

IN THE MATTER
OF
KEVIN CUSTIS, M.D.

STATEMENT
OF
CHARGES

KEVIN CUSTIS, M.D., the Respondent, was authorized to practice medicine in New York State on or about August 20, 1998, by the issuance of license number 211807 by the New York State Education Department.

FACTUAL ALLEGATIONS

A. On or about March 18, 2019, in the New York Supreme Court – Kings County Criminal Part, Respondent was convicted of seven felonies to wit: one count of enterprise corruption (NY Penal Law 460.20), one count of scheme to defraud in the first degree (NY Penal Law 190.65), two counts of grand larceny in the first degree (NY Penal Law 155.42) and three counts of health care fraud in the first degree (NY Penal Law 177.25). Respondent was sentenced to imprisonment for one to three years on the scheme to defraud charge and imprisonment for two years and four months up to seven years on all remaining charges. Sentences to run concurrently. Respondent was also ordered to pay \$375.00 in fines. The conviction resolved allegations that Respondent engaged in a criminal enterprise by intentionally participating in fraudulent activity through medical clinics and fraudulent claims to Medicaid and Medicare including laundering the fraudulently obtained money through shell companies.

B. On or about July 29, 2019 in the United States District Court for the District of New Jersey, Respondent was convicted, following a plea of guilty, to one felony count of unlawful distribution of anabolic steroids and one felony count of possession with intent to distribute marihuana. Respondent was sentenced to twenty-seven (27) months imprisonment, three years supervised release and was fined ten thousand (\$10,000.00) dollars and an assessment of two hundred (\$200.00) dollars.

FIRST SPECIFICATION OF CHARGES

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(a)(i) by having been convicted of committing an act constituting a crime under New York State law as alleged in the facts of the following:

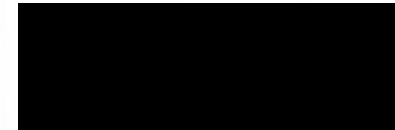
1. The facts in paragraph A

SECOND SPECIFICATION OF CHARGES

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(a)(ii) by having been convicted of committing an act constituting a crime under federal law as alleged in the facts of the following:

1. The facts in paragraph B.

DATE: May 5, 2020
Albany, New York



TIMOTHY J. MAHAR
Deputy Counsel
Bureau of Professional Medical Conduct