

**MEDICAL LICENSING BOARD OF INDIANA  
INDIANA GOVERNMENT CENTER SOUTH  
402 WEST WASHINGTON STREET  
ROOM W064  
INDIANAPOLIS, INDIANA 46204**

**MINUTES OF FEBRUARY 27, 2020**

John Strobel, M.D., President, called the meeting to order at 8:32 a.m. and declared a quorum in accordance with IC 25-26-13-3(d), pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

Members Present: John Strobel, M.D., President  
Victoria McCann, J.D., Secretary (arrived 8:45 a.m.)  
Bharat Barai, M.D., Member  
Michael Busk, M.D., Member

Members Absent: Kirk Masten, D.O., Vice President  
Rebecca Mueller, M.D.

Staff Present: Michael Minglin, J.D., Deputy Executive Director  
Professional Licensing Agency  
Laura Turner, J.D., Board Director  
Jody Edens, Acting Assistant Board Director  
Professional Licensing Agency  
Brian Park, Deputy Attorney General  
Office of the Attorney General

The Board voted to adopt the agenda.

Participating Board Members: John Strobel, M.D., Michael Busk, M.D., Victoria McCann, J.D., Bharat Barai, M.D.

Barai/McCann, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

The Board voted to adopt the minutes of the January 23, 2020 meeting.

Participating Board Members: John Strobel, M.D., Michael Busk, M.D., Victoria McCann, J.D., Bharat Barai, M.D.

Barai/McCann, 4/0/0

Motion carries

The following board members voted aye:

John Strobel, Michael Busk, Victoria McCann, Bharat Barai

The following board members voted nay: none

The following board members abstained: none

### **FULL BOARD APPEARANCE(S)**

#### **NCCPA Presentation – Dawn Morton-Rias, Ed.D., PA-C:**

Participating Board Members: John Strobel, M.D., Michael Busk, M.D., Victoria McCann, J.D., Bharat Barai, M.D.

NCCPA is the sole U.S. Physician Assistant certification body. They have been certifying PA's since 1975.

Their purpose is to provide certification programs that reflect standards for clinical knowledge, clinical reasoning and other medical skills and professional behaviors required upon entry to practice and throughout the careers of PA's.

The number of PA's went from 9,431 in 1980 to 131,152 in 2018.

Indiana currently has five (5) accredited PA programs with four (4) in development stages. In 2018 there were 1,563 certified PA's practicing in Indiana.

Ms. Morton-Rias indicated that they do offer specialty certifications. The PA would get on the job training and their CME's, their Physician collaborator would attest to their skill level and then they would sit for the specialty certification exam. At this time only 2,000 PA's have taken the specialty exams in the U.S.

The Board thanked Ms. Morton-Rias for her presentation.

### **PERSONAL APPEARANCES**

#### **Yukako Suzuki, M.D. – Not practiced clinical medicine since 2012:**

Dr. Suzuki appeared before the Board regarding the fact that she has not practiced clinical medicine since 2012 and was not represented by counsel.

Adam Lemon, M.D., I.U. Chief of Anesthesiology appeared with Dr. Suzuki. He indicated he has no worries about her ability to practice. He will supervise her in the operating room as if she were a resident for at least six (6) months, possibly longer.

Dr. Suzuki stated that she finished her residency in Vermont and then returned to Japan, where she practiced medicine for three (3) years. She then left practice to raise her children.

Her children are now grown and she is ready to practice again.

She took and passed her boards in 2018 and is doing the maintenance of certification.

After discussion, the Board moved to issue Dr. Suzuki a PROVISIONAL LICENSE for one (1) year. She may return in six (6) months with a letter from Dr. Lemon to request a full license. Her practice should be supervised as she was an anesthesia resident.

Barai/McCann, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Feriyi Bhajjee, M.D., License No. 01075393A – Renewal:**

Dr. Bhajjee appeared in person and was not represented by counsel regarding a positive response on his license renewal.

Dr. Bhajjee received a DUI in July 2019. He entered into a deferral agreement for one (1) year.

Dr. Bhajjee contacted ISMA PAP and completed an addictionology evaluation. Anne Kelley indicated in an email there was no diagnosis rendered and no recommendations, therefore no monitoring is required.

Dr. Bhajjee indicated he completed sixty-one (61) hours of community service and completed a twenty (20) hour treatment program at clearvista recovery.

He hasn't consumed alcohol since his incident.

After discussion, the Board moved to APPROVE Dr. Bhajjee's license renewal.

Barai/McCann, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Virendra Singh Bisla, M.D., License No. 01031172A – Renewal:**

Dr. Bisla appeared in person and was not represented by counsel regarding a positive response on his renewal application.

Dr. Bisla's Illinois medical license is on indefinite probation and his controlled substances registration is suspended.

After discussion, the Board moved to place Dr. Bisla's license on AGREED INDEFINITE PROBATION with terms and conditions.

Barai/McCann, 4/0/0

Motion carries

The following board members voted aye:

John Strobel, Michael Busk, Victoria McCann, Bharat Barai

The following board members voted nay: none

The following board members abstained: none

**Rohit Manubhai Desai, M.D., License No. 01037589A – Renewal:**

Dr. Desai did not appear in person and was not represented by counsel regarding a positive response on his renewal application.

**IC 25-1-8-8Delaying reinstatement; investigation; petition; sanctions; invalid during investigations**

Sec. 8. (a) As used in this section, "board" has the meaning set forth in section 6(a) of this chapter.

(b) The licensing agency may delay reinstating a license, certificate, or registration for not more than one hundred twenty (120) days after the date the applicant applies for reinstatement of a license, certificate, or registration to permit the board to investigate information received by the licensing agency that the applicant for reinstatement may have committed an act for which the applicant may be disciplined. If the licensing agency delays reinstating a license, certificate, or registration, the licensing agency shall notify the applicant that the applicant is being investigated. Except as provided in subsection (c), the board shall do one (1) of the following before the expiration of the one hundred twenty (120) day period:

(1) Deny reinstatement of the license, certificate, or registration following a personal appearance by the applicant before the board.

(2) Reinstatement of the license, certificate, or registration upon satisfaction of all other requirements for reinstatement.

(3) Reinstatement of the license and file a complaint under [IC 25-1-7](#).

(4) Upon agreement of the applicant and the board and following a personal appearance by the applicant before the board, reinstate the license, certificate, or registration and place the applicant on probation status under [IC 25-1-9-9](#) or [IC 25-1-11-12](#).

**(c) If an applicant fails to appear before the board under subsection (b), the board may take action as provided in subsection (b)(1), (b)(2), or (b)(3).**

(d) The license, certificate, or registration of the applicant for license reinstatement remains invalid during the one hundred twenty (120) day period unless:

(1) the license, certificate, or registration is reinstated following a personal appearance by the applicant before the board before the end of the one hundred twenty (120) day period;

(2) the board issues a conditional license to the practitioner that is effective until the reinstatement is denied or the license is reinstated; or

(3) the reinstatement is denied.

If the one hundred twenty (120) day period expires without action by the board, the license, certificate, or registration shall be automatically reinstated at the end of the one hundred twenty (120) day period.

(e) The board's reinstatement of a license does not preclude the board from imposing sanctions on the licensee as a result of a complaint filed by the attorney general after reinstatement of the license.  
*As added by P.L.197-2007, SEC.21. Amended by P.L.177-2015, SEC.10; P.L.78-2017, SEC.6.*

Dr. Desai failed to appear for his scheduled personal appearance and did not provide the Board any explanation regarding his positive response.

After discussion, the Board moved to DENY Dr. Desai's renewal application.

Strobel/McCann, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Sheryl Elston, M.D., License No. 01035876A – Renewal:**

Dr. Elston appeared before the Board and was represented by counsel David Jose regarding a positive response on her renewal application.

Dr. Elston received a DUI in 2017. In September 2018 she went to a twenty-seven (27) week IOP at Terra. She also did an aftercare program at Terra.

In November 2018 she began going to AA meetings. She attends two (2) to four (4) meetings per week.

Her sobriety date is March 6, 2019. She was evaluated at ISMA PAP and was diagnosed with alcohol use disorder moderate.

Anne Kelly with ISMA stated that Dr. Elston has signed a one (1) year contract and at the end of that contract they will reevaluate the matter.

After discussion, the Board moved to APPROVE Dr. Elston's license renewal.

Barai/McCann, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Constance Fryman, D.O., License No. 02000811A – Renewal:**

Dr. Fryman did not appear in person and was represented by counsel, Richard Hailey regarding a positive response on her renewal application.

Mr. Hailey informed the Board that Dr. Fryman is requesting to withdraw her request to renew her Indiana license.

After discussion, the Board moved to ALLOW Dr. Fryman to WITHDRAW her license renewal.

Barai/Busk, 4/0/0

Motion carries

The following board members voted aye:

John Strobel, Michael Busk, Victoria McCann, Bharat Barai

The following board members voted nay: none

The following board members abstained: none

**Robin Garelick, M.D., License No. 01077977A – Renewal:**

Respondent did not appear in person and was not represented by counsel regarding a positive response on her license renewal.

**IC 25-1-8-8Delaying reinstatement; investigation; petition; sanctions; invalid during investigations**

Sec. 8. (a) As used in this section, "board" has the meaning set forth in section 6(a) of this chapter.

(b) The licensing agency may delay reinstating a license, certificate, or registration for not more than one hundred twenty (120) days after the date the applicant applies for reinstatement of a license, certificate, or registration to permit the board to investigate information received by the licensing agency that the applicant for reinstatement may have committed an act for which the applicant may be disciplined. If the licensing agency delays reinstating a license, certificate, or registration, the licensing agency shall notify the applicant that the applicant is being investigated. Except as provided in subsection (c), the board shall do one (1) of the following before the expiration of the one hundred twenty (120) day period:

(1) Deny reinstatement of the license, certificate, or registration following a personal appearance by the applicant before the board.

(2) Reinstatement of the license, certificate, or registration upon satisfaction of all other requirements for reinstatement.

(3) Reinstatement of the license and file a complaint under [IC 25-1-7](#).

(4) Upon agreement of the applicant and the board and following a personal appearance by the applicant before the board, reinstate the license, certificate, or registration and place the applicant on probation status under [IC 25-1-9-9](#) or [IC 25-1-11-12](#).

**(c) If an applicant fails to appear before the board under subsection (b), the board may take action as provided in subsection (b)(1), (b)(2), or (b)(3).**

(d) The license, certificate, or registration of the applicant for license reinstatement remains invalid during the one hundred twenty (120) day period unless:

(1) the license, certificate, or registration is reinstated following a personal appearance by the applicant before the board before the end of the one hundred twenty (120) day period;

(2) the board issues a conditional license to the practitioner that is effective until the reinstatement is denied or the license is reinstated; or

(3) the reinstatement is denied.

If the one hundred twenty (120) day period expires without action by the board, the license, certificate, or registration shall be automatically reinstated at the end of the one hundred twenty (120) day period.

(e) The board's reinstatement of a license does not preclude the board from imposing sanctions on the licensee as a result of a complaint filed by the attorney general after reinstatement of the license.  
*As added by P.L.197-2007, SEC.21. Amended by P.L.177-2015, SEC.10; P.L.78-2017, SEC.6.*

Dr. Garelick failed to appear for his scheduled personal appearance and did not provide the Board sufficient explanation regarding her positive response.

After discussion, the Board moved to DENY Dr. Garelick's renewal application.

Strobel/McCann, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Leslie Glick, M.D., License No. 01050774A – Renewal:**

Dr. Glick did not appear in person and was not represented by counsel regarding a positive response on her license renewal.

**IC 25-1-8-8Delaying reinstatement; investigation; petition; sanctions; invalid during investigations**

Sec. 8. (a) As used in this section, "board" has the meaning set forth in section 6(a) of this chapter.

(b) The licensing agency may delay reinstating a license, certificate, or registration for not more than one hundred twenty (120) days after the date the applicant applies for reinstatement of a license, certificate, or registration to permit the board to investigate information received by the licensing agency that the applicant for reinstatement may have committed an act for which the applicant may be disciplined. If the licensing agency delays reinstating a license, certificate, or registration, the licensing agency shall notify the applicant that the applicant is being investigated. Except as provided in subsection (c), the board shall do one (1) of the following before the expiration of the one hundred twenty (120) day period:

- (1) Deny reinstatement of the license, certificate, or registration following a personal appearance by the applicant before the board.
- (2) Reinstatement the license, certificate, or registration upon satisfaction of all other requirements for reinstatement.
- (3) Reinstatement the license and file a complaint under [IC 25-1-7](#).
- (4) Upon agreement of the applicant and the board and following a personal appearance by the applicant before the board, reinstatement the license, certificate, or registration and place the applicant on probation status under [IC 25-1-9-9](#) or [IC 25-1-11-12](#).

**(c) If an applicant fails to appear before the board under subsection (b), the board may take action as provided in subsection (b)(1), (b)(2), or (b)(3).**

(d) The license, certificate, or registration of the applicant for license reinstatement remains invalid during the one hundred twenty (120) day period unless:

- (1) the license, certificate, or registration is reinstated following a personal appearance by the applicant before the board before the end of the one hundred twenty (120) day period;
- (2) the board issues a conditional license to the practitioner that is effective until the reinstatement is denied or the license is reinstated; or
- (3) the reinstatement is denied.

If the one hundred twenty (120) day period expires without action by the board, the license, certificate, or registration shall be automatically reinstated at the end of the one hundred twenty (120) day period.

(e) The board's reinstatement of a license does not preclude the board from imposing sanctions on the licensee as a result of a complaint filed by the attorney general after reinstatement of the license.

*As added by P.L.197-2007, SEC.21. Amended by P.L.177-2015, SEC.10; P.L.78-2017, SEC.6.*

Dr. Glick failed to appear for his scheduled personal appearance and did not provide the Board sufficient explanation regarding her positive response.

After discussion, the Board moved to DENY Dr. Glick's renewal application.

Strobel/McCann, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Noah Gurtierrez, M.D., License No. 01077120A – Renewal:**

Dr. Gurtierrez appeared in person and was not represented by counsel regarding a positive response on his license renewal.

Dr. Gurtierrez paid a \$5,000 fine in New York for answering a question incorrectly on his license renewal.

After discussion, the Board moved to APPROVE Dr. Gurtierrez's renewal application.

Barai/McCann, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Bradley Hulten, M.D., License No. 01071078A – Renewal:**

Dr. Hulten appeared in person and was not represented by counsel regarding a positive response on his license renewal.

Dr. Hulten got into a fight with his wife after consuming alcohol. He was arrested for domestic battery.

Anne Kelly with ISMA (PAP) indicated he did receive an addictionology evaluation and no diagnosis was found.

Dr. Hulten indicated his sobriety date is November 25, 2017. He completed a twenty-six week program for domestic violence. He is on probation with the courts for two (2) years.



After discussion, the Board moved to APPROVE Dr. Hulten's renewal application.

Barai/Busk, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Peter Kroll, M.D., License No. 01074854A – Renewal:**

Dr. Kroll did not appear in person and was not represented by counsel regarding a positive response on his renewal application.

**IC 25-1-8-Delaying reinstatement; investigation; petition; sanctions; invalid during investigations**

Sec. 8. (a) As used in this section, "board" has the meaning set forth in section 6(a) of this chapter.

(b) The licensing agency may delay reinstating a license, certificate, or registration for not more than one hundred twenty (120) days after the date the applicant applies for reinstatement of a license, certificate, or registration to permit the board to investigate information received by the licensing agency that the applicant for reinstatement may have committed an act for which the applicant may be disciplined. If the licensing agency delays reinstating a license, certificate, or registration, the licensing agency shall notify the applicant that the applicant is being investigated. Except as provided in subsection (c), the board shall do one (1) of the following before the expiration of the one hundred twenty (120) day period:

(1) Deny reinstatement of the license, certificate, or registration following a personal appearance by the applicant before the board.

(2) Reinstatement of the license, certificate, or registration upon satisfaction of all other requirements for reinstatement.

(3) Reinstatement of the license and file a complaint under [IC 25-1-7](#).

(4) Upon agreement of the applicant and the board and following a personal appearance by the applicant before the board, reinstate the license, certificate, or registration and place the applicant on probation status under [IC 25-1-9-9](#) or [IC 25-1-11-12](#).

**(c) If an applicant fails to appear before the board under subsection (b), the board may take action as provided in subsection (b)(1), (b)(2), or (b)(3).**

(d) The license, certificate, or registration of the applicant for license reinstatement remains invalid during the one hundred twenty (120) day period unless:

(1) the license, certificate, or registration is reinstated following a personal appearance by the applicant before the board before the end of the one hundred twenty (120) day period;

(2) the board issues a conditional license to the practitioner that is effective until the reinstatement is denied or the license is reinstated; or

(3) the reinstatement is denied.

If the one hundred twenty (120) day period expires without action by the board, the license, certificate, or registration shall be automatically reinstated at the end of the one hundred twenty (120) day period.

(e) The board's reinstatement of a license does not preclude the board from imposing sanctions on the licensee as a result of a complaint filed by the attorney general after reinstatement of the license.

*As added by P.L.197-2007, SEC.21. Amended by P.L.177-2015, SEC.10; P.L.78-2017, SEC.6.*

Dr. Kroll failed to appear for his scheduled personal appearance and did not provide the Board sufficient explanation regarding his positive response.

After discussion, the Board moved to DENY Dr. Kroll's renewal application.

McCann/Barai, 4/0/0

Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Mohammed Mazumder, M.D., License No. 01068828A – Renewal:**

Dr. Mazumder did not appear in person and was represented by counsel, Richard Hailey regarding a positive response on his renewal application.

Mr. Hailey informed the Board that Dr. Mazumder is requesting to withdraw his request to renew his Indiana license.

After discussion, the Board moved to ALLOW Dr. Mazumder to WITHDRAW his renewal application

Strobel/Barai, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Erik Richter, M.D., License No. 01067017A – Renewal:**

Dr. Richter appeared in person and was not represented by counsel regarding a positive response on his license renewal.

Dr. Richter applied for his Maryland license online. When you apply online in Maryland you have a time frame in which to complete the licensee's Criminal History Record Check (CHRC) information.

Dr. Richter did not complete his CHRC and was notified by the Maryland Board to do so and he did not respond to them. The Board then issued an order on May 17, 2019 to revoke his license.

He then contacted the Maryland Board and entered into a consent order on July 17, 2019 that rescinded the revocation order.

He is licensed in twenty-two (22) states and all licenses are on active status.

After discussion, the Board moved to APPROVE Dr. Richter's renewal application.

Barai/McCann, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Hung Thanh Vo, D.O., License No. 02002015A – Renewal:**

Dr. Vo appeared in person and was represented by counsel, Josh Moudy regarding a positive response on his renewal application.

September 2016, the Indiana Board issued a letter of reprimand on Dr. Vo's license. The Michigan Medical Board then took action based upon the Indiana action.

His Michigan license is free and clear, but is expired at this time.

After discussion, the Board moved to APPROVE Dr. Vo's renewal application.

Barai/McCann, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Panambur Bhandari, M.D. – ACGME Waiver Request:**

Dr. Bhandari appeared before the Board to request a waiver of the two (2) year ACGME accredited post graduate training and was not represented by counsel.

844 IAC 4-4.5-4 An approved internship or residency program is one that was, at the time the applicant was enrolled in the internship or residency program accepted by the (1) Accreditation Council for Graduate Medical Education.....

Bob Mackin, CEO of Kleinert & Klutz in Kentucky.

Dr. Bhandari has completed approximately nine (9) years of post-graduate training. Some of this was at an ACGME accredited program.

After discussion, the Board moved to GRANT the waiver of the ACGME approved residency program based upon the following findings:

- Active licenses in the State of Kentucky, Ohio and Tennessee

- Professor at Kleinert & Klutz
- Board Certified in General Surgery and Plastic Surgery
- Letters of Recommendation
- Practice will be in medically underserved area
- Has demonstrated competency and his training is equal to an ACGME accredited training program.

Barai/Busk, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

### **FULL BOARD APPLICATION REVIEW**

#### **Volunteer Registry Location Application:**

The application is for Huntertown United Methodist Church d/b/a Lifehouse.

After reviewing the application the Board moved to APPROVE the volunteer registry location application.

McCann/Barai, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

#### **Tariq K. Sami, M.D., License No. 01050365A – Expired License:**

Dr. Sami admitted in a letter to the Board that he had been practicing on an expired license. His license expired 10/31/2019 and he was notified by his employer on January 30, 2020 that his license was expired and he needed to stop practicing until it was renewed.

After discussion, the Board moved to APPROVE Dr. Sami's license renewal and also to issue a CITATION for \$250.00 for practicing without a license.

Strobel/Barai, 4/0/0  
Motion carries

The following board members voted aye:

John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Fatmah H. Albaaj, M.D. – Unapproved foreign medical school:**

Dr. Albaaj is requesting a waiver of the approved foreign medical school rule. Dr. Albaaj attended the Medical University of the Americas (West Indies), which is neither an approved or disapproved foreign medical school recognized by Indiana.

Dr. Albaaj completed the ECFMG on June 7, 2011 and completed his residency at Columbus Regional Healthcare from June 2012 to August 2015. He also completed a Fellowship in Geriatric Medicine at Beaumont Health Care System from October 2015 to October 2016.

He submitted a letter of recommendation from John Bucholtz, D.O., Program Director, Family Medical Residency Program, Columbus Regional Healthcare located in Columbus GA.

He is fully licensed in Ohio and Michigan and held a training permit in the state of Georgia.

He has not had any malpractice actions.

After discussion, the Board moved to APPROVE his request for a WAIVER therefore approving his Licensure Application.

Strobel/Barai, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Norman Lee, Initial App – Request waiver of USMLE three attempts rule:**

Dr. Lee took four (4) attempts to pass the NBME Part 1; seven (7) attempts to pass USMLE Part 2; and four (4) attempts to pass USMLE Part 3.

**844 IAC 4-4.5-12 Passing requirements for United States Medical Licensing Examination**

Authority: IC 25-22.5-2-7

Affected: IC 25-22.5-3-1; IC 25-22.5-3-2

Sec. 12. The following are the examination passing requirements for licensure:

(1) A score of seventy-five (75) is the minimum passing score for all steps of the United States Medical Licensing Examination (USMLE).

(2) An applicant may have a maximum of three (3) attempts to pass each step of the USMLE. Therefore, upon the third

seating of each step of the exam, the applicant must obtain a passing score.

(3) All steps of the USMLE must be taken and successfully passed within a ten (10) year time period. This ten (10) year period begins when the applicant first passes a step, either Step I or Step II. In counting the number of attempts regarding USMLE steps, previous attempts on the National Board Medical Examination and the examination of the Federation of State Medical Boards of the United States are included.

The Board reviewed Dr. Lee's application and noted that he is licensed in the following states: Florida, New Jersey, New York, Pennsylvania and Washington. He is also Board Certified in Radiology.

After discussion, the Board moved to APPROVE Dr. Lee's application for licensure.

Busk/Strobel, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Howard Katz, M.D., License No. 01078749A – Renewal:**

Dr. Katz submitted his renewal application and answered positive to the question regarding malpractice action.

He settled a malpractice claim in 1992 for \$87,500 and another in 2012 for \$42,285.

After reviewing the documentation the Board moved to APPROVE Dr. Katz's license renewal.

Strobel/Barai, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**DISCUSSION**

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Bharat Barai, M.D., Michael Busk, M.D.

## **Citations**

The following physician(s) failed to timely certify a death certificate.

- Ehab Alshurbaji, M.D., License No. 01078037A
- Ikeadi Ndukwu, M.D., License No. 01038955A

After discussion, the Board moved to IMPOSE a FINE of TWO HUNDRED AND FIFTY (\$250.00) DOLLARS for failing to timely certify a death certificate.

Barai/Busk, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

The Board reviewed the death certificate information on the following physicians:

- Cristina Robinson, M.D., License No. 0104067A
- Okechi Nwabara, M.D., License No. 01033511A
- Jennifer Clark, M.D., License No. 01082534A
- Omar Rahman, M.D., License No. 01070543A
- Christopher Quinn, M.D., License No. 01038532A

After discussion the Board moved that these Physicians DID NOT fail to timely certify a death certificate.

Barai/Busk, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

### **Nabeel Uwaydah, M.D., License No. 11020594A – correspondence review:**

Dr. Uwaydah is under contract with ISMA and did not answer positive on his license renewal. His employer thought he should have, so they requested he report it to the Board. – FYI

### **ABUCM – review correspondence:**

FYI

**USMLE Policy Change on exam scores and potential rulemaking:**  
FYI

**Attorney General's Office – Delegations:**  
Continued to next meeting

**Rupen Amin, M.D., License No. 01081343A – Waiver modification request:**  
In 2018 Dr. Amin was granted a waiver request for licensure. He is still employed with the same organization, but is requesting to also work in Texas. He will be working with the underserved in TX.

After discussion, the Board moved to APPROVE his request to change his waiver to allow him to apply for a TX license.

McCann/Busk, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**FSMB Annual Meeting Scholarship Program:**

Dr. Strobel and Laura Turner, J.D., Board Director, will both be going to the FSMB meeting. There is still a Public Members spot to be filled. After discussion, the Board moved to TABLE this discussion when all members are present. Laura will send out an email to see if anyone is interested.

CONSENSUS  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**APPLICATION REVIEW**

Participating Board Members: John Strobel, M.D., Victoria McCann, J.D., Bharat Barai, M.D., Michael Busk, M.D.



The following applications were reviewed:

- Jordan Vantress, Acupuncturist – additional documentation requested
- Kumudchandra Shah, M.D. – personal appearance requested
- Arlette Brown, M.D. – personal appearance requested

### **ADMINISTRATIVE HEARINGS**

The following matter(s) were continued:

- **Erick A. Falconer, M.D., License No. 01080938A, Cause No., 2018 MLB 0027**
- **Robert Tenofsky Ealy, M.D., License No. 01049535A, Cause No. 2018 MLB 0024**

#### **Darryl Henry, M.D., License No. 01063685A, Cause No. 2019 MLB 0039**

Respondent failed to appear in person and was not represented by counsel regarding a Summary Suspension scheduled before the Board. The State of Indiana was represented by Melinda Pickett, Deputy Attorney General and the court reporter sworn in for this matter was Margie Addington with Accurate Reporting Services.

Ms. Pickett informed the Board that the criminal case in this matter is still pending. The trial is currently scheduled for September 2020.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to EXTEND the SUMMARY SUSPENSION for ninety (90) days.

Barai/Busk, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

#### **Roozbeh Badii, M.D., License No. 01076026A, Cause No. 2019 MLB 0045**

Respondent failed to appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Alissa Servies, Deputy Attorney General and the court reporter sworn in for this matter was Margie Addington with Accurate Reporting Services.

A voluntary dismissal has been filed by the Attorney General's Office. Ms. Servies indicated that the Respondent appeared before the Board on a personal appearance for his license renewal. It was on this same issue so the Board has already acted upon it.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to DISMISS this matter.

Busk/Barai, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Elizabeth Bates, M.D., License No. 01050089A, Cause No. 2019 MLB 0018**

Respondent appeared in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter sworn in for this matter was Margie Addington with Accurate Reporting Services.

Please note for the record that Brian Park, J.D., Board's counsel recused himself from this matter and Ned Hannah, J.D. appeared as the Board's counsel.

A proposed settlement agreement between the Respondent and the Attorney General's Office was presented to the Board. The settlement agreement included INDEFINITE PROBATION with terms and conditions.

After reviewing the agreement and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to APPROVE the SETTLEMENT AGREEMENT.

Barai/McCann, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

The Board further moved to APPROVE the Respondent's license RENEWAL on AGREED INDEFINITE PROBATION.

McCann/Barai, 4/0/0  
Motion carries

The following board members voted aye:

John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Elena Cherniavski, M.D., License No. 01070852A, Cause No. 2019 MLB 0041**

Respondent failed to appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Alissa Servies, Deputy Attorney General and the court reporter sworn in for this matter was Margie Addington with Accurate Reporting Services.

After reviewing the agreement and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to issue a NOTICE of PROPOSED DEFAULT.

Barai/McCann, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Dennis B. Pursel, M.D., License No. 01022780A, Cause No. 2019 MLB 0013**

Respondent failed to appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Paul Schilling, Deputy Attorney General and the court reporter sworn in for this matter was Margie Addington with Accurate Reporting Services.

A proposed settlement agreement between the Respondent and the Attorney General's Office was presented to the Board. The settlement agreement included a LETTER OF REPRIMAND.

After reviewing the agreement and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to APPROVE the SETTLEMENT AGREEMENT.

Barai/Busk, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Steven Svabek, D.O., License No. 02002210A, Cause No. 2019 MLB 0044**

Respondent failed to appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Alissa Servies, Deputy Attorney General and the court reporter sworn in for this matter was Margie Addington with Accurate Reporting Services.

A proposed settlement agreement between the Respondent and the Attorney General's Office was presented to the Board. The settlement agreement included a LETTER OF REPRIMAND.

After reviewing the agreement and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to APPROVE the SETTLEMENT AGREEMENT.

Barai/Busk, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Marco Anthony Zolezzi, M.D., License No. 01076936A, Cause No. 2019 MLB 0040**

Respondent appeared in person and was represented by counsel, Ryan Sullivan regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Whitney Cooper, Deputy Attorney General and the court reporter sworn in for this matter was Margie Addington with Accurate Reporting Services.

A proposed settlement agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board. The settlement agreement included AGREED RETIREMENT with terms and conditions.

After reviewing the agreement and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to APPROVE the SETTLEMENT AGREEMENT.

Barai/McCann, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Russel J. Legreid, M.D., License No. 01074428A, Cause No. 2020 MLB 0010**

Respondent failed to appear in person and was represented by counsel, Michael Gardte regarding a Summary Suspension scheduled before the Board. The State of Indiana was represented by Alissa Servies, Deputy Attorney General and the court reporter sworn in for this matter was Margie Addington with Accurate Reporting Services.

A proposed settlement agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board. The settlement agreement included a SUMMARY SUSPENSION for ninety (90) days.

After reviewing the agreement and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to APPROVE the SETTLEMENT AGREEMENT.

McCann/Busk, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Terrence D. Haffner, M.D., License No. 01049031A, Cause No. 2015 MLB 0030**

Respondent failed to appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Melinda Pickett, Deputy Attorney General and the court reporter sworn in for this matter was Margie Addington with Accurate Reporting Services.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to issue a NOTICE of PROPOSED DEFAULT this matter.

McCann/Strobel, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

**Robert C. Beesley, M.D., License No. 01026194A, Cause No. 2019 MLB 0042**

Respondent failed to appear in person and was not represented by counsel regarding an Appeal Hearing scheduled before the Board. The State of Indiana was not

represented in this matter and the court reporter sworn in for this matter was Margie Addington with Accurate Reporting Services.

Dr. Beesley wrote the board a letter appealing a death certificate citation issued by the Board. He indicated that the death certificate was held up by the Coroner's office.

After reviewing the documentation presented and taking official, judicial notice of the pleadings evidence and orders in this matter the Board moved to GRANT the APPEAL.

Barai/Busk, 4/0/0

Motion carries

The following board members voted aye:

John Strobel, Michael Busk, Victoria McCann, Bharat Barai

The following board members voted nay: none

The following board members abstained: none

**Paul O'Brien, D.O., License No. 02002928A, Cause No. 2017 MLB 0012**

Respondent failed to appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter sworn in for this matter was Margie Addington with Accurate Reporting Services.

Candace Backer, Physician Assistant Coordinator, ISMA (PAP) was sworn in as a witness for the State.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to hold the Respondent's license in DEFAULT.

Barai/Busk, 4/0/0

Motion carries

The following board members voted aye:

John Strobel, Michael Busk, Victoria McCann, Bharat Barai

The following board members voted nay: none

The following board members abstained: none

The Respondent appeared before the Board in December 2018, his license was reinstated on Indefinite Probation and was ordered to sign a contract with ISMA (PAP).

Ms. Backer testified that Dr. O'Brien's case was closed in October 2019 due to lack of communication. He has moved to another state and they couldn't transfer his contract as he doesn't have a license in that state.

After having considered the evidence presented and taking official, judicial notice of the

pleadings, evidence and orders in this matter the Board moved to place the Respondent's license on INDEFINITE SUSPENSION.

Barai/McCann, 4/0/0  
Motion carries

The following board members voted aye:  
John Strobel, Michael Busk, Victoria McCann, Bharat Barai  
The following board members voted nay: none  
The following board members abstained: none

There being no further business, the meeting adjourned at 12:15 p.m.