



STATE OF NEW YORK  
DEPARTMENT OF HEALTH

433 River Street, Suite 303 Troy, New York 12180-2299

Richard F. Daines, M.D.  
Commissioner

*Public*

Wendy E. Saunders  
Chief of Staff

September 12, 2007

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Chiman I. Patel, M.D.  
36 Old Bethel Road  
Newtown, Connecticut 06470

P. Baird Joslin, Esq.  
O'Connor, O'Connor, Bresee & First  
20 Corporate Woods Boulevard  
Albany, New York 12211

Robert Bogan, Esq.  
NYS Department of Health  
Office of Professional Medical  
Conduct  
433 River Street – Suite 303  
Troy, New York 12180

**RE: In the Matter of Chiman I. Patel, M.D.**

Dear Parties:

Enclosed please find the Supplemental Determination (No. 07-162) of the Hearing Committee in the above referenced matter. This Supplemental Determination shall be deemed effective upon the receipt or seven (7) days after mailing by certified mail as per the provisions of '230, subdivision 10, paragraph (h) of the New York State Public Health Law.

As prescribed by the New York State Public Health Law '230, subdivision 10, paragraph (i), and '230-c subdivisions 1 through 5, (McKinney Supp. 1992), "the determination of a committee on professional medical conduct may be reviewed by the Administrative Review Board for professional medical conduct." Either the Respondent or the Department may seek a review of a committee determination.

All notices of review must be served, by certified mail, upon the Administrative Review Board and the adverse party within fourteen (14) days of service and receipt of the enclosed Supplemental Determination.

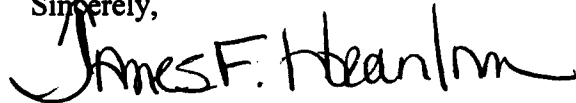
The notice of review served on the Administrative Review Board should be forwarded to:

James F. Horan, Esq., Administrative Law Judge  
New York State Department of Health  
Bureau of Adjudication  
Hedley Park Place  
433 River Street, Fifth Floor  
Troy, New York 12180

The parties shall have 30 days from the notice of appeal in which to file their briefs to the Administrative Review Board. Six copies of all papers must also be sent to the attention of Mr. Horan at the above address and one copy to the other party. The stipulated record in this matter shall consist of the official hearing transcript(s) and all documents in evidence.

Parties will be notified by mail of the Administrative Review Board's Determination and Order.

Sincerely,

A handwritten signature in black ink that reads "James F. Horan/nm". The signature is written in a cursive style with a large initial "J" and "H".

James F. Horan, Acting Director  
Bureau of Adjudication

JFH:nm

Enclosure

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

COPY

IN THE MATTER  
OF  
CHIMAN I. PATEL, M.D.

SUPPLEMENTAL

DETERMINATION

BPMC #07-162

A hearing was held on July 18, 2007, at the offices of the New York State Department of Health ("the Petitioner") regarding charges of professional misconduct against the Respondent, **Chiman I. Patel, M.D.** The Hearing Committee was composed of **Peter B. Kane, M.D.**, Chairperson, **Eleanor Kane, M.D.**, and **Ms. Robin B. Frank**, duly designated members of the State Board for Professional Medical Conduct. **John Wiley, Esq.**, Administrative Law Judge, served as the Administrative Officer. The Petitioner appeared by **Thomas Conway, Esq.**, General Counsel, by **Robert Bogan, Esq.**, of Counsel. The Respondent appeared in person and was represented by O'Connor, O'Connor, Bresee & First, **P. Baird Joslin, Esq.**, of Counsel.

On July 30, 2007, the Hearing Committee issued a Determination and Order that, among other things, ordered that, "The license of the Respondent to practice medicine in New York State is restricted in that the Respondent is prohibited from providing substance abuse medical services." The Respondent's counsel inquired of the Administrative Review Board whether this restriction on the Respondent's license precluded the Respondent from continuing his employment at Arms Acres, Inc., an alcohol and substance abuse treatment facility in Carmel, New York. The Administrative Review Board remanded this issue to the Hearing Committee with instructions to "render

a clarification in a Supplemental Determination that the Committee should then serve on the parties.”

The Respondent described his employment at Arms Acres, Inc., during his hearing testimony as follows:

Q. How many hours of work do you work for them?

A. Maybe one to two hours; at the most, six hours in a month.

Q. What is the nature of your work there?

A. I do psychiatric consultations for people who have major depressive disorders or psychotic disorders. So, I just treat psychiatric disorders.

Q. You don't prescribe medications for those patients for detox or withdrawal symptoms?

A. No. I don't have any involvement in patient detox or treatment for that. (transcript p. 28).

As long as the Respondent's responsibilities remain as described in his testimony, that is, as long as his duties include no participation in the provision of substance abuse medical services, the Determination and Order issued on July 30, 2007, does not prohibit his continued employment at Arms Acres, Inc.

DATED: Cazenovia, New York  
9/18/, 2007



**Peter B. Kane, M.D.**  
Chairperson

**Eleanor Kane, M.D.**  
**Robin B. Frank**