NEW YORK STATE | Department of Health

KATHY HOCHUL
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JAMES V. McDONALD, MD, MPH
Commissioner

JOHANNE E. MORNE, MS
Executive Deputy Commissioner

October 28, 2025

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Tarsem Garg, MD
1929 East High Street
Springfield, Ohio 45505

Ian Silverman, Esq.
New York State Department of Health
Division of Legal Affairs
Bureau of Professional Medical Conduct
Corning Tower, Room 2512
Empire State Plaza
Albany, New York 12237

RE: In the Matter of Tarsem Garg, MD

Dear Parties:

Enclosed please find the Determination and Order (No. 25-203) of the Hearing Committee in the above referenced matter. This Determination and Order 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.

Five days after receipt of this Order, you will be required to deliver to the Board of Professional Medical Conduct your license to practice medicine together with the registration certificate. Delivery shall be by either certified mail or in person to:

Office of Professional Medical Conduct
New York State Department of Health
Office of Professional Medical Conduct
Riverview Center
150 Broadway - Suite 355
Albany, New York 12204

If your license or registration certificate is lost, misplaced or its whereabouts is otherwise unknown, you shall submit an affidavit to that effect. If subsequently you locate the requested items, they must then be delivered to the Office of Professional Medical Conduct in the manner noted above.

As prescribed by the New York State Public Health Law §230, subdivision 10, paragraph (i), (McKinney Supp. 2015) and §230-c subdivisions 1 through 5, (McKinney Supp. 2015), "the determination of a committee on professional medical conduct may be reviewed by the

Administrative Review Board for professional medical conduct." Either the licensee or the Department may seek a review of a committee determination.

Request for review of the Committee's determination by the Administrative Review Board stays penalties other than suspension or revocation until final determination by that Board. Summary orders are not stayed by Administrative Review Board reviews.

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 Determination and Order.

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

Jean T. Carney, Administrative Law Judge
New York State Department of Health
Bureau of Adjudication
Riverview Center
150 Broadway – Suite 510
Albany, New York 12204

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 Ms. Carney 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,

[redacted]

Natalie J. Bordeaux
Chief Administrative Law Judge
Bureau of Adjudication

NJB: cmg
Enclosure

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

COPY

IN THE MATTER	DETERMINATION
OF	AND
TARSEM GARG, MD	ORDER
	BPMC-25-203

A Notice of Referral Proceeding and Statement of Charges dated August 26, 2025, were duly served upon Tarsem Garg, MD (Respondent) pursuant to Public Health Law (PHL) § 230(10)(d)(i). (Exhibits 1-3, 7, 8.) A hearing was held on October 22, 2025, via Webex videoconference. Pursuant to PHL § 230(10)(e), **JAMES G. EGNATCHIK, MD**, Chairperson, **THEODORE J. STRANGE, MD, FACP**, and **THOMAS LAHUT, DHSc, PA-C**, duly designated members of the State Board for Professional Medical Conduct, served as the Hearing Committee. **NATALIE BORDEAUX**, administrative law judge (ALJ), served as the administrative officer.

The Department appeared by Ian Silverman, Esq. The Respondent did not appear. The Hearing Committee received and examined documents from the Department (Exhibits 1-8). A transcript of the proceeding was made. After considering the entire hearing record, the Hearing Committee hereby issues this Determination and Order, sustaining the charge and imposing professional discipline. All findings, conclusions, and determinations are unanimous.

BACKGROUND

The Department brought the case pursuant to PHL § 230(10)(p), which provides for a hearing when a licensee is charged solely with a violation of Education Law § 6530(9). The Respondent is charged with professional misconduct pursuant to Education Law § 6530(9)(d), having disciplinary action taken against his medical license in Ohio after a disciplinary action was

instituted by a duly authorized professional agency of that state, where the conduct resulting in the disciplinary action would, if committed in New York State, constitute professional misconduct under the laws of New York State. Under PHL § 230(10), the Department had the burden of proving its case by a preponderance of the evidence.

FINDINGS OF FACT

1. The Respondent was authorized to practice medicine in New York on September 30, 1974, under license number 122106. (Exhibit 4.)

2. On June 12, 2024, the State Medical Board of Ohio (Ohio Board) advised the Respondent that he was charged with professional misconduct, based upon an investigative deposition in which the Respondent acknowledged that while previously employed as an Office Based Opioid Treatment (OBOT) provider, he did not create treatment plans and did not have patients sign a treatment contract or agreement as required by Ohio Administrative Code section 4731-33-03(C), thereby failing to provide OBOT in accordance with an acceptable treatment protocol. (Exhibit 5.)

3. Effective February 12, 2025, the Respondent entered into a Consent Agreement with the Ohio Board in which he waived his right to a hearing regarding the June 12, 2024 charge and agreed to terms and conditions, including: a reprimand; completion of a controlled substance prescribing course (to be completed within nine months of the Consent Agreement's effective date); and payment of a monetary fine of $7500 within 30 days of the Consent Agreement's effective date. (Exhibit 5.)

DISCUSSION

Although duly notified of the date, time and place of the hearing, the Respondent did not appear on his own behalf or by representative. After due diligence as certified under oath, the Department was unable to personally serve the Respondent with the Notice of Referral Proceeding

and Statement of Charges. On September 16, 2025, a process server attempted personal service of the Notice of Referral Proceeding and Statement of Charges at the Respondent's last known address on file with the New York State Education Department but was advised that the Respondent no longer works in the building and sold his practice years ago. (Exhibit 2.) On September 22, 2025, the Department sent the Notice of Referral Proceeding and Statement of Charges to the Respondent's last known address (to which a process server unsuccessfully attempted personal service) via certified mail, return receipt requested. (Exhibit 3.) Service was properly effectuated pursuant to PHL § 230(10)(d).

In addition to the Department's satisfaction of statutory service requirements, Mr. Silverman attempted to contact the Respondent by phone on three dates, using the phone number provided by the Respondent's son. However, the Respondent did not answer those phone calls. Upon the Department having established jurisdiction and proper notice, the ALJ determined that the hearing could proceed on the merits despite the Respondent's absence.

By Consent Agreement effective February 12, 2025, the Respondent agreed to a reprimand, along with disciplinary action in the form of probation continuing until his successful completion of a controlled substance prescribing course and payment of a fine. These conditions were imposed to resolve a charge that the Respondent's actions as an OBOT provider failed to comport with legally mandated treatment protocols.

The Hearing Committee reviewed the Respondent's conduct resulting in the Ohio Board's disciplinary action and agreed that if committed in New York State, his conduct would violate Education Law § 6530(3), negligence on more than one occasion. The Hearing Committee thus determined that the Respondent violated Education Law § 6530(9)(d).

After determining to sustain the charge, the Hearing Committee considered all possible penalties authorized by PHL § 230-a. The Department recommended revocation of the Respondent's license, citing the ongoing opioid crisis. The Hearing Committee deemed license revocation unwarranted under the circumstances.

Although the Hearing Committee agreed that the opioid crisis has significantly impacted the State of New York, it noted that the Ohio Board's charges and the resulting Consent Agreement reflected the Respondent's failure to keep current on treatment protocols for OBOT providers, but the documents did not mention adverse outcomes for the Respondent's patients. The Hearing Committee was presented with no evidence showing that the Respondent's actions were systemic (the term "patients" as used in the Ohio Board charges can just as easily refer to two patients as the term can imply to a far greater number of patients.)

The Hearing Committee concurred with the Ohio Board that the Respondent's practice deficiencies were properly addressed by coursework but had no information as to whether the Respondent complied with the Consent Agreement terms. For these reasons, the Hearing Committee determined that the Respondent's medical license should be suspended, wholly, until he submits documentation to prove that he has met all conditions of the Consent Agreement with the Ohio Board.

ORDER

IT IS HEREBY ORDERED THAT:

1. The specification of charges of professional misconduct, as set forth in the Statement of Charges, is sustained.

2. The Respondent's license to practice medicine is hereby suspended, wholly, until such time as he submits proof to the Director of the Office of Professional Medical Conduct (OPMC) that he has complied with all terms of the Consent Agreement which the Respondent executed with the Ohio Board, and which took effect February 12, 2025. PHL § 230-a(2)(e).

3. This Order shall be effective upon service on the Respondent in accordance with the requirements of PHL § 230(10)(h).

DATED: October 23, **2025**
Erie Co, **New York**

[redacted]

James G. Egnatchik, MD, Chairperson
Theodore J. Strange, MD, FACP
Thomas Lahut, DHSc, PA-C

To: Tarsem Garg, MD
1929 East High Street
Springfield, Ohio 45505

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

IN THE MATTER

OF

TARSEM GARG, M.D.

STATEMENT

OF

CHARGES

TARSEM GARG, M.D., the Respondent, was authorized to practice medicine in New York State on or about September 30, 1974, by the issuance of license number 122106 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about February 12, 2025, the State Medical Board of Ohio (Ohio Board) entered into a Consent Agreement with the Respondent, whereby the Respondent was reprimanded and placed on probation. Respondent was ordered to submit quarterly declarations to the Ohio Board, complete a controlled substance prescribing course within nine months and pay a $7,500 fine. The Ohio Board's Order was based on Respondent's failure to create treatment plans and failure to have patients sign a treatment contract and/or agreement, while employed at an Office Based Opioid Treatment provider.

B. Respondent's conduct as described above would, if committed in New York State, constitute professional misconduct under the laws of the State of New York as follows:

1. New York Education Law §6530 (3) (practicing the profession with negligence on more than one occasion.

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 or her license to practice medicine revoked, suspended or having

other disciplinary action taken, or having his or her 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 (3) as alleged in the facts of the following:

1.The facts in Paragraph A and B.

DATE: August 26, 2025
Albany, New York

[redacted]

Jeffrey J. Conklin
Deputy Director
Bureau of Professional Medical Conduct