

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

IN THE MATTER
OF
EUGENE KAPLAN, M.D.

STATEMENT
OF
CHARGES

EUGENE KAPLAN, M.D., the Respondent, was authorized to practice medicine in New York State on or about April 20, 2000, by the issuance of license number 217230 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. Respondent provided medical care to Patient A (patients are identified in the attached "Appendix A") at Neurological & Stroke Care, 634 Plank Road, Suite 106, Clifton Park, New York 12065 (Respondent's Office) from on or about May 24, 2013 to on or about December 11, 2017, for multiple medical conditions. Respondent's care of Patient A deviated from accepted standards of care as follows:

1. From on or about January 5, 2017 to on or about December 11, 2017, Respondent performed excessive treatment to Patient A, in the form of multiple interventional procedures, without appropriate reassessment, sufficient medical indication and/or without sufficient medical justification.

B. Respondent provided medical care to Patient B at Respondent's Office from on or about November 15, 2018 to on or about September 12, 2019, for multiple medical

conditions. Respondent's care of Patient B deviated from accepted standards of care as follows.

1. Respondent performed excessive treatment to Patient B, in the form of multiple interventional procedures, without appropriate reassessment, sufficient medical indication and/or without sufficient medical justification.

C. Respondent provided medical care to Patient C at Respondent's office from on or about December 18, 2012 to on or about September 9, 2019, for multiple conditions. Respondent's care of Patient C deviated from the accepted standards of care as follows.

1. Respondent performed excessive treatment to Patient C, in the form of multiple interventional procedures, without appropriate reassessment, sufficient medical indication and/or without sufficient medical justification.

D. Respondent provided medical care to Patient D at Respondent's office from on or about September 4, 2018 to on or about October 2, 2019, for multiple conditions. Respondent's care of Patient D deviated from the accepted standards of care as follows.

1. Respondent performed excessive treatment to Patient D, in the form of multiple interventional procedures, without appropriate reassessment, sufficient medical indication and/or without sufficient medical justification.

E. Respondent provided medical care to Patient E at Respondent's office from on or about October 2, 2018 to on or about August 22, 2019 for multiple conditions.

Respondent's care of Patient E deviated from the accepted standard of care as follows.

1. Respondent performed excessive treatment to Patient E, in the form of multiple interventional procedures, without appropriate reassessment, sufficient medical indication and/or without sufficient medical justification

SPECIFICATION OF CHARGES

FIRST SPECIFICATION

NEGLIGENCE ON MORE THAN ONE OCCASION

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(3) by practicing the profession of medicine with negligence on more than one occasion as alleged in the facts of:

1. Paragraphs A.1, B.1, C.1, D.1, and/or E.1.

SECOND SPECIFICATION

UNWARRANTED TESTS/TREATMENT

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(35) by ordering of excessive tests, treatment, or use of treatment facilities not warranted by the condition of the patient, as alleged in the facts of:

2. Paragraphs A.1, B.1, C.1, D.1, and/or E.1.

THIRD SPECIFICATION

FAILURE TO MAINTAIN RECORDS

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(32) by failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient, as alleged in the facts of:

3. Paragraphs A.1, B.1, C.1, D.1, and/or E.1.

DATE: July 17, 2023
Albany, New York


JEFFREY J. CONKLIN
Deputy Director
Bureau of Professional Medical Conduct