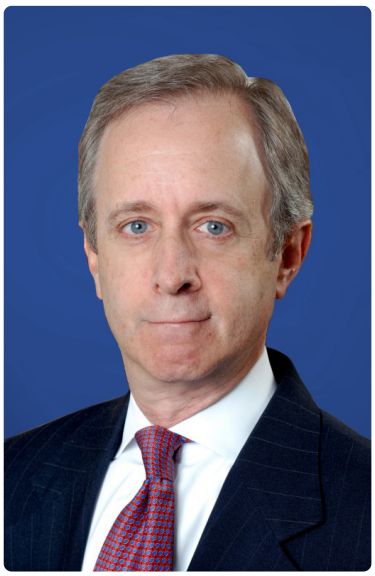
Michael S. Kelton

OF COUNSEL



Brooklyn Metrotech
1 MetroTech Center
Suite 1701
Brooklyn, NY 11201

Tel: (718) 215-5300
Fax: (718) 215-5304
Email: mkelton@abramslaw.com

This biography is provided for informational purposes only and does not constitute legal advice.

PRACTICE AREAS

- Cannabis Law Group
- Civil Litigation
- Health Law
- Insurance Defense
- Medical Licensing
- Medical Malpractice Defense
- OPMC & OPD Attorneys
- OPMC Defense
- Physician WCB Authorization & IME Issues

Michael S. Kelton is Of Counsel at Abrams Fensterman, LLP and previously served as the Director of the firm’s Medical Malpractice Defense Practice and its OPMC/OPD Defense Practice.

Mr. Kelton has defended medical malpractice cases for various malpractice insurance carriers, as well as hospitals, uninsured physicians and municipal entities. Mr. Kelton has also handled physician disciplinary and professional misconduct matters before the New York State Department of Health Office of Professional Medical Conduct (OPMC) and the New York State Education Department Office of Professional Discipline (OPD), as well as physician-hospital disciplinary disputes. Mr. Kelton has published articles on medical misconduct issues and medical billing audit issues for the New York Law Journal, the Medical Society of The State of New York, the New York County Medical Society and the New York State Association of Criminal Defense Lawyers. Mr. Kelton has been a contributing columnist

on medical malpractice and medical misconduct issues for Physician's Money Digest online magazine. He has lectured to attorneys, physicians and risk managers on medical malpractice litigation and the physician disciplinary process. Mr. Kelton has been a television commentator on issues involving civil litigation and personal injury law.

From 2007 until its closing in 2009, Mr. Kelton served as General Counsel to the Medical Staff of Cabrini Medical Center.

Mr. Kelton has also handled Personal Injury Litigation, Business Litigation, Real Estate Litigation and Commercial/Corporate Litigation. With over 48 years experience in Medical Malpractice, Health Law, Professional Misconduct Litigation and General Litigation, Mr. Kelton has received the highest ("AV") rating from the Martindale-Hubbell Rating System for attorneys, signifying legal ability of "very high to preeminent" and ethical standards of "very high". Mr. Kelton has been designated a Super Lawyer by the Thomson-Reuters Company every year since 2011, a distinction earned by only 5% of the attorneys in the New York Metro area.

Mr. Kelton is admitted to practice in the State of New York and the State of California, and before the United States Supreme Court and various Federal appellate and trial courts.

Mr. Kelton is a graduate of the Albany Law School of Union University, and a Magna Cum Laude graduate of the State University of New York at Albany.

BAR ADMISSIONS

- New York, 1978
- California, 1981
- U.S. Supreme Court, 1982
- U.S. Court of Appeals 2nd Circuit, 1980
- U.S. Court of Federal Claims, 1995

EDUCATION

- Albany Law School at Union University, Albany, New York – 1977
- State University of New York at Albany, Albany, New York – 1973
  - Honors: Magna Cum Laude

HONORS AND AWARDS

- AV® Preeminent™ 5.0 out of 5.0
- AVENUE Magazine: New York City's Top Litigation Attorneys – 2010, 2011
- New York Super Lawyer – 2011-2025

PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS

- New York State Bar Association, Health Law Section, Member
- New York State Bar Association, Professional Discipline Section, Member
- New York County Lawyers Association, Member
- New York State Association of Criminal Defense Lawyers, Member
- New York State Association Trial Lawyers Association, Member
- California Bar Association, Member
- Albany Law School Annual Giving Campaign, National Chairperson, 2007-2008

FEATURED PUBLICATIONS

- **33 Abrams Fensterman Attorneys Recognized on 2024 New York Metro Super Lawyers® and Rising Stars Lists** — 10/23/2024
  https://www.abramslaw.com/media/awards/33-abrams-fensterman-attorneys-recognized-on-2024-new-york-metro-super-lawyers-and-rising-stars-lists
- **Congratulations to Our 2020 Super Lawyers & Rising Stars** — 11/30/2020
  https://www.abramslaw.com/media/announcements/congratulations-to-our-2020-super-lawyers-rising-stars
- **Ten Commandments for Physicians in Malpractice Cases** — 04/19/2017
  https://www.abramslaw.com/media/events/ten-commandments-for-physicians-in-malpractice-cases
- **Howard Fensterman Congratulates Eighteen Abrams Fensterman Attorneys Named 2016 Super Lawyers Seventeen others Tapped as Rising Stars** — 10/13/2016
  https://www.prnewswire.com/news-releases/howard-fensterman-congratulates-eighteen-abrams-fensterman-attorneys-named-2016-super-lawyers-300344344.html
- **New York's New Law on Opioid Prescription Limit** — 08/30/2016
  https://www.abramslaw.com/media/announcements/new-yorks-new-law-on-opioid-prescription-limit
- **New York Prescription Requirements and What It Means For Doctors** — 04/30/2016
  https://www.abramslaw.com/media/announcements/new-york-prescription-requirements-and-what-it-means-for-doctors
- **Verdict Search – Patient's Size Prevented Detection of Tumor** — 09/21/2015
  https://verdictsearch.com/
- **Albany Law Magazine – Kelton Estimates Defending More than 300 Physicians** — 07/10/2015
  https://issuu.com/albanylaw/docs/albany-law-magazine-2015/42
- **Abrams Fensterman Scores Major Win in Complex OPMC Case** — 06/09/2015
  https://www.abramslaw.com/wp-content/uploads/2022/12/2015698177_000.pdf
- **NYS Department of Health Turns Up the Heat on Providers of Services to Patients under the No-Fault Insurance Law** — 02/28/2015
  https://www.abramslaw.com/media/announcements/nys-department-of-health-turns-up-the-heat-on-providers-of-services-to-patients-under-the-no-fault-insurance-law
- **Physician's Money Digest – Roundtable: Impact of EHRs on Malpractice, Part I** — 11/30/2013
  https://www.abramslaw.com/media/news/physicians-money-digest-roundtable-impact-of-ehrs-on-malpractice-part-i
- **Physician's Money Digest – Roundtable Impact of EHRs on Malpractice, Part III** — 11/30/2013
  https://www.abramslaw.com/media/news/physicians-money-digest-roundtable-impact-of-ehrs-on-malpractice-part-iii
- **Physician's Money Digest – Roundtable: Impact of EHRs on Malpractice, Part V** — 11/30/2013
  https://www.abramslaw.com/media/news/physicians-money-digest-roundtable-impact-of-ehrs-on-malpractice-part-v
- **Physician's Money Digest – Discount Websites a Bad Deal for Doctors** — 11/13/2013
  https://www.abramslaw.com/media/publications/physicians-money-digest-discount-websites-a-bad-deal-for-doctors
- **Urgent Alert For New York State Licensed Physicians** — 10/31/2013

https://www.abramslaw.com/media/announcements/urgent-alert-for-new-york-state-licensed-physicians

- **Physician’s Money Digest – Michael Kelton’s Medical Malpractice Trial Guide** — 10/04/2013
  https://www.abramslaw.com/media/news/physicians-money-digest-michael-keltons-medical-malpractice-trial-guide-2
- **Howard Fensterman Congratulates Abrams Fensterman Team Chosen 2012 New York Super Lawyers** — 12/10/2012
  https://www.abramslaw.com/media/announcements/howard-fensterman-congratulates-abrams-fensterman-team-chosen-2012-new-york-super-lawyers
- **Major Victory for Physicians Involved in OPMC Prosecutions** — 04/30/2012
  https://www.abramslaw.com/media/announcements/major-victory-for-physicians-involved-in-opmc-prosecutions
- **Physicians under Siege: Medical Liability** — 01/24/2012
  https://www.abramslaw.com/media/events/physicians-under-siege-medical-liability
- **Protect Your Practice** — 10/04/2011
  https://www.abramslaw.com/media/events/protect-your-practice-october-4
- **Poughkeepsie Journal – Fired Dutchess Doctor Involved in 7 Malpractice Suits** — 09/23/2011
  https://www.poughkeepsiejournal.com/story/news/local/central-dutchess/2014/03/14/spyros-panos-malpractice-dutchess-county/6412613/
- **Physicians Under Siege: Navigating Legal Hurdles** — 06/21/2011
  https://www.abramslaw.com/media/events/physicians-under-siege-navigating-legal-hurdles
- **Recalled Artificial Hip Implants Generating Product Liability Lawsuits** — 02/28/2011
  https://www.abramslaw.com/media/announcements/recalled-artificial-hip-implants-generating-product-liability-lawsuits
- **Medical Treatment or Conspiracy? The Physician’s Dilemma in Treating Celebrities** — 05/26/2010
  https://www.abramslaw.com/media/events/medical-treatment-or-conspiracy-the-physicians-dilemma-in-treating-celebrities
- **Health Care Alert – November 2009** — 11/30/2009
  https://www.abramslaw.com/media/announcements/health-care-alert-november-2009
- **What to Do When the OPMC Calls on You** — 01/01/2001
  https://www.abramslaw.com/media/publications/what-to-do-when-the-opmc-calls-on-you