

**These charges are only allegations
which may be contested by the licensee
in an administrative hearing.**

IN THE MATTER
OF
CERVANDO MARTINEZ, JR., M.D.

STATEMENT
OF
CHARGES

CERVANDO MARTINEZ, JR., M.D., the Respondent, was authorized to practice medicine in New York State on or about July 13, 1967, by the issuance of license number 099224 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about March 5, 2021, the Texas Medical Board (hereinafter, "Texas Board") issued an Agreed Order of Voluntary Surrender (hereinafter, "Agreed Order"), wherein Respondent voluntarily surrendered his Texas medical license. The Agreed Order was based on an April 6, 2020 neuropsychological evaluation which found Respondent suffers from deficits in memory and recommended Respondent cease practicing and under the authority of the Texas Medical Practice Act, Section 164.051(a)(4)(d).

B. The conduct resulting in the Texas Board's disciplinary action against Respondent would constitute misconduct under the laws of New York State pursuant to the following Section of New York State Law:

1. New York Education Law § 6350(8) (having a psychiatric condition which impairs the licensee's ability to practice).


SPECIFICATION OF CHARGES

HAVING HAD DISCIPLINARY ACTION TAKEN

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(d) by having his license to practice as a physician assistant revoked, suspended or having other disciplinary action taken, or having his application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered his or her license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York State, constitute professional misconduct under the laws of New York state (namely N.Y. Educ. Law § 6530(8)) as alleged in the facts of the following:

1. Paragraphs A, B, and B.1.

DATE: August 17, 2022
Albany, New York


JEFFREY J. CONKLIN
Acting Deputy Counsel
Bureau of Professional Medical Conduct