

Public



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK

DIRECTOR, OFFICE OF PROFESSIONAL DISCIPLINE  
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Physician Monitoring

Office of Professional Medical Conduct

September 9, 2011

P. Kithsen Dias, Physician

REDACTED

Re: Application for Restoration

Dear Dr. Dias:

Enclosed please find the Commissioner's Order regarding Case No. CP-11-12 which is in reference to Calendar No. 18374. This order and any decision contained therein goes into effect five (5) days after the date of this letter

Very truly yours,

Donald Dawson  
Director of Investigations

By:

REDACTED

Ariana Miller  
Supervisor

DD/AM/go

cc: Nathan L. Dembin, Esq.  
1123 Broadway  
Suite #1117  
NY, NY 10010

The  
University of the  
Education  State of New York  
Department

IN THE MATTER

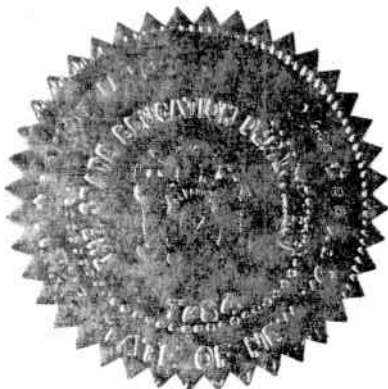
of the

Application of P. KITHSEN DIAS  
for restoration of his license to  
practice as a physician in the State of  
New York.

Case No. CP-11-12

It appearing that the license of P. KITHSEN DIAS, to practice as a physician in the State of New York, was revoked by the Administrative Review Board for Professional Medical Conduct in September 1994, and he having petitioned the Board of Regents for restoration of said license, and the Regents having given consideration to said petition and having reviewed the record, and having agreed with and accepted the recommendations of the Peer Committee and the Committee on the Professions, except having adopted the terms of probation recommended by the Committee on the Professions, now, pursuant to action taken by the Board of Regents on May 17, 2011, it is hereby

ORDERED that the petition for restoration of License No. 127747, authorizing P. KITHSEN DIAS to practice as a physician in the State of New York, is denied, but that the execution of the Order of revocation of said license is stayed, and said P. KITHSEN DIAS is placed on probation for a period of five years under specified terms and conditions, and upon successful completion of this probationary period, his license to practice as a physician in the State of New York shall be fully restored.



IN WITNESS WHEREOF, I, John B. King, Jr., Commissioner of Education of the State of New York for and on behalf of the State Education Department, do hereunto set my hand and affix the seal of the State Education Department, at the City of Albany, this 17<sup>th</sup> day of August 2011.

REDACTED

Commissioner of Education

Case No. CP-11-12

It appearing that the license of P. KITHSEN DIAS, to practice as a physician in the State of New York, was revoked by the Administrative Review Board for Professional Medical Conduct in September 1994, and he having petitioned the Board of Regents for restoration of said license, and the Regents having given consideration to said petition and having agreed with and accepted the recommendations of the Peer Committee and the Committee on the Professions, except having adopted the terms of probation recommended by the Committee on the Professions, now, pursuant to action taken by the Board of Regents on May 17, 2011, it is hereby

VOTED that the petition for restoration of License No. 127747, authorizing P. KITHSEN DIAS to practice as a physician in the State of New York, be denied, but that the execution of the Order of revocation of said license shall be stayed, and said P. KITHSEN DIAS shall be placed on probation for a period of five years under specified terms and conditions, and upon the successful completion of this probationary period, his license to practice as a physician in the State of New York shall be fully restored.

## EXHIBIT "A"

### TERMS OF PROBATION OF THE COMMITTEE ON THE PROFESSIONS

#### P. KITHSEN DIAS

1. That applicant, during the period of probation, shall be in compliance with the standards of conduct prescribed by the law governing applicant's profession;
2. That applicant shall submit written notification to the Director, Office of Professional Medical Conduct (OPMC), 433 River Street-Suite 303, Troy, NY 12180-2299, of any employment and/or practice, applicant's residence, telephone number, or mailing address, and of any change in applicant's employment, practice, residence, telephone number, or mailing address within or without the State of New York;
3. That applicant shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that applicant has paid all registration fees due and owing to the NYSED and applicant 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 applicant to the Department of Health (DOH), addressed to the Director, Office of Professional Medical Conduct (OPMC), as aforesaid, no later than the first three months of the period of probation;
4. That applicant shall submit written proof to the DOH, addressed to the Director, OPMC, as aforesaid, that 1) applicant is currently registered with the NYSED, unless applicant submits written proof that applicant has advised DPLS, NYSED, that applicant is not engaging in the practice of applicant's profession in the State of New York and does not desire to register, and that 2) applicant has paid any fines which may have previously been imposed upon applicant by the Board of Regents or pursuant to section 230-a of the Public Health Law, said proof of the above to be submitted no later than the first two months of the period of probation;
5. That applicant shall not engage in the private practice of medicine;
6. That applicant, during the period of probation, shall only practice in a hospital as defined in section 2801(1) of the Public Health Law, in a hospital as defined in section 1.03(10) of the Mental Hygiene Law, or in another group setting approved in advance by the Director of OPMC;
7. That applicant shall make quarterly visits to an employee of the OPMC, DOH, unless otherwise agreed to by said employee, for the purpose of said employee monitoring applicant's terms of probation to assure compliance therewith, and applicant shall cooperate with said employee, including the submission of information requested by said employee, regarding the aforesaid monitoring;
8. That applicant shall have quarterly performance reports submitted to DOH for the first two years of his probation, addressed to the Director, OPMC, as aforesaid, from applicant's employer, evaluating applicant's performance as a physician in

applicant's place of employment, said reports to be prepared by applicant's supervisor or employer.

9. That upon receipt of evidence of noncompliance with or any other violation of any of the aforementioned terms of probation, the OPMC may initiate a violation of probation proceeding.
10. That the period of probation shall be tolled during periods in which the applicant is not engaged in the active practice of medicine in New York State. The applicant shall notify the Director of OPMC, in writing, if the applicant is not currently engaged in or intends to leave the active practice of medicine in New York State for a period of thirty (30) consecutive days or more. The applicant shall then notify the Director again prior to any change in that status. The period of probation shall resume and any terms of probation which were not fulfilled shall be fulfilled upon the applicant's return to practice in New York State.