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ATTORNEY GENERAL OF NEW JERSEY

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**FILED**

April 17, 1991

NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF MEDICAL EXAMINERS  
DOCKET NO.:

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IN THE MATTER OF THE SUSPENSION : Administrative Action  
OR REVOCATION OF THE LICENSE OF :

ARUNA G. PATEL, M.D. : **CONSENT ORDER**

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TO PRACTICE MEDICINE & SURGERY :  
IN THE STATE OF NEW JERSEY :

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This matter was opened to the New Jersey State Board of Medical Examiners upon receipt of information that disciplinary action was taken against respondent's license to practice medicine in the State of New York. Said action was based upon findings and admission by respondent that she knowingly and willfully altered her consultation note and progress note to conceal that she ordered radiation treatment to the wrong side of a patient's head. By way of a Consent Order, respondent admitted practicing the profession fraudulently as set forth above. The State of New York censured, reprimanded and fined respondent \$500.00 and ordered her to perform 25 hours of public service. A copy of the Order is attached hereto and made a part hereof.

**CERTIFIED TRUE COPY**

The parties being desirous of resolving the matter without the necessity of formal proceedings and it appearing that respondent acknowledges that the aforesaid conduct constitutes a basis upon which to justify disciplinary action in a sister state, thereby constituting grounds for suspension or revocation of his license in New Jersey pursuant to N.J.S.A. 45:1-21(g); and it further appearing that respondent has read the terms of the within Order and understands their meaning and consents to be bound by the same, and it further appearing that the Board finds that the within Order is adequately protective of the public interest, and it therefore appearing that good cause exists for the entry of the within Order;

IT IS on this            day of MARCH 28 , 1991

**ORDERED AND AGREED THAT:**

1. Dr. Patel shall be and is hereby formally reprimanded by the New Jersey State Board of Medical Examiners.
2. Dr. Patel shall be and is hereby censured by the New Jersey Board of Medical Examiners.
3. Dr. Patel shall be and is hereby ordered to perform 25 hours of community service to be approved by the Board.
4. Dr. Patel shall pay contemporaneously with the signing of this Order a fine in the amount of \$500.00 to be paid by certified check or money order to the State of New Jersey.

5. Respondent, Dr. Patel, shall successfully complete all requirements contained in the New York action.

NEW JERSEY STATE BOARD OF  
MEDICAL EXAMINERS

By: Michael B. Grossman, D.O.  
Michael B. Grossman, D.O.  
President

I have read the within Consent Order and agree to be bound by its terms. I consent to its entry by the State Board of Medical Examiners.

Aruna G. Patel  
ARUNA G. PATEL, M.D.

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

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IN THE MATTER : COMMISSIONER'S  
OF : ORDER  
ARUNA G. PATEL, M.D. :

-----X

Upon the application dated December 16, 1989, of Respondent, Aruna G. Patel, M.D. for a Consent Order of the Commissioner of Health of the State of New York, in resolution of the Statement of Charges pending before a Violations Committee of the State Board for Professional Medical Conduct pursuant to N.Y. Public Health Law Sec. 230 (10)(m)(iii)(McKinney Supp. 1989), which Application and Statement of Charges are incorporated herein and made a part hereof, it is

ORDERED THAT:

1. The Application for a Consent Order is granted;
2. The First Specification of Practicing the Profession Fraudulently [as set forth in paragraph 1 under the facts in paragraphs A, A(2) and/ or A(3)] and the Second Specification, Failing to Maintain Accurate Patient Records (as set forth in paragraph 2 under the facts in paragraphs A, A(2) and/ or A(3)), are sustained in that Respondent admits

the conduct charged in those Specification as set forth in the Statement of Charges;

3. The Respondent is subjected to a penalty of Censure and Reprimand and is fined in the amount of \$500, and is ordered to perform 25 hours of public service in a manner and at a time and place as directed by the Director of the State Board for Professional Medical Conduct.

DATED: Albany, New York

June 1990  
*July 26*



DAVID AXELROD, M.D.  
Commissioner of Health  
State of New York

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

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IN THE MATTER : APPLICATION  
OF : FOR  
ARUNA G. PATEL, M.D. : CONSENT  
: ORDER  
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STATE OF NEW YORK )  
COUNTY OF ) ss.:

ARUNA G. PATEL, M.D., being duly sworn, deposes and says:

That on or about December 24, 1981, I was licensed to practice as a physician in the State of New York, having been issued License No. 148950 by the New York State Education Department.

I am currently registered with the New York State Education Department to practice as a physician in the State of New York for the period January 1, 1989 through December 31, 1991 from 41 Stanley Avenue, Dayton, New Jersey 08810.

I understand that the New York State Board of Professional Medical Conduct has charged me with two Specifications of professional misconduct.

A copy of the Statement of Charges is annexed hereto, made a part hereof, and marked as Exhibit "A".

I admit the First Specification, Practicing the Profession Fraudulently (as set forth in paragraph 1 under the facts in

NYS DEPT. OF HEALTH  
DIVISION OF LEGAL AFFAIRS  
PROFESSIONAL MEDICAL CONDUCT

DEC 27 1989

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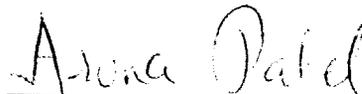
ARUNA G. PATEL, M.D.

paragraphs A, A(2) and /or A(3) and I admit the Second Specification, Failing to Maintain Accurate Patient Records (as set forth in paragraph 2 under the facts in paragraphs A, A(2) and/or A(3)).

I hereby agree to the penalty of a censure and reprimand, a fine of \$500, and 25 hours of public service, to be performed in a licensed facility in a manner and at a time and place as directed by the State Board for Professional Medical Conduct, in full satisfaction of all the charges.

I hereby make this application to the Commissioner of Health and request that it be granted.

No promise of any kind were made to me. I am making this application of my own free will and accord and not under duress, compulsion or restraint of any kind or manner.



ARUNA G. PATEL, M.D.  
Respondent

Sworn to before me this  
16<sup>th</sup> day of December, 1989



NOTARY PUBLIC

ROBERT A. ZUPP  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires August 5, 1990

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

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IN THE MATTER

OF

ARUNA G. PATEL, M.D.

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: APPLICATION  
:  
: FOR  
:  
: CONSENT  
:  
: ORDER

The undersigned agree to the above statement and to the proposed penalty based on the terms and conditions thereof.

Date:

December 10, 1989

Aruna Patel  
ARUNA G. PATEL, M.D.  
Respondent

Date:

December 21, 1989

Michael Kelton  
MICHAEL KELTON, Esq.  
Attorney for Respondent

Date:

June 11, 1990

Daniel A. Mouriney  
MEMBER, State Board for  
Professional Medical Conduct

Date:

June 8, 1990

Kathleen M. Tanner  
KATHLEEN M. TANNER  
Director, Office of Professional  
Medical Conduct

ARUNA G. PATEL, M.D.

The undersigned has reviewed and agrees to the attached application for consent order.

Date:

June 8, 1990

David Axelrod

DAVID AXELROD, M.D.  
Commissioner of Health

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

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IN THE MATTER : STATEMENT  
OF : OF  
ARUNA G. PATEL, M.D. : CHARGES

-----X

ARUNA G. PATEL, M.D., the Respondent, was authorized to practice medicine in New York State on December 24, 1981 by the issuance of license number 148950 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, 1989 through December 31, 1991 at 41 Stanley Avenue, Dayton, New Jersey 08810.

**FACTUAL ALLEGATIONS**

A. On or about September 8, 1987, Respondent conducted a radiation therapy consultation at Lenox Hill Hospital, New York, New York, on Patient A, who had been diagnosed as having a left temporoparietal glioma. (The identity of Patient A is contained in the Appendix). Respondent ordered radiation treatment of 5500 rads to be administered to the right

hemisphere of Patient A's head over a 5-1/2 week period. From on or about and between September 8 and October 5, 1987, Patient A underwent twenty treatments, for a total of 4000 rads, to the right frontal portion of the brain.

1. At some date subsequent to October 5, 1987, Respondent realized that she had ordered radiation treatment to the wrong side of Patient A's head. Respondent requested Ms. Hermina Mikolic, a radiation therapy supervisor, to change the chart to falsely indicate that the radiation was administered to the left side of Patient A's head. Ms. Mikolic refused to alter the chart.
2. At some date subsequent to October 5, 1987, Respondent knowingly and willfully altered the September 8, 1987 consultation note which she had entered in Patient A's medical chart to indicate falsely that on September 8, 1987, she had recommended radiation to be administered to the left side of Patient A's head.
3. At some date subsequent to October 5, 1987, Respondent knowingly and willfully altered the September 14, 1987 progress note which she had

entered in Patient A's medical chart to indicate falsely that radiation had been administered to the left side of Patient A's head, when it had been administered to the right side.

**SPECIFICATION OF CHARGES**

**FIRST SPECIFICATION**

**PRACTICING THE PROFESSION FRAUDULENTLY**

The Respondent is charged with practicing the profession of medicine fraudulently under N.Y. Educ. Law, Section 6509(2) (McKinney 1985) in that the Petitioner charges:

1. The facts in paragraphs A, A(1), A(2) and/or A(3).

**SECOND SPECIFICATION**

**FAILING TO MAINTAIN ACCURATE PATIENT RECORDS**

The Respondent is charged with committing unprofessional conduct under N.Y. Educ. Law, Section 6509(9) (McKinney 1985) and her conduct in the practice of her profession evidences unprofessional conduct within the meaning of 8 N.Y.C.R.R. 29.2(a)(3)(1987) by failing to maintain a record for each patient

which accurately reflects the evaluation and treatment of the patient, in that the Petitioner charges:

2. The facts in paragraphs A, A(2) and/or A(3).

DATED: New York, New York

November 2, 1989



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CHRIS STERN HYMAN  
Counsel  
Bureau of Professional Medical  
Conduct

APPENDIX

Patient A

Lucile Alston