

Proven OPMC Defense Results

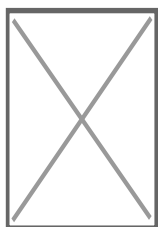
FEATURED ATTORNEY



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Proven OPMC Defense Results for New York Physicians



Published June 14, 2026

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How Abrams Fensterman OPMC Defense Attorneys Won Cases for New York Physicians

? Complete Dismissals

? Full Exonerations

? Licenses Preserved

Can OPMC misconduct charges be dismissed in New York?

YES

Physicians facing New York OPMC investigations and professional misconduct charges can obtain favorable outcomes, including full dismissal of all charges. Abrams Fensterman has secured complete dismissals of many OPMC cases.

The firm has also achieved substantially reduced sanctions where physicians were facing revocation of their medical license in Hearings before the Board for Professional Medical Conduct, where hearing committees weigh the attorneys' arguments on the evidence and the clinical context. Our attorneys have also achieved complete dismissals in cases where the evidence was against the physician, proving that dismissal was appropriate in the interests of justice.

Proven OPMC Defense Success Stories

Representative results secured for New York physicians facing serious OPMC investigations, professional misconduct charges, and license-threatening allegations.

SUCCESS STORY

Full exoneration in an OPMC moral unfitness case

? Full Exoneration

Howard Fensterman defended an ophthalmologist whom the New York Office of Professional Medical Conduct charged with moral unfitness to practice medicine, based on an alleged sexual relationship with a patient. He represented and defended the physician before the Board for Professional Medical Conduct hearing panel, where a finding of moral unfitness carried the threat of the most serious professional sanctions.

Howard Fensterman proved that the relationship predated the physician-patient relationship, establishing that the two had a sexual relationship before any course of care began. The hearing panel dismissed all charges, and Abrams Fensterman's client was fully exonerated. This was a significant OPMC matter on the question of pre-existing relationships.

setting the precedent that a physician who has a pre-existing relationship with someone who later becomes a patient is not guilty of moral unfitness, and that continuing to engage in that relationship is permissible.

SUCCESS STORY

Complete dismissal in a Physician Profile case

? Complete Dismissal

Jordan Fensterman defended an early-career physician charged with two specifications of professional misconduct for allegedly failing to comply with a substantial provision of New York State law, namely the requirement to provide the information needed to create and update the New York State Physician Profile (Public Health Law §2995-a)

He showed that the lapse stemmed from a residential move that disrupted the physician's mail, that the physician had actually completed the submission, and that it was an unintended clerical error with no bearing on patient care. Ultimately, regardless of the facts, the BPMC hearing committee unanimously dismissed both charges, finding that the interests of justice weighed against imposing any discipline.

SUCCESS STORY

All charges dismissed for a psychiatrist

? All Charges Dismissed

In a complex matter built on years of care to patients with chronic and often severe psychiatric conditions, Mr. Fensterman won dismissal on behalf of his client of every specification against a private-practice psychiatrist. The charges spanned general negligence, general incompetence, gross negligence, gross incompetence, inappropriate prescribing of controlled substances, failure to check ISTOP (the Prescription Monitoring Program), and failing to maintain records that accurately reflect the care and treatment rendered.

He organized records and put on expert testimony measuring the care against the right standard for that setting and patient population, which the prosecution's expert had ignored. The hearing committee found none of the allegations proven by clear and convincing evidence and dismissed all of the charges against Abrams Fensterman's physician client.

SUCCESS STORY

33 of 40 charges defeated, license preserved

? License Preserved

Facing forty specifications against a physician who performed nerve conduction and EMG studies billed to No-Fault insurance, including allegations of fraudulent practice and filing false reports, prosecutors threatened revocation of the license. On behalf of his client, Jordan Fensterman defeated 33 of the 40 charges in the hearing, including every fraud and false-report allegation, the most serious charges in the case. The result was a non-career-threatening small fine and a short period of probation.

In every case, Mr. Fensterman pressed the facts and the standard of care from the outset, and turned daunting charges into dismissals or a far lighter outcome.

SPEAK WITH AN EXPERIENCED OPMC DEFENSE ATTORNEY

Received a Letter from OPMC? Protect Your License Before You Respond.

? OPMC Investigations

? BPMC Hearings

? Professional Misconduct Defense

? License Preservation

Receiving a letter from the New York Office of Professional Medical Conduct can be overwhelming, but early action matters. Jordan Fensterman has successfully represented physicians throughout New York facing [OPMC investigations](#), professional misconduct charges, disciplinary hearings, and license-threatening allegations.

Whether you have received an inquiry, subpoena, records request, or notice of investigation, Jordan provides immediate, confidential guidance to help physicians protect their licenses, reputations, and careers.

Meet Jordan Fensterman

Request Confidential Consultation

Call Today: (516) 368-9430