

STATE OF NEW YORK : DEPARTMENT OF HEALTH

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In the Matter of :

SALVATORE PALUMBO, M.D., and :
MSO OF LONG ISLAND BRAIN AND SPINE, LLC :
(D/B/A LONG ISLAND BRAIN & SPINE) :

West Islip, Suffolk County, New York :
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STIPULATION AND ORDER

WHEREAS, Salvatore Palumbo, M.D. (“Dr. Palumbo”) is a licensed physician and managing co-owner of MSO of Long Island Brain and Spine, LLC (d/b/a “Long Island Brain & Spine”), a medical practice with its principal office in West Islip, New York;

WHEREAS, Dr. Palumbo and Long Island Brain & Spine (together, “Respondents”) were authorized by the New York State Department of Health (the “Department”) to submit vaccination information to the New York State Immunization Information System (“NYSIIS”);

WHEREAS, the Department conducted an investigation of purported vaccination information that Dr. Palumbo submitted to NYSIIS on August 23, 2025, and October 8, 2025;

WHEREAS, the investigation determined that Dr. Palumbo violated Article 21, Title 6, Section 2168 of the Public Health Law (the “Immunization Registry Law”) by unreasonably, and in bad faith, providing false information about vaccinations that never occurred and a purported vaccinee who was not vaccinated;

WHEREAS, the Commissioner of Health (the “Commissioner”) is responsible for enforcing Public Health Law (“PHL”) and has the authority to bring enforcement proceedings, levy monetary penalties, seek injunctive relief, and refer criminal charges against parties that have violated the PHL and associated regulations; and

WHEREAS, before beginning enforcement action, the Department and Respondents engaged in settlement discussions and wish to resolve the matter by means of a Stipulation and Order.

NOW THEREFORE, in connection with an agreement to resolve the matter without further proceedings, the Department finds as follows:

THE DEPARTMENT'S FINDINGS

Dr. Palumbo and Long Island Brain & Spine

1. Dr. Palumbo is a physician licensed to practice medicine in the State of New York (Lic. No. 202327). He manages and co-owns Long Island Brain & Spine, a multi-disciplinary brain- and spine-care center with offices in West Islip and Smithtown, New York.

2. Long Island Brain & Spine specializes in neurosurgery and interventional pain management. It does not provide immunizations. Accordingly, the practice has never purchased, received, or stored any vaccines.

Dr. Palumbo and the New York State Immunization Information System ("NYSIIS")

3. On August 22, 2025, Dr. Palumbo enrolled Long Island Brain & Spine in NYSIIS, a public-health database administered by the Department that is used to collect, store, and disclose vaccination records. Dr. Palumbo was the only user associated with the NYSIIS account.

4. Under New York's Immunization Registry Law, healthcare providers are required to submit information to NYSIIS about any vaccination administered to an individual under 19 years old. The information is used by medical professionals, public-health officials, school administrators, and other authorized NYSIIS users responsible for reducing illness, disability, and death caused by vaccine-preventable disease.

5. On August 23, 2025, Dr. Palumbo reported 10 vaccinations to NYSIIS, each purportedly

administered to a child by Long Island Brain & Spine. The child, a relative of Dr. Palumbo's, needed proof of vaccination to enroll in a New York State preschool. Dr. Palumbo reported that the child had received the required vaccinations at intervals between February and July of 2025.¹

6. On October 8, 2025, Dr. Palumbo reported another vaccination for the child, purportedly administered by Long Island Brain & Spine on October 6, 2025.

7. The child, whose parents oppose vaccines, had never been vaccinated before. The 11 vaccinations that Dr. Palumbo reported would have been the child's first-ever immunizations. They would have also been the first vaccinations administered by Long Island Brain & Spine.

Misuse of NYSIIS to Falsely Report Required Immunizations

8. In truth, however, none of the 11 vaccinations reported by Dr. Palumbo was administered by him or anyone else. Instead, Dr. Palumbo misused NYSIIS to create a false record of age-appropriate immunizations when, in fact, the child remained unvaccinated.

9. As part of the scheme, Dr. Palumbo used his credentials to order a small supply of the vaccines he reported administering. He intended the orders, made through a NYC pharmacy, to bolster his false NYSIIS reports by creating a specious paper trail for immunizations that the child had never actually received. Dr. Palumbo disposed of the vaccines, unused, but produced the order invoices to investigators as evidence that he had provided the vaccinations.

Violation of Public Health Law and Associated Regulations

10. By reason of the foregoing and as described herein, on August 23, 2025, and October 8, 2025, Respondents violated PHL §§ 2168(3)(a)(i), (5)(a), and (14) and 10 NYCRR §§ 66-1.2(c)(1) and (d)(2).

¹ Had these immunizations been legitimate, Respondents would have been out of compliance with PHL § 2168(3), which requires providers to report vaccinations to NYSIIS within 14 days of administration.

NOW THEREFORE, to resolve this matter without further proceedings, the Department and Respondents stipulate and agree to the following terms and conditions:

SETTLEMENT PROVISIONS

Monetary Penalty

11. Pursuant to PHL §§ 12(a)(1) and 206(4), Respondents are assessed a total monetary penalty of Twenty-Two Thousand Dollars (\$22,000.00). Respondents shall pay in full within ten (10) business days of the effective date of this Stipulation and Order, as defined in Paragraph 31, by sending a certified check or money order in that amount, payable to the New York State Department of Health, to the New York State Department of Health, Bureau of Accounts Management, Room 2748, Corning Tower, Empire State Plaza, Albany, New York 12237-0016.

12. Respondents shall not seek or accept, directly or indirectly, reimbursement or indemnification with respect to payment of the penalty amount, or any part thereof, including but not limited to reimbursement or indemnification made pursuant to any fundraising, crowdfunding (e.g., a “GoFundMe” or “GiveSendGo” campaign), or donation-collection effort.

13. Any amount of the monetary penalty not paid by the date prescribed herein shall be subject to all provisions of law related to debt collection by the State of New York. This includes, but is not limited to, the imposition of interest, late-payment charges, and collection fees; referral to the New York State Department of Taxation and Finance for collection; and non-renewal of permits and licenses.

Remediation, Exclusion, and Prohibition

Deletion of False Vaccination Information and Prohibition Against Further Acts

14. The Department shall, without delay, delete from NYSIIS all false immunization information submitted by Dr. Palumbo. As described above, this includes all vaccination

information reported to NYSIIS by Dr. Palumbo through Long Island Brain & Spine on or about August 23, 2025, and October 8, 2025 (*i.e.*, information for 11 false vaccinations).²

15. Respondents shall in no way facilitate, aid, abet, endorse, recommend, advise, conspire with, or otherwise participate in any scheme or attempt to misrepresent any individual as having received immunization that the individual in fact has not received. This includes, but is not limited to, the child whose immunization information Dr. Palumbo falsely reported to NYSIIS.

16. Respondents agree that no record reflecting the false vaccinations that Dr. Palumbo reported to NYSIIS on August 23, 2025, and October 8, 2025, may ever be used to satisfy the requirements of PHL § 2164.

Permanent Exclusion from NYSIIS

17. Respondents, and any successor thereof, shall, upon the effective date of this Stipulation and Order, be permanently excluded from NYSIIS.³ Specifically, they shall be barred from directly accessing, or attempting to directly access, NYSIIS in any way and for any reason; applying for, or attempting to apply for, a NYSIIS account or NYSIIS access; and permitting any individual or entity to apply for, or attempt to apply for, a NYSIIS account or NYSIIS access on Respondents' behalf. Any access or attempted access of NYSIIS by Respondents, any successor thereof, or an agent acting on Respondents' behalf, shall be unauthorized, trespassory, and in violation of this provision and any applicable law, regulation, order, and/or term of use.

² In the interest of protecting public health, preventing the spread of vaccine-preventable disease, and maintaining the integrity of the registry, the Department removed the false information from NYSIIS upon completion of its investigation in December of 2025 and alerted the child's school. The child was immediately excluded from the school pursuant to PHL § 2164.

³ The Department suspended Respondents' NYSIIS accounts on or about December 3, 2025, pursuant to PHL § 2168(9).

Prohibition Against Administering Certain Vaccinations

18. Respondents, and any successor thereof, shall, upon the effective date of this Stipulation and Order, permanently refrain from administering any vaccination that must be reported to NYSIIS or that satisfies the vaccination requirement of Section 2.59 of the New York Sanitary Code (10 NYCRR § 2.59).

Evidence of PHL Violations

19. To resolve this administrative matter, Respondents admit to the existence of substantial evidence of violation of PHL §§ 2168(3)(a)(i), (5)(a), and (14) and 10 NYCRR § 6-1.2(c)(1) and (d)(1). Notwithstanding any other provision of this Stipulation and Order, the admission is without prejudice to Respondents' rights, defenses, and claims in any other proceeding, action, hearing, investigation, or litigation not involving the Department or any of its boards or councils authorized by the PHL.

Full and Complete Cooperation

20. Respondents commit and agree that they will fully cooperate with the Department regarding all terms of this Stipulation and Order.

Further Action by the Department

21. Provided that Respondents comply with the terms of this Stipulation and Order, this matter is settled and discontinued with prejudice. Except as provided in Paragraphs 22 through 25, below, the Department shall not pursue administrative, civil, or criminal enforcement against Respondents pursuant to PHL §§ 12-a and/or § 12-b and 10 NYCRR Part 51, or on any other basis, in connection with Respondents' NYSIIS activity from August of 2025 through December of 2025.

22. Respondents and the Department agree that nothing in this Stipulation and Order shall

bar the Department, the Office of the Medicaid Inspector General, or both from any investigative and enforcement action related to Medicaid billing by and Medicaid enrollment of Respondents and/or any other individual or entity whatsoever.

23. Respondents and the Department further agree that nothing in this Stipulation and Order shall bar the Department from referring any person licensed by the New York State Education Department ("NYSED") for investigation and/or enforcement action by the Department's Office of Professional Medical Conduct ("OPMC") and/or Bureau of Professional Medical Conduct ("BPMC"), the New York State Board for Professional Medical Conduct, NYSED's Office of the Professions, the New York State Board of Regents, and/or any agents thereof.

24. Notwithstanding any other provision of this Stipulation and Order, OPMC, BPMC, and/or the State Board for Professional Medical Conduct may make any referral or report mandated by law and/or regulation or that would otherwise be made in the regular course of those entities' business.

25. Respondents and the Department agree that no part of this Stipulation and Order shall be read to prevent, alter, supplant, negate, or interfere in any way with the normal function of OPMC, BPMC, and the State Board for Professional Medical Conduct as it pertains to Respondents and the Findings provided in Paragraphs 1 through 10, above.

Waiver of Rights

26. Respondents submit to the jurisdiction of the Department.

27. Respondents understand and agree that no provision of this Stipulation and Order is subject to review in any court, tribunal, or agency outside of the Department.

28. Respondents further stipulate and agree that there exist valid and sufficient grounds, as a matter of fact and law, for the issuance of this Stipulation and Order under the PHL and

Respondents consent to its issuance, accept its terms and conditions, and waive any right to challenge it in any action or proceeding including, but not limited to, a proceeding pursuant to Article 78 of the Civil Practice Law and Rules.

Parties Bound

29. This Stipulation and Order is binding on Dr. Palumbo, Long Island Brain & Spine, its successors, and the Department. It does not bind any other state agency, any local or federal agency, or any law enforcement agency whatsoever.

Public Record

30. This Stipulation and Order is a public record. Notwithstanding any other provision of this Stipulation and Order, the Department may publish, distribute, provide, and otherwise disclose it and its contents to any and all third parties at its discretion and without limitation.

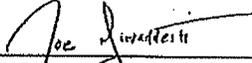
Effective Date

31. This Stipulation and Order shall become effective upon service on Respondents or their attorney by certified or registered mail.

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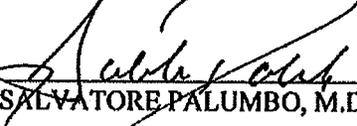
IN WITNESS WHEREOF, the parties have caused this Stipulation and Order to be signed on the dates set forth below.

NEW YORK STATE
DEPARTMENT OF HEALTH

By: 
JOSEPH A. GIOVANNETTI, ESQ.
Director, Bureau of Investigations
Division of Legal Affairs

February 20, 2026

SALVATORE PALUMBO, M.D.

By: 
SALVATORE PALUMBO, M.D.

February 19, 2026

MSO OF LONG ISLAND BRAIN AND
SPINE, LLC (D/B/A LONG ISLAND
BRAIN & SPINE)

By: 
SALVATORE PALUMBO, M.D.
MSO of Long Island Brain and Spine, LLC
(d/b/a Long Island Brain & Spine)

February 19, 2026

By: 
JAMES G. MERMIGIS, ESQ.
Attorney for Salvatore Palumbo, M.D., and
MSO of Long Island Brain and Spine, LLC
The Mermigis Law Group, P.C.
85 Cold Spring Road, Suite 200
Syosset, NY 11791

February 20, 2026

THE FOREGOING IS HEREBY APPROVED. IT IS SO ORDERED.

By: 
JAMES V. MCDONALD, M.D., M.P.H.
Commissioner of Health
New York State Department of Health

February 26, 2026