

**These charges are only allegations  
which may be contested by the licensee  
in an administrative hearing.**

**IN THE MATTER**  
  
**OF**  
  
**ZINIA THOMAS, M.D.**

STATEMENT  
  
OF  
  
CHARGES

Zinia Thomas, M.D., the Respondent, was authorized to practice medicine in New York State on or about June 25, 2020, by the issuance of license number 305816 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about March 25, 2024, following an administrative hearing that Respondent failed to appear at and/or submit a reply, the Missouri Board of Registration for the Healing Arts (hereinafter, "Missouri Board") by an Order of Revocation in Default (hereinafter, "Missouri Order"), inter alia, revoked the Respondent's physician and surgeon license based upon the Respondent's care and treatment of eight patients that failed to meet the standards of care as follows:

1. Respondent failed to perform sufficient examinations prior to prescribing and administering ketamine treatment,
2. Respondent failed to perform physical examinations adequate to establish a diagnosis for ketamine treatment,
3. Respondent failed to identify underlying history of substance abuse or potential benzodiazepine use as they are contraindications to the treatment provided,
4. Respondent failed to sufficiently discuss treatment options or actual risks and benefits associated with treatment,
5. Respondent failed to maintain contemporaneous or complete medical records,

6. Respondent allowed nurses who did not enter into collaborative practice agreements with Respondent to independently dispense and administer ketamine, a controlled substance, when respondent was not present or providing direct supervision,
7. Respondent continued prescribing, dispensing, and administering ketamine between August 1, 2020, and December 15, 2020, when Respondent's BNDD registration had lapsed and Respondent was not allowed to conduct any controlled substance activity within Missouri.

B. The conduct upon which the Missouri Board's disciplinary action was based would constitute misconduct, if committed in New York State, pursuant to the following sections of New York State law:

1. New York Education Law §6530(3) (Practicing the profession with negligence on more than one occasion),
2. New York Education Law §6530(24) (Practicing or offering to practice beyond the scope permitted by law),
3. New York Education Law §6530(32) (Failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient), and/or
4. New York Education Law §6530(33) (Failing to exercise appropriate supervision over persons who are authorized to practice only under the supervision of the licensee).

C. On or about February 28, 2023, the Medical Board of Colorado (hereinafter, "Colorado Board"), by an Order of Suspension (hereinafter, "Colorado Order"), inter alia, suspended Respondent's license to practice medicine following a Board Panel Review. On or about January 20, 2023, the Colorado Board issued an order requiring Respondent to submit to a mental or physical examination by the Colorado Physician Health Program (CPHP). The Colorado Order was based upon a complaint and media report that Respondent was illegally in possession of a large amount of marijuana and

ecstasy pills and that Respondent qualified patients' medical marijuana cards in the State of Michigan by diagnosing them with certain conditions without seeing the patients in question. Respondent failed to contact the CPHP per the order and failed to appear for an examination. These failures constituted grounds for suspension.

D. The conduct upon which the Colorado Board's disciplinary action was based would constitute misconduct, if committed in New York State, pursuant to the following sections of New York State law:

1. New York Education Law §6530(15) (Failure to comply with an order issued pursuant to subdivision seven, paragraph (a) of subdivision ten, and subdivision seventeen of section two hundred thirty of the public health law)

**SPECIFICATION OF CHARGES**  
**FIRST AND SECOND SPECIFICATIONS**

**HAVING BEEN FOUND GUILTY OF PROFESSIONAL MISCONDUCT**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(b) by having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of another state where the conduct upon which the finding was based would, if committed in New York State, constitute professional misconduct under the laws of New York State as alleged in the facts of the following:

1. Paragraphs A and A1, A and A2, A and A3, A and A4, A and A5, A and A6, A and A7, B and B1, B and B2, B and B3, and/or B and B4.
2. Paragraphs C and D and D1.

**THIRD AND FOURTH SPECIFICATIONS**

**HAVING HAD DISCIPLINARY ACTION TAKEN**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(d) by having the Respondent's license to practice medicine revoked, suspended or having other disciplinary action taken, or having the Respondent's application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered the Respondent's 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 as alleged in the facts of the following:

3. Paragraphs A and A1, A and A2, A and A3, A and A4, A and A5, A and A6, A and A7, B and B1, B and B2, B and B3, and/or B and B4.
4. Paragraphs C and D and D1.

DATE: October 15, 2024  
Albany, New York

  
JEFFREY J. CONKLIN  
Deputy Director  
Bureau of Professional Medical Conduct