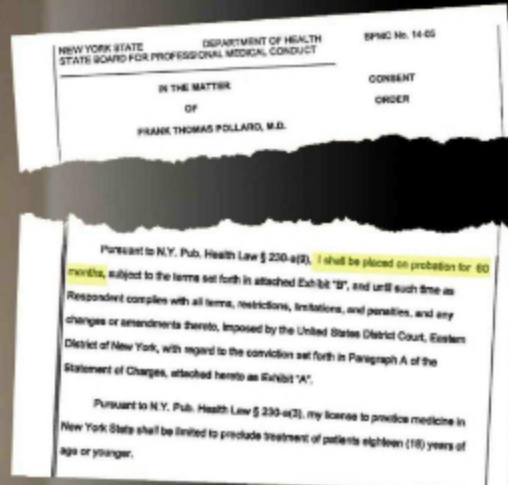




Dr. Frank Pollaro, center, is sentenced in 2024 on two counts of possessing child pornography. James Pascarella, his attorney, is in front.



A 2014 order from the state Board for Professional Medical Conduct detailing terms of Dr. Frank Pollaro's discipline.

BROKEN PRACTICE: State failed to discipline dozens of LI doctors for months or years after misconduct

BROKEN PRACTICE from A15

to life in prison. After sentencing, his attorney, Michael Baldassano, filed an appeal and said, "Dr. Paduch maintains his innocence and we hope that he will one day be vindicated." Reached earlier this year, Baldassano declined further comment. Allen represents 143 men — including the 2018 complainant — in civil cases against health care systems where Paduch practiced, New Hyde Park-based Northwell and New York-Presbyterian and Weill Cornell Medicine in Manhattan. More than 50 clients were abused after the 2018 complaint was filed, she said. Allen said her client told her the state did not appear to take his complaint seriously, conducting only a brief interview and never informing him of the result. James O'Connell, 38, of

Maspeth, Queens, said Paduch sexually abused him beginning in March 2021, three years after the complaint was filed with the state. He said if the health department had acted upon the 2018 complaint, he may never have been abused. "It's obvious that the patients were their last thought, if you get a complaint like that across your desk and you don't do anything about it," he said. Health department officials declined to comment on the specifics of any investigation. State law prohibits discussing or providing details of an investigation or complaint beyond what is on the state's physician discipline website, officials said. The website only includes cases that result in formal charges, discipline or orders that are non-disciplinary but can result in what are, in effect, license suspensions. It does not include complaints that do not lead to for-

mal changes or many details of investigations that do lead to charges. Northwell and Weill Cornell declined to directly respond to the allegations, citing the ongoing litigation. Northwell said in a statement Paduch came to Northwell in 2020 "with a stellar reputation in the field of urology," and the health system was "appalled by the deeply disturbing allegations." Weill Cornell said in statements it hired outside attorneys to conduct an investigation and look into additional patient safeguards, and expanded a program for "medical chaperones" to accompany patients to some doctor visits. New York-Presbyterian referred questions to Weill Cornell, stating Paduch was employed by Weill Cornell.

'An emergency situation'

It's unclear how the Office of Professional Medical Conduct became aware of Pollaro, the

doctor who has twice pleaded guilty to charges of possessing child sexual abuse images. The office is required to investigate any formal complaint, but it also can launch investigations based on newspaper articles, court cases or other sources, said William Comiskey, a former OPMC supervising attorney. Newsday reported Pollaro's first child sexual abuse material arrest in 2009, five years before the discipline board limited his practice to patients 19 and older. He pleaded guilty in 2011. The board suspended Pollaro's license for three years starting in 2014, but that suspension was stayed, meaning it didn't go into effect, and he was put on probation for five years. The state could have prevented Pollaro, 56, from practicing, or restricted him to treating only adults, almost immediately after his arrest. The health commissioner, upon the recommendation of the discipline board,

has the power to temporarily stop a doctor from practicing in serious cases. In Pollaro's case, allowing a doctor who admitted possessing child sexual abuse material to continue practicing, and giving him the right to examine and touch children's bodies for years, put kids at risk, said Stefan Turkheimer, vice president for public policy for the Rape, Abuse and Incest National Network, which operates the National Sexual Assault Hotline. Pollaro's 2009 arrest should have been "an emergency situation" for the discipline board, he said. "There's no reason in my mind the board shouldn't say, 'Well, on an interim basis, you can't be treating children,'" Turkheimer said. Allen Bode, who prosecuted Pollaro in the 2009 federal case, said he would have expected the discipline board to have given Pollaro a more severe penalty,

such as stopping him from practicing entirely, especially following Pollaro's formal sentencing in 2016. "Consuming child pornography is a very serious crime, and in the federal system, it's considered a violent felony, because of the damage that's inflicted on children," he said. "I would be surprised that the state licensing board does not have more serious repercussions for a serious felony." Bode now works as the chief assistant district attorney for Suffolk County District Attorney Ray Tierney. Pollaro's Mineola attorney, James Pascarella, declined to comment on his client's case. Although Pollaro pleaded guilty, the judge in the case delayed his sentencing until 2016 to allow him to perform community service for 5 years, instead of imposing a sentence of up to 10 years in prison. Bode said he "objected vehemently" to community service and argued for prison time. But U.S. District Court Judge Leonard Weiler said he hoped Pollaro could be rehabilitated. In Pollaro's most recent criminal case, Suffolk County Court

Judge Karen M. Wilentz on Sept. 9 sentenced him to 4 to 8 years in prison. As part of a plea deal, he agreed to surrender his medical license. After the sentencing, Tierney said it was "inconceivable" that the board let Pollaro keep his license after his federal conviction. Turkheimer said that after Pollaro pleaded guilty in 2011, the board's failure to act was "a dereliction of duty." "New York clearly needs to get with the program in their physician discipline," Bode said. "Physicians are in a position of trust. And it's something that, if you're abusing that trust, there ought to be consequences." If you are a victim of sexual abuse or assault, the National Sexual Assault Hotline offers confidential 24-hour support: 800-656-4673 or chat online at online.rainn.org. If you want to file a complaint against a physician licensed in New York, go to: https://www.health.ny.gov/professionals/doctors/conduct/-file_a_complaint.htm

HOW WE REPORTED THE STORY

TruthMD, a Georgia-based company that collects and disseminates data on health care providers, supplied physician records from its extensive database to identify cases for Newsday of doctors who had at least one Long Island address and some type of sanction from a government agency — for example, a disciplinary action from a state medical board, a Medicare or Medicaid exclusion, or a criminal record. Newsday analyzed and verified all records and data. From there, Newsday's analysis found which of those doctors had not been disciplined by the New York medical conduct board until months or years after the initial sanction, or at all. Even doctors convicted of felonies maintained unblemished licenses. Newsday reporters attempted to contact the 44 physicians connected to the cases, and their attorneys. Newsday also identified two Long Island physicians who each had more than 100 plaintiffs file lawsuits against them by analyzing the dockets of lawsuits filed under the 2022 Adult Survivors Act and the 2019 Child Victims Act in the databases of the state court system and county clerks' offices. Both laws allowed alleged victims of sexual abuse to file civil lawsuits for actions that occurred before the statute of limitations had expired, and the Child Victims Act expanded the statute of limitations. Newsday tried to contact them and their attorneys.