



Board for Professional Medical Conduct

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

C. Maynard Guest, M.D.
Executive Secretary

June 5, 1992

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Sheikh A. Qadeer, M.D.
315 Route 352
Big Flats, New York 14814

RE: License No. 123230
Effective Date 06/12/92

Dear Dr. Qadeer:

Enclosed please find Order #BPMC 92-45 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.

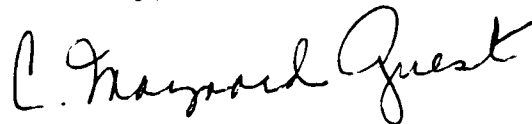
If the penalty imposed by the Order is a surrender, revocation or suspension of this license, you are required to deliver to the Board the license and registration within five (5) days of receipt of the Order.

Board for Professional Medical Conduct
New York State Department of Health
Empire State Plaza
Tower Building-Room 438
Albany, New York 12237-0614

If the penalty imposed by the Order is a fine, please write the check payable to the New York State Department of Health. Noting the BPMC Order number on your remittance will assist in proper crediting. Payments should be directed to the following address:

Bureau of Accounts Management
New York State Department of Health
Empire State Plaza
Tower Building-Room 1245
Albany, New York 12237

Sincerely,

A handwritten signature in cursive script that reads "C. Maynard Guest". The signature is written in black ink and is positioned above the typed name and title.

C. Maynard Guest, M.D.
Executive Secretary
Board for Professional Medical Conduct

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

-----X

IN THE MATTER :
OF : ORDER
SHEIKH A. QADEER, M.D. : BPMC # 92-45

-----X

Upon the Application of Sheikh A. Qadeer, M.D., which application is made a part hereof, it is

ORDERED, that the application and the provisions thereof are hereby adopted and it is further

ORDERED that this order shall take effect as of the date of the personal service of this order upon the respondent or upon Respondent's receipt of the order by certified mail, or seven days after the date of the letter transmitting the order to Respondent by certified mail, whichever is earlier.

SO ORDERED,

DATED:

3 June 1992

Charles J. Vacanti

CHARLES J. VACANTI, M.D.
Chairperson
State Board for Professional
Medical Conduct

I admit guilt to the Specification and all of the facts alleged therein.

I hereby agree that I receive a penalty of a suspension of my license to practice medicine for a period of two years, said suspension to be stayed, and that I shall further be placed on probation for a period of two years under the terms set forth in Exhibit B, hereto attached. I further agree to pay a civil penalty in the amount of Three Thousand Dollars (\$3000.00), and to perform a total of Two Hundred Fifty (250) hours of community service, such community service to be in addition to that which I may complete in satisfaction of my criminal sentence.

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.



SHEIKH A. QADEER, M.D.
RESPONDENT

Sworn to before me this
22nd day of May, 1972



NOTARY PUBLIC

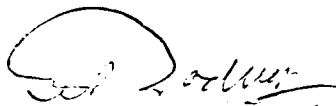
PAMALEE M. WALKER, Notary Public
New York State, Chemung Co. 477
Commission Expires Mar. 30, 1974

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

-----X
IN THE MATTER : APPLICATION
OF : FOR
SHEIKH A. QADEER, M.D. : CONSENT
: ORDER
-----X

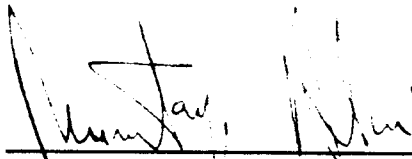
The undersigned agree to the attached application of the Respondent and to the proposed penalty based on the terms and conditions thereof.

Date: May 22nd, 1992



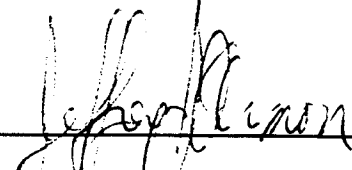
SHEIKH A. QADEER, M.D.
RESPONDENT

Date: May 18, 1992



MUMTAZ H. ALVI, ESQ.
ATTORNEY FOR RESPONDENT

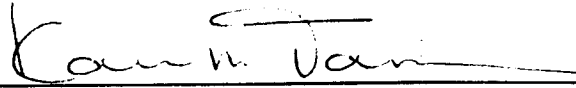
Date: May 27, 1992



JEFFREY J. ARMON
ASSISTANT COUNSEL
BUREAU OF PROFESSIONAL
MEDICAL CONDUCT

Date:

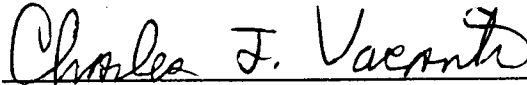
June 4, 1992



KATHLEEN M. TANNER
DIRECTOR, OFFICE OF PROFESSIONAL
MEDICAL CONDUCT

Date:

3 June 1992



CHARLES J. VACANTI, M.D.
CHAIRPERSON, STATE BOARD FOR
PROFESSIONAL MEDICAL CONDUCT

EXHIBIT "B"

TERMS OF PROBATION

1. Respondent, 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 Health Department, 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. So long as there is full compliance with every term herein set forth, Respondent may continue to practice his 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.
7. Respondent shall pay a civil penalty in the amount of Three Thousand Dollars (\$3000.00). Payment of such penalty shall be made in a manner to be approved by the Director of the Office of Professional Medical Conduct and shall be fully satisfied during the period of probation.
8. Respondent shall perform a total of Two Hundred Fifty (250) hours of community service during the period of probation. Such community service shall be in addition to that undertaken by Respondent in satisfaction of any criminal sentence and shall be performed in a manner to be approved by the Director of the Office of Professional Medical Conduct.

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

-----X
: IN THE MATTER : NOTICE OF
: OF : REFERRAL
: SHEIKH A. QADEER, M.D. : PROCEEDING
: -----X

TO: SHEIKH A. QADEER, M.D.
315 Route 352
Big Flats, New York 14814

PLEASE TAKE NOTICE THAT:

An adjudicatory proceeding will be held pursuant to the provisions of N.Y. Pub. Health Law Section 230(10)(p), as amended by ch. 606, Laws of 1991 and N.Y. State Admin. Proc. Act Sections 301-307 and 401 (McKinney 1984 and Supp. 1992). The proceeding will be conducted before a committee on professional conduct (Committee) on the 6th day of May , 1992 at 2:15 o'clock in the afternoon of that day at the New York State Department of Health, 25th floor conference room, Corning Tower Building, Empire State Plaza, Albany, New York.

At the proceeding, evidence will be received concerning the allegations set forth in the Statement of Charges, which is attached. A stenographic record of the proceeding will be made and the witnesses at the proceeding will be sworn and examined.

You may appear in person at the proceeding and may be represented by counsel. You may produce witnesses and evidence on your behalf. However, the Committee will permit only such sworn testimony and evidence as relates to the nature and severity of the penalty that may be imposed on you. Where the charges are based on the conviction of state crimes in other jurisdictions, evidence which would show that the conviction would not be a crime in New York State may also be offered. The Committee also may limit the number of witnesses whose testimony will be received, as well as the length of time any witness will be permitted to testify.

If you intend to present sworn testimony, the number of witnesses and an estimate of the time necessary for their direct examination must be submitted to Larry Storch, Administrative Law Judge, New York State Department of Health, Corning Tower Building, 25th Floor, Empire State Plaza, Albany, New York 12237, as well as the Department of Health attorney indicated below, on or before April 24, 1992 .

You may file a written answer or brief. Seven copies of all papers you wish to submit must be filed with Larry Storch at the address indicated for the above on or before April 24, 1992 and a copy of all papers must be served on the same date on the Department of Health attorney indicated below.

The proceeding may be held whether or not you appear. Please note that requests for adjournments must be made in writing to Judge Storch at the address indicated above, with a copy of the request to the attorney for the Department of Health, whose name appears below, at least five days prior to the scheduled date of the proceeding. Adjournment requests are not routinely granted. Claims of court engagement will require detailed affidavits of actual engagement. Claims of illness will require medical documentation. Failure to obtain an attorney within a reasonable period of time prior to the proceeding will not be grounds for an adjournment.

The Committee will make a written report of its findings, conclusions as to guilt, and a determination.

SINCE THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT SUSPENDS OR REVOKES YOUR LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE AND/OR IMPOSES A FINE FOR EACH OFFENSE CHARGED, YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATED: Albany, New York

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

Inquiries should be addressed to:
Jeffrey J. Armon
Assistant Counsel
(518) 473-4282

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

-----X
IN THE MATTER : STATEMENT
OF : OF
SHEIKH A. QADEER, M. D. : CHARGES
-----X

SHEIKH A. QADEER, M. D., the Respondent, was authorized to practice medicine in New York State on March 7, 1975 by the issuance of license number 123230 by the New York State Education Department. The Respondent is currently registered with the New York State Education Department to practice medicine for the period January 1, 1991 through December 31, 1992 from 315 Route 352, Big Flats, New York 14814.

SPECIFICATION

Respondent is charged with professional misconduct within the meaning of N.Y. Education Law §6530(9)(a) (McKinney Supp. 1992) by reason of his conviction of an act constituting a crime under New York State Law. Respondent pled guilty in Chemung County Court, Elmira, New York on July 1, 1991 to one count of attempted Grand Larceny, 4th Degree and to three counts of Offering a False Instrument for Filing, 2nd Degree. This guilty plea was made in satisfaction of an indictment accusing the

Respondent of knowingly submitting false statements and false information for reimbursement from the Medicaid Program.

On September 10, 1991, the Respondent was sentenced, for the Conviction of Attempted Grand Larceny, 4th Degree, to 180 days in jail, such sentence stayed in lieu of his performance of 1,260 hours of community service over a 14 month period. The Respondent was sentenced to a one year conditional discharge for conviction of each count of Offering a False Instrument for Filing, 2nd Degree, each year to run concurrently. He was also ordered to pay restitution in the amount of \$10,783.70.

DATED: Albany, New York

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

