, 1995

Daniel Guenzburger

Daniel Guenzburger
ASSISTANT COUNSEL
Bureau of Professional
Medical Conduct

DATE: Jan. 17, 1995

Kathleen M. Tanner

KATHLEEN M. TANNER
DIRECTOR
Office of Professional Medical
Conduct

DATE: 18 January 1995

Charles J. Vacanti

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
 S. MOHAMMAD MARASHI, M.D. : CHARGES
 -----X

S. MOHAMMAD MARASHI, M.D., the Respondent, was authorized to practice medicine in New York State on July 16, 1966 by the issuance of license number 100715 by the New York State Education Department. The Respondent is not currently registered with the New York State Education Department to practice medicine. He maintains an office at 105 West 84th Avenue, Spokane, Washington, 99204-2318.

FIRST SPECIFICATION

1. Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law Section 6530(9)(a)(ii) (McKinney Supp. 1994), in that he was convicted of an act constituting a crime under federal law, specifically:

On or about May 1, 1989, in the United States District Court, Eastern District of Washington, the Respondent was convicted

after a jury trial of three counts of violating 26 U.S.C. Section 7201 and one count of violating 26 U.S.C. Section 7206 (1). A person violates 26 U.S.C. Section 7201 by willfully attempting to evade or defeat a tax imposed by the United States government. A person violates 26 U.S.C. Section 7206(1) by willfully making and subscribing a tax return under the penalties of perjury which he knows contains false information. A violation of either of the above two sections is a felony.

The Respondent was convicted for filing false and fraudulent joint United States personal income tax returns for the calendar years 1981, 1982, and 1983 and for filing a fraudulent corporate income tax return for M. Marashi, M.D., P.S., for the calendar year 1981. Respondent was sentenced to 6 months of house arrest, three years probation, and 500 hours of community service.

SECOND SPECIFICATION

2. Respondent is charged with professional misconduct within the meaning of N.Y. Educ. Law Section 6530(9)(b) (McKinney Supp. 1994), in that he has been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state where the conduct resulting in the disciplinary action would, if committed in New York State, constitute professional misconduct under the law of New York State, specifically:

On or about March 15, 1991, the Washington State Medical Disciplinary Board found, based upon Respondent's Stipulation and Agreed Order, that Respondent violated the Revised Code of Washington Section 18.72.030(1) (1979) by filing fraudulent tax returns as alleged in Specification One. These acts, if committed in New York State, would have constituted professional misconduct under N.Y. Educ. Law Sections 6530(9)(a)(ii) ("Being convicted of a federal crime") and 6530(21) ("Willfully making and filing a

false report"). (McKinney Supp. 1994). The Washington Medical Disciplinary Board ordered an indefinite period of stayed suspension, probation, a \$500.00 fine, and required that Respondent take 14 hours of continuing medical education in ethics.

DATED: New York, New York

October 19, 1994



CHRIS STERN HYMAN
Counsel
Bureau of Professional
Medical Conduct

EXHIBIT "B"

TERMS OF PROBATION

1. S. MOHAMMAD MARASHI, M.D, during the period of probation, shall conduct himself in all ways in a manner befitting his professional status, and shall conform fully to the moral and professional standards of conduct imposed by law and by his profession;
2. That Respondent shall submit written notification to the New York State Department of Health (NYSDOH), addressed to the Director, Office of Professional Medical Conduct, New York State Department of Health, Corning Tower Building, 4th Floor, Empire State Plaza, Albany, New York 12237 of any employment and practice, of Respondent's residence and telephone number, of any change in Respondent's employment, practice, residence, or telephone number within or without the State of New York;
3. Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the New York State Department of Health, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, no later than the first three months of the period of probation;
4. Respondent shall submit written proof to the NYSDOH, addressed to the Director, Office of Professional Medical Conduct, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board or by the Board of Regents; said proof of the above to be submitted no later than the first two months of the period of probation;
5. Respondent shall comply with all terms, conditions, restrictions, and penalties to which he is subject pursuant to the order of the Board;
6. Any civil penalty not paid by the date prescribed herein shall be subject to all provisions of law relating to debt collection by the State of New York. 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).

7. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his or her aforementioned profession in accordance with the terms of probation; provided, however, that upon receipt of evidence of noncompliance with, or any violation of these terms, the Director of the Office of Professional Medical Conduct and/or the Board may initiate a violation of probation proceeding and/or such other proceeding against Respondent as may be authorized pursuant to the Public Health Law.