

## **MEDICAL LICENSING BOARD OF INDIANA**

### **Met THROUGH VIDEO and AUDIO CONFERENCING**

<https://IndianaEnhanced.Webex.com/join/PLAWebex>  
(240) 454-0887 and entering meeting room # 610 915 440

### **MINUTES OF FEBRUARY 25, 2021**

Victoria McCann, J.D., Secretary, called the meeting to order at 8:10 a.m. and declared a quorum in accordance with IC 25-22.5, pursuant to public notice posted online at the Board's website and on the state calendar at least forty-eight (48) hours before the time of the meeting.

Members Present by Telephone: Victoria McCann, J.D., Secretary  
Bharat Barai, M.D., Member  
Heidi Dunniway, M.D., Member (in at 9:38am)  
Michael Busk, M.D., Member  
Rebecca Mueller, M.D. Member

Member(s) Absent: John Strobel, M.D., President  
Kirk Masten, D.O., Vice President

Staff Present by Telephone: Laura Turner, J.D., Board Director  
Professional Licensing Agency  
Jody Edens, Assistant Director  
Professional Licensing Agency  
James Harry, J.D., Deputy Attorney  
General  
Office of the Attorney General  
Adam Harvey, J.D., Deputy Attorney  
General  
Office of the Attorney General

The Board voted by roll call to adopt the agenda as amended.

Mueller/Busk, 4/0/0  
Motion carries

The following board members voted aye by roll call:  
Bharat Barai, Heidi Dunniway, Michael Busk, Rebecca Mueller  
The following board members objected: none  
The following board members abstained: none

## **PERSONAL APPEARANCES**

The following Personal Appearance(s) were cancelled:

### **Dolly Boughaba, M.D., License No. 01072116A, License Renewal – Positive Response**

The following Personal Appearance did not appear for the schedule appearance:

### **Donovan Thompson, M.D., Initial Application – Positive Response**

#### **Syed Ather, M.D., Initial Application – Positive Response:**

Dr. Ather appeared telephonically and was not represented by counsel regarding a positive response on his initial application.

In fifteen (15) years of practice, Dr. Ather has one (1) malpractice action. He indicated it was a thirty-eight (38) year old male with multiple gunshot wounds who passed away. A one (1) million-dollar settlement was made by the insurance company on his behalf.

He is currently practicing in Texas and is board certified in Family Medicine.

He also discussed a 'wrong medication dispensed' that was on his NPDB report. He indicated there was kidney failure due to an allergic reaction to the medication, that allegedly increased rate of decline for his pre-existing kidney disease.

After discussion, the Board moved to TABLE his initial application for additional information about the malpractice action.

Mueller/Busk, 4/0/0  
Motion carries

The following board members voted aye by roll call:  
Bharat Barai, Michael Busk, Tory McCann, Rebecca Mueller

The following board members objected: none

The following board members abstained: none

### **Peter Jassal, M.D., Initial Application – Positive Response**

Dr. Jassal appeared telephonically and was not represented by counsel regarding a positive response on his initial application.

Dr. Jassal was terminated from his position as a Anesthesiologist at a hospital because he adjusted a patient's neck while on duty as an Anesthesiologist. At the time he was also an Acupuncturist and was a Chiropractor but wasn't credentialed as one with the hospital, so he was working out of the position he was hired and credentialed for.

He is currently working in Ohio and is also licensed in New York.

After discussion, the Board moved to APPROVE Dr. Jassal's initial application.

Mueller/Busk, 5/0/0  
Motion carries

The following board members voted aye by roll call:  
Heidi Dunniway, Bharat Barai, Michael Busk, Tori McCann, Rebecca Mueller  
The following board members objected: none  
The following board members abstained: none

**Jamie Sheperd, M.D., Initial Application – Positive Response**

Dr. Sheperd appeared telephonically and was not represented by counsel regarding a positive response on his initial application.

Dr. Sheperd's North Dakota license was placed on suspension on September 17, 2014. Subsequently, his Illinois license was suspended on October 14, 2014, and the Board followed by revoking his license. His California license was revoked on May 7, 2015.

He was physically assaulted and spent seventeen (17) days in the ICU. He had been drinking and his BAC was .20. He ended up with double vision. He was on a leave of absence with Trinity Health. He currently does medical reviews for attorneys.

He last saw a patient on November 5, 2020, when he did a minor procedure on a patient.

The Board suggested he needs to clean up the other states, take the SPEX, obtain an addictionology evaluation and have a plan to update his clinical skills.

Dr. Sheperd requested to withdraw his application.

After discussion, the Board moved to APPROVE Dr. Sheperd's request to withdraw.

Barai/Busk, 4/0/0  
Motion carries

The following board members voted aye by roll call:  
Bharat Barai, Michael Busk, Tori McCann, Rebecca Mueller  
The following board members objected: none  
The following board members abstained: none

**Evan-Jacob Garcia, M.D., Initial Application – Positive Response**

Dr. Garcia appeared telephonically and was not represented by counsel regarding a positive response on his initial application.

Dr. Garcia explained that he missed some of his clinic duties due to family issues. He told them he had scheduled step 3 of the USMLE, but he had not done so yet. His current program does not know about it.

After discussion, the Board moved to APPROVE Dr. Garcia's initial application.

Barai/Busk, 4/0/0  
Motion carries

The following board members voted aye by roll call:  
Bharat Barai, Michael Busk, Tori McCann, Rebecca Mueller  
The following board members objected: none  
The following board members abstained: none

**Rajat Prakash, M.D., Initial Application – Sexual Treatment Program Approval**

Dr. Prakash appeared telephonically and was represented by counsel, Eliot Pinke, regarding a request for approval of a sexual treatment program.

Mr. Pinkie suggested Dr. Prakash attend Acumen's program.

Anne Kelley, Case Manager with ISMA explained to the Board that ISMA has worked with this program in the past, but this is not in ISMA's realm of purview.

After discussion, the Board indicated that Acumen was fine for him to go to and requested staff keep his file open.

**Sharon Ransom, M.D., License Renewal – Positive Response**

Dr. Ransom appeared telephonically and was not represented by counsel regarding a positive response on his initial application.

Dr. Ransom's license renewal was tabled by the Board at their October 9, 2020, meeting for AMA report; NPDB report, three (3) letters from previous employers: hospital in Ohio, IN and a letter from Albuquerque NM and they would like to see the case logs from them too.

Dr. Ransom submitted the additional documentation for the Board's review.

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

Barai/Dunniway, 5/0/0

Motion carries

The following board members voted aye by roll call:  
Bharat Barai, Michael Busk, Tori McCann, Rebecca Mueller, Heidi Dunningway

The following board members objected: none

The following board members abstained: none

**Byron Butterfield, R.D., License Renewal – Positive Response**

Mr. Butterfield appeared telephonically and was not represented by counsel regarding a positive response on his initial application.

Mr. Butterfield explained that while going through a bad divorce, he was drinking and received a DUI. He was placed on court probation and eventually he completed it after completing his community service.

His BAC was .015. He is with Hamilton Addiction Center.

After discussion, the Board moved to TABLE Mr. Butterfield's renewal for him to obtain a letter from Hamilton Center regarding his compliance.

Mueller/Dunningway, 5/0/0

Motion carries

The following board members voted aye by roll call:  
Bharat Barai, Michael Busk, Tori McCann, Rebecca Mueller, Heidi Dunningway

The following board members objected: none

The following board members abstained: none

**Eldin Karaikovic, M.D., Initial Application – Waiver of USMLE Three (3) Attempts**

**Rule:**

Dr. Karaikovic appeared telephonically and was not represented by counsel regarding a waiver request on his initial application.

Rachel Mullins appeared telephonically on behalf of Dr. Karaikovic. She is with Northshore Health Centers that wishes to employ Dr. Karaikovic.

Ms. Mullins stated that Northshore Health Centers is a federally qualified health center and they see Medicaid and uninsured patients.

Dr. Karaikovic is licensed in five (5) states: IL, NC, MI, MO and LA.

He also taught at the University of Missouri and is now teaching in Chicago. He is board certified in Orthopedics.

He also submitted several letters of recommendation for the Board to review.

He passed step 2 of the USMLE on his fourth (4<sup>th</sup>) attempt.

After discussion, the Board moved to APPROVE his WAIVER request, thus approving his initial application. The waiver was approved based upon the fact that his employer appeared on his behalf, will be working in an underserved area, is board certified, teaches at medical school in Chicago, licensed in 5 states and submitted several letters of recommendation.

Mueller/Busk, 5/0/0  
Motion carries

The following board members voted aye by roll call:  
Bharat Barai, Michael Busk, Tori McCann, Rebecca Mueller, Heidi Dunningway  
The following board members objected: none  
The following board members abstained: none

**Alton Parker, M.D., Initial Application – Waiver of Denied Medical School:**

Dr. Parker appeared telephonically and was not represented by counsel regarding a waiver request on his initial application.

Dr. Parker graduated from St. Matthews, Grand Cayman Islands. St. Matthews was put on the Board's list of denied medical schools on December 5, 2002. At that time most of the denied schools came from California's denied list. California no longer investigates/reviews the medical schools in foreign countries.

The Board review the following information submitted by Dr. Parker:

- Graduated from St. Matthews on February 3, 2004
- Has ECFMG
- Passed all three (3) steps of the USMLE on the first attempt
- St. Matthews is now in the World Directory of Medical Schools
- He is licensed in the following states: MI, MO, UT, WY, CO, and FL
- He completed his Post Graduate Training at Henry Ford Hospital and Wayne State University in Chicago, IL

After discussion, the Board moved to APPROVE Dr. Parker's WAIVER therefore approving his initial application.

Busk/Dunningway, 5/0/0  
Motion carries

The following board members voted aye by roll call:  
Bharat Barai, Michael Busk, Tori McCann, Rebecca Mueller, Heidi Dunningway  
The following board members objected: none  
The following board members abstained: none

## ADMINISTRATIVE HEARINGS

The following administrative hearing(s) were continued:

**Julie Chao, M.D., License No. 01041554A, Cause No. 2020 MLB 0025**

**John P. Honningford, M.D., License No. 01056668A, Cause No. 2019 MLB 0002**

Respondent appeared telephonically and was not represented by counsel regarding a Proposed Settlement Agreement scheduled before the Board. The State of Indiana was represented by Patricia Gibson, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services, also appeared telephonically.

Let the record reflect that Heidi Dunningway recused herself from this matter and left the meeting.

The proposed settlement agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board. The proposed settlement agreement included REVOCATION of Dr. Honningford's license.

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

Mueller/Busk, 4/0/0  
Motion carries

The following board members voted aye by roll call:  
Bharat Barai, Michael Busk, Tori McCann, Rebecca Mueller

The following board members objected: none

The following board members abstained: none

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

Respondent did not appear telephonically and was not represented by counsel regarding a Summary Suspension Extension scheduled before the Board. The State of Indiana was represented by Erika Steuerwald, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

The circumstances in this matter have not changed.

After 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.

Dunniway/Busk, 4/0/0  
Motion carries

The following board members voted aye by roll call:  
Bharat Barai, Michael Busk, Heidi Dunniway, Rebecca Mueller  
The following board members objected: none  
The following board members abstained: none

**Jarrold Hufford, R.D., C.D., License No. 37002858A, Cause No. 2019 MLB 0020**

Respondent appeared telephonically and was not represented by counsel regarding a Petition to Withdraw the Order of Probation 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, Margie Addington with Accurate Reporting Services also appeared telephonically.

Mr. Hufford's license has been on probation since January 2019. He has completed the required fifteen (15) hours of continuing education.

He is employed at Lutheran Hospital in Fort Wayne, IN and has not had any disciplinary action at work.

He has been compliant with his probation order.

After taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to WITHDRAW the Order of Probation from Mr. Hufford's license.

Dunniway/Busk, 4/0/0  
Motion carries

The following board members voted aye by roll call:  
Bharat Barai, Michael Busk, Heidi Dunniway, Rebecca Mueller  
The following board members objected: none  
The following board members abstained: none

**Jay K. Joshi, M.D., License No. 01074818A, Cause No. 2018 MLB 0005**

Respondent appeared telephonically and was represented by counsel, Geoffrey Giorgi regarding a Petition to Reinstate/License Renewal scheduled before the Board. The State of Indiana was represented by Amanda Cassidy, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

Julian Unger, M.D., was sworn in as a witness.

Dr. Joshi's license was placed on summary suspension in January 2018 and by a



settlement agreement it was placed on Indefinite Suspension for not less than fifteen (15) months based upon the following.

In 2018, he was charged with four (4) counts of prescribing a schedule II-controlled substance, hydrocodone, outside the scope of professional practice and not for a legitimate medical purpose. The Respondent was practicing at Prestige Clinics in Munster Indiana. INSPECT data revealed that since April of 2017, Dr. Joshi issued over six thousand (6,000) controlled substances and ranked first in Lake County, Indiana and 9<sup>th</sup> in the State of Indiana for the number of controlled substances written. They also found that on four (4) instances he prescribed hydrocodone to an individual after a cursory medical examination.

Dr. Joshi pled guilty in the United States District Court for Northern District of Indiana to one (1) count, count four (4) of Sell, Distribute or Dispense Hydrocodone. The other counts were dismissed.

Dr. Joshi was sentenced to fifteen (15) months in Prison followed by three (3) years supervised release and a \$7,500 fine was imposed.

Dr. Josh submitted to the Board a copy of his CPEP evaluation report, which stated in part the Assessment Findings and Overall Recommendations they had for him. He said that it indicated he needed more education and that it would be fine to obtain while working and there were also gaps in areas of practice.

Dr. Unger testified that Dr. Joshi did a two (2) day observatorship that lasted eight (8) hours each day. And he submitted a plan of reentry to the Board to review.

Dr. Unger trained in England and did a fellowship at Columbia University in New York. He indicated in his monitoring that Dr. Joshi will not be able to touch a patient without Dr. Unger being with him.

Dr. Joshi also submitted letters of recommendation.

After taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to REINSTATE Dr. Joshi's license on INDEFINITE PROBATION with terms and conditions.

Dunniway/Mueller, 4/0/0  
Motion carries

The following board members voted aye by roll call:  
Bharat Barai, Michael Busk, Heidi Dunniway, Rebecca Mueller  
The following board members objected: none  
The following board members abstained: none

**Frank Spendal, M.D., License No. 01038276A, Cause No. 2020 MLB 0027**

Respondent did not appear telephonically and was not represented by counsel regarding a Complaint/Summary Suspension Extension/Proposed Settlement Agreement scheduled before the Board. The State of Indiana was represented by Erika Steuerwald, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

A proposed settlement agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board. The proposed settlement agreement included SUMMARY SUSPENSION EXTENSION for Sixty (60) days and to schedule his hearing for April 22, 2021, meeting.

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

Dunniway/Busk, 4/0/0  
Motion carries

The following board members voted aye by roll call:  
Bharat Barai, Michael Busk, Heidi Dunniway, Rebecca Mueller  
The following board members objected: none  
The following board members abstained: none

**Michael Yergler, M.D., License No. 01054829A, Cause No. 2020 MLB 0035**

Respondent did not appear telephonically and was represented by counsel, Jim Bleeke regarding a Complaint/Final Hearing/Proposed Settlement Agreement scheduled before the Board. The State of Indiana was represented by Tim Weber, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

A proposed settlement agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board. The proposed settlement agreement included a LETTER OF REPRIMAND, a FINE to be determined by the Board and TWELVE (12) HOURS OF CONTINUING EDUCATION in safe compounding practices.

After reviewing the proposed settlement agreement and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to APPROVE the SETTLEMENT AGREEMENT and set the FINE at \$500.

Mueller/Dunniway, 4/0/0  
Motion carries

The following board members voted aye by roll call:  
Bharat Barai, Michael Busk, Heidi Dunniway, Rebecca Mueller  
The following board members objected: none

The following board members abstained: none

There being no further business the Board adjourned at 2:30 p.m.