

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

ANDREW V PASTERNAK, MD
License No. 4301027022,
Respondent.

File No. CEA21-003619

CONSENT ORDER

On July 6, 2021, the Department of Licensing and Regulatory Affairs executed an Administrative Complaint charging Respondent with violating the Public Health Code, MCL 333.1101 *et seq.*

Respondent has admitted that the facts alleged in the Complaint are true and constitute a violation of the Public Health Code. The Michigan Board of Medicine Disciplinary Subcommittee (DSC) has reviewed this Consent Order and Stipulation and agrees that the public interest is best served by resolution of the outstanding Complaint.

Respondent has agreed to voluntarily surrender to the Board the license to practice as a Medical Doctor in the state of Michigan previously issued to Respondent by the Board pursuant to the Public Health Code. Respondent further agrees to relinquish any claim to reinstate, renew, or reactivate the license, limited or otherwise, at any future date.

Therefore, IT IS FOUND that the facts alleged in the Complaint are true and constitute a violation of MCL 333.16221(h).

Accordingly,

IT IS ORDERED that Respondent's license to practice as a Medical Doctor in the state of Michigan is PERMANENTLY SURRENDERED, commencing on the effective date of this Order.

IT IS FURTHER ORDERED that the surrender of licensure shall be deemed PERMANENT and that the license shall not be renewed, reinstated, reissued or reactivated, limited or otherwise, at any future date.

IT IS FURTHER ORDERED that this Order shall not be modifiable for any cause whatsoever.

IT IS FURTHER ORDERED that this Order shall be effective on the date signed, as set forth below.

MICHIGAN BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

By: Inna Volkova
Inna Volkova, CE Audit Section Manager
Enforcement Division
Bureau of Professional Licensing

Date: 8/12/21

STIPULATION

1. The facts alleged in the Complaint are true and constitute a violation of MCL 333.16221(h).

2. Respondent agrees to permanently surrender to the Board the license to practice as a Medical Doctor previously issued to Respondent pursuant to the Public Health Code.

3. Respondent further agrees to relinquish any claim to reinstate, renew, reissue, or reactivate the license, limited or otherwise, at any future date.

4. Respondent understands and intends that by signing this Stipulation Respondent is waiving the right, pursuant to the Public Health Code, the rules promulgated thereunder, and the Administrative Procedures Act, MCL 24.201 *et seq.*, to require the Department to prove the charges set forth in the Complaint by presentation of evidence and legal authority, and Respondent is waiving the right to appear with an attorney and such witnesses as Respondent may desire to present a defense to the charges.

5. This matter is a public record required to be published and made available to the public pursuant to the Michigan Freedom of Information Act, MCL 15.231 *et seq.*; and this action will be reported to the National Practitioner Data Bank, and any other equity as required by state or federal law.

6. Factors taken into consideration in the formulation of this Order

include the following:

Respondent wishes to voluntarily surrender his Medical Doctor license in the state of Michigan in lieu of paying a fine and completing continuing education and training in identifying victims in human trafficking.

7. This Order is approved as to form and substance by Respondent and the Department and may be entered as the final order of the DSC in this matter.

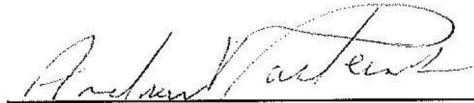
8. This proposal is conditioned upon acceptance by the DSC. Respondent and the Department expressly reserve the right to further proceedings should this Order be rejected.

AGREED TO BY:



Inna Volkova, CE Audit Section Manager
Enforcement Division
Bureau of Professional Licensing

AGREED TO BY:



Andrew V Pasternak, Respondent

Date: 8/12/21

Date: 7 AUGUST 2021

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Respondent

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ADMINISTRATIVE COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs, by Inna Volkova, CE Audit Section Manager, Enforcement Division, Bureau of Professional Licensing, complains against Respondent as follows:

1. The Michigan Board of Medicine is an administrative agency established by the Public Health Code, MCL 333.1101 *et seq.* Pursuant to MCL 333.16226, the Board's Disciplinary Subcommittee is empowered to discipline licensees for violations of the Code.
2. Respondent is licensed as a Medical Doctor in the state of Michigan.
3. The Department audited Respondent's compliance with Respondent's continuing education and training in identifying victims of human trafficking requirements and determined that Respondent failed to submit proof of compliance with the requirements. A copy of the Department's audit results, marked Exhibit A, is attached and incorporated.

COUNT I

Respondent failed to comply with the continuing education and training in identifying victims of human trafficking requirements for license renewal, contrary to Mich Admin Code, R 338.2441(2) and R 338.2413(1), in violation of MCL 333.16221(h).

RESPONDENT IS NOTIFIED that, pursuant to MCL 333.16231(8), Respondent has 30 days from the date of receipt of this Complaint to submit a written response to the allegations contained in it. Pursuant to MCL 333.16192(2), Respondent is deemed to be in receipt of the complaint 3 days after the date of mailing. Respondent shall submit the response by email to BPL-Audit@michigan.gov or by mail to the **Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, CE Audit, P.O. Box 30670, Lansing, MI 48909.**

Respondent's failure to submit an answer within 30 days is an admission of the allegation in this Complaint. If Respondent fails to answer, the Department shall transmit this Complaint directly to the Board's Disciplinary Subcommittee to impose a sanction, pursuant to MCL 333.16231(9).

7/6/21

Date: _____



Inna Volkova, CE Audit Section Manager
Enforcement Division
Bureau of Professional Licensing

Attachment