

MEDICAL LICENSING BOARD OF INDIANA

Met THROUGH VIDEO and AUDIO CONFERENCING

VIDEO CONFERENCING: <https://IndianaEnhanced.Webex.com/join/PLAWebex>

AUDIO CONFERENCING: (240) 454-0887 and entering meeting room # 610 915 440

MINUTES OF AUGUST 27, 2020

John Strobel, M.D., President, called the meeting to order at 8:05 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 Virtually: John Strobel, M.D., President
 Kirk Masten, D.O., Vice President (in at 9:30a.m.)
 Victoria McCann, J.D., Secretary
 Bharat Barai, M.D., Member
 Rebecca Mueller, M.D., Member
 Heidi Dunniway, M.D., Member

Member(s) Absent: Michael Busk, M.D., Member

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

The Board voted by roll call to adopt the agenda.

Dunniway/Barai, 4/0/0
Motion carries

The following board members voted aye by roll call:
John Strobel, Bharat Barai, Victoria McCann, Heidi Dunniway
The following board members objected: none
The following board members abstained: none

The Board voted by roll call to adopt the minutes of May 26, 2020 and June 25, 2020 and July 23, 2020 as written.

Strobel/Mueller, 5/0/0
Motion carries

The following board members voted aye by roll call:
Victoria McCann, John Strobel, Bharat Barai, Rebecca Mueller, Heidi Dunningway
The following board members objected: none
The following board members abstained: none

PERSONAL APPEARANCES

The following personal appearance was continued:

- **Helen Flippin, M.D., Initial Application**

Bryan Wood, M.D., Initial Application

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

He was convicted of seventeen (17) counts of Health Care Fraud – Aiding and Abetting in Kentucky. He was sentenced to twenty-one (21) months in Federal Prison. He indicated he served from March 2018 through August 2019 and was released early for good behavior. He was also issued criminal monetary penalties: Assessment \$1,700.00; Fine \$10,000; Restitution \$3,378.00

He was excluded from Medicare and Medicaid and all Federal health care programs for five (5) years.

His Kentucky medical license was by an Agreed Order placed on Restricted/Limited for an indefinite period with terms and conditions. He also has an MOU with DEA.

After discussion, the Board moved to APPROVE Dr. Wood's license on INDEFINITE PROBATION which may not be lifted until his Kentucky license and DEA have been fully reinstated with terms and conditions.

Strobel/Barai, 5/0/0
Motion carries

The following board members voted aye by roll call:
Victoria McCann, Heidi Dunningway, John Strobel, Bharat Barai, Rebecca Mueller
The following board members objected: none
The following board members abstained: none

Ibrahim Sadek, M.D., Initial Application:

Dr. Sadek appeared telephonically and was not represented by counsel regarding his initial application.

In reviewing Dr. Sadek's application it was found that he answered question twelve (12) 'no' on his application which was incorrect. He received a letter of warning from Iowa in 2018 for this same thing.

During his residency he was placed on probation due to "slow milestones". He failed to report this on his Iowa application in 2018 and was given a letter of warning.

Again, on his Indiana application he answered the question incorrectly.

He apologized to the Board for answering it incorrectly.

After discussion, the Board moved to APPROVE his initial application and to ISSUE a \$500 Citation for answering incorrectly on his application.

Barai/Mueller, 5/0/0
Motion carries

The following board members voted aye by roll call:

Victoria McCann, Heidi Dunniway, John Strobel, Bharat Barai, Rebecca Mueller

The following board members objected: none

The following board members abstained: none

Yancey Holmes, M.D., Initial Application:

Dr. Holmes appeared telephonically and was not represented by counsel regarding his initial application.

Dr. Holmes informed the Board that his Kentucky license was placed on Unrestricted Probation for a period of five (5) years, until November 2024. It was disciplined as he was self-prescribing testosterone Cypionate and he was non-compliant with Kentucky's CASPER program.

He also informed the Board he has a MOU with DEA.

After discussion the Board moved to APPROVE Dr. Holmes' initial application on INDEFINITE PROBATION to mirror the Kentucky order with terms and conditions.

Barai/Dunniway, 5/0/0
Motion carries

The following board members voted aye by roll call:

Victoria McCann, Heidi Dunniway, John Strobel, Bharat Barai, Rebecca Mueller

The following board members objected: none

The following board members abstained: none

Richard Stewart, D.O. Initial Application:

Dr. Stewart appeared telephonically and was not represented by counsel regarding his initial application.

In November 2016, Dr. Stewart sought treatment with the Kentucky Physicians Health Foundation for alcohol dependency.

He signed a contract with ISMA(PAP) on August 3, 2020 that will run concurrent with his Kentucky contract. His sobriety date is November 26, 2016.

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

Strobel/Barai, 5/0/0
Motion carries

The following board members voted aye by roll call:

Victoria McCann, Heidi Dunniway, John Strobel, Bharat Barai, Rebecca Mueller

The following board members objected: none

The following board members abstained: none

Timothy Roche, D.O., Initial Application:

Dr. Roche appeared telephonically and was not represented by counsel regarding his initial application.

Dr. Roche has been out of the practice of medicine for several years. On August 23, 2015 his New York medical license was placed on a five (5) year suspension. In 2014 he surrendered his New York medical license due to burn out.

The Board indicated to Dr. Roche that they feel he needs to clean up his New York license first.

After discussion, the Board APPROVED Dr. Roche's request to WITHDRAW his application.

CONSENSUS
Motion carries

The following board members voted aye by roll call:

Victoria McCann, Heidi Dunniway, John Strobel, Bharat Barai, Rebecca Mueller

The following board members objected: none

The following board members abstained: none

Mary Barnett, M.D., Initial Application:

Dr. Barnett appeared telephonically and was not represented by counsel regarding his initial application.

Dr. Barnett informed the Board that she was placed on suspension in her Residency due to absenteeism which occurred due to depression and burn out.

She was on probation in the program from May 2018 to July 2018 after three (3) periods of non-probationary remediation for professionalism lapses all regarding absenteeism. She was then suspended for the same from March 5, 2019 through March 11, 2019.

On March 25, 2019 she was dismissed from Franciscan Alliance Residency program.

After discussion, the Board moved to TABLE Dr. Barnett's application and requested she obtain a Comprehensive Psychiatric evaluation with a mental health care provider. She must reappear once the evaluation is obtained.

Strobel/Barai, 5/0/0
Motion carries

The following board members voted aye by roll call:

Victoria McCann, Heidi Dunniway, John Strobel, Bharat Barai, Rebecca Mueller

The following board members objected: none

The following board members abstained: none

Arlette Brown, M.D., Initial Application:

Dr. Brown appeared telephonically and was not represented by counsel regarding his initial application.

Dr. Brown has practiced in Chicago for the past fifteen (15) years as an OB/GYN. She has had three malpractice actions. One (1) is currently pending in which the patient dies and she settled one (1) in 2016 and one (1) in 2012.

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

Strobel/Dunniway, 5/0/0
Motion carries

The following board members voted aye by roll call:

Victoria McCann, Heidi Dunniway, John Strobel, Bharat Barai, Rebecca Mueller

The following board members objected: none

The following board members abstained: none

Emad Kowatli, M.D., License #01056842A Reinstatement Renewal:

Dr. Kowatli appeared telephonically and was not represented by counsel regarding his

initial application.

Dr. Kowatli appeared before the Board in July 2020 and presented the following information:

He is currently practicing in Dubai India. He last practiced in the United States thirteen (13) years ago.

In 1998, the Russell County Medical Center revoked his clinical privileges for unprofessional conduct. This was based upon four (4) issues, changing of orders when called in as a consultant without discussing the patient's care with the attending physician; going beyond the scope of requested consultation; refusing to utilize the Hospital's blood transfusion consent form and refusing to disclose the risk of transmission of HIV to patients having a blood transfusion; failing to obtain appropriate informed consent for a procedure; and making abusive and threatening comments to Hospital employees.

In May 2005, the West Virginia Medical Board initiated a complaint against Dr. Kowatli, based upon his entering a guilty plea to two (2) misdemeanors in court. In addition, Dr. Kowatli made a misrepresentation in connection with the same on his WV renewal application.

He entered a consent order with the West Virginia Medical Board. The consent order included a public Reprimand for unprofessional and unethical conduct relating to his guilty plea to the misdemeanors of driving left of center and obstructing an officer and falsifying his license renewal.

In May 2006, the Illinois Medical Board placed Dr. Kowatli's license on refuse to renew indefinitely based upon the West Virginia action.

After discussion, the Board TABLED this matter for additional information. The Board requests the following:

- Letter from his current Hospital that they are JCH accredited and comments regarding Dr. Kowatli's skill set
- Evidence of his board certification
- His medical directors credential

At this time, he submitted the above additional documentation for the Board to review.

After discussion, the Board moved to APPROVE Dr. Kowatli's reinstatement renewal.

Barai/Strobel, 5/0/0
Motion carries

The following board members voted aye by roll call:
Victoria McCann, Heidi Dunniway, John Strobel, Bharat Barai, Rebecca Mueller
The following board members objected: none
The following board members abstained: none

Mahmood Ahmad, M.D., License #01058379A Renewal Positive Response:

Dr. Ahmad appeared telephonically and was not represented by counsel regarding his initial application.

Dr. Ahmad appeared before the Board in May 2020 and presented the following

information:

In June 2016, the Arkansas Board found Dr. Ahmad violated the practice act and ordered him to obtain continuing education in boundaries, prescribing and record keeping. They also stated they would do a random audit on his patient files.

December 2013, the Arkansas Board issued an Emergency Order of Suspension on Dr. Ahmad's license.

February 2015, the Arkansas Board order him to pay \$20,000 in hearing costs and to submit to a random audit of 10 charts within one (1) year. In July 2015, he fulfilled these requirements and his license was returned to active status.

June 2016, Dr. Ahmad surrendered his DEA in Arkansas.

October 2016, the Arkansas Board voted that Dr. Ahmad violated the medical practice act and revoked his license.

November 2013, Dr. Ahmad submitted an initial application to obtain an Alaska medical license. He presented that he was under investigation by Arkansas for allegedly violating the medical prescriptive practice regulations. Alaska determined to issue a consent agreement with a fine and reprimand and ordered monitoring to assure he complied with the Arkansas order.

May 2016, the Alaska issued a Summary Suspension citing allegations he failed to properly assess his patients.

August 2016, the Alaska Board accepted the surrender in lieu of revocation after the Board found that Dr. Ahmad posed a clear and immediate danger to the public health and safety if he continued to practice. They accepted this due to his professional incompetence, gross negligence, repeated negligent conduct and unprofessional conduct, opioid prescribing practices including overprescribing high dose opioids, failing to provided adequate patient assessment and obtain patient background information, failing to provide sufficient monitoring and failing to maintain complete patient records.

December 2018, the Arkansas Board denied his request to reapply for licensure.

After discussion, Dr. Ahmad requested to WITHDRAW his initial application, which the Board approved.

Nothing has changed since his appearance in May, therefore the Board APPROVED Dr. Ahmad's request to WITHDRAW his application for renewal.

CONSENSUS
Motion carries

The following board members voted aye by roll call:
Victoria McCann, Heidi Dunniway, John Strobel, Bharat Barai, Rebecca Mueller
The following board members objected: none
The following board members abstained: none

Philomena Akoh, M.D., Waiver request for USMLE Step 3:

Dr. Akoh appeared telephonically and was not represented by counsel regarding his initial application.

Dr. Akoh has failed the USMLE step 3 six (6) times, coming close but never passing it.

She did complete her residency at St. Louis University and is ECFMG certified. She also submitted two (2) letters of recommendation.

After discussion, the Board moved to TABLE Dr. Akoh's application and APPROVED her to take USMLE Step 3 for the seventh (7th) time.

Barai/Strobel, 6/0/0
Motion carries

The following board members voted aye by roll call:

Victoria McCann, Heidi Dunniway, John Strobel, Bharat Barai, Rebecca Mueller, Kirk Masten

The following board members objected: none

The following board members abstained: none

Ahmed Abdelmeguid, M.D., Waiver request for two (2) years of ACGME Accredited Training:

Dr. Abdelmeguid appeared telephonically and was not represented by counsel regarding his initial application.

Megan Overgard, Associate Director, Graduate Medical Education, Indiana University School of Medicine appeared on behalf of Dr. Abdelmeguid.

Megan explained that most fellowships in Otolaryngology are not ACGME accredited.

Dr. Abdelmeguid completed a one (1) year fellowship and Indiana University and is a J2 VISA holder. His visa expires June 2021.

The following letters of recommendation were received:

- Elisa A. Illing, M.D., Chief, Division of Rhinology and Anterior Skull Base Surgery Associate Residency Program Director, Department of Otolaryngology-Head and Neck Surgery, Indiana University School of Medicine. Dr. Illing stated with his extensive research and clinical training, Dr Abdelmeguid has harnessed a unique practice background which will certainly lend itself to comprehensive, high level Otolaryngology care which will primarily be focused in the underserved populations at Eskenazi and downtown Indianapolis hospitals including Riley, Methodist, and University Hospitals. We anticipate he will be an international leader with his

research and training, and will be happy to provide updates during his one year fellowship at our institution and possibly in the future should we be lucky enough to recruit him to stay in Indianapolis.

- C. Kwang Sung, M.D., MS, Assistant Professor – Division of Laryngology, Resident Program Director, Department of Otolaryngology – Head and Neck Surgery, Stanford University School of Medicine. Dr. Sung stated Dr. Abdelmeguid has been an excellent clinical instructor/fellow with a strong work ethic that will serve him well in his future as an academic laryngologist. I believe Dr. Abdelmeguid has all the assets, personal skills and mindset required to be an excellent laryngologist and would be a welcome member to any otolaryngology department.
- Ehab Y. Hanna, M.D., Professor and Vice Chair for Clinical Affairs; Department of Head and Neck Surgery, Director of Skull Base Surgery, Medical Director, Head and Neck Surgery, Department of Neurosurgery, MD Anderson Cancer Center/University of Texas. Dr. Hanna stated Dr. Abdelmeguid has always demonstrated great interest and enthusiasm in the head and neck and skull base surgery field. All of us in the head and neck department at MD Anderson are very impressed by Dr. Abdelmeguid's professionalism, productivity and self-motivation coupled with his pleasant demeanor and astute mind. He is intelligent, polite and hardworking, and I found that his knowledge and ambition are excellent and highly promising and I feel confident that he will excel not only as a physician and head and neck surgeon but that he may distinguish himself as a leader among his peers. Therefore, he has my full recommendation without reservations.

After discussion, the Board moved to APPROVE Dr. Abdelmeguid's waiver request for two (2) years ACGME Accredited training, approving his initial application.

Barai/Dunniway, 6/0/0
Motion carries

The following board members voted aye by roll call:

Victoria McCann, Kirk Masten, John Strobel, Bharat Barai, Michael Busk, Rebecca Mueller

The following board members objected: none

The following board members abstained: none

ADMINISTRATIVE HEARINGS

Ossama F. Abdellatif, M.D., License No. 01063982A, Cause No. 2019 MLB 0025

Respondent did not appear telephonically and was not represented by counsel regarding an Extension of Summary Suspension 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.

A proposed settlement agreement between the Respondent and the Attorney General's Office was presented to the Board. The proposed settlement agreement included SUMMARY SUSPENSION EXTENSION for NINETY (90) DAYS.

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.

Barai/Dunniway, 6/0/0
Motion carries

The following board members voted aye by roll call:

Victoria McCann, Kirk Masten, John Strobel, Rebecca Mueller, Michael Busk, Heidi Dunniway

The following board members objected: none

The following board members abstained: none

Vinson Michael DiSanto, D.O., License No. 02001789A, Cause No. 2019 MLB 0026

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

Nick Hart, Deputy Attorney General motioned for the Board to VACATE the Summary Suspension Extension.

On April 29, 2020 the Kentucky Board of Medicine placed Dr. DiSanto's license on an order of restriction and the State no longer feels Dr. DiSanto is an immediate threat to the health and safety of Indiana residents.

After taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to DENY the State's request to VACATE the Summary Suspension Extension. Barai/No Second, Motion Fails.

After further discussion and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to VACATE the Summary Suspension Extension.

Masten/Strobel, 5/0/1 with Dr. Barai abstaining
Motion carries

The following board members voted aye by roll call:

Victoria McCann, Kirk Masten, John Strobel, Rebecca Mueller, Heidi Dunniway

The following board members objected: none

The following board members abstained: Bharat Barai

Darryl I. 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 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 Respondent's license has been on Summary Suspension for a while, but the Summary Suspension expired yesterday.

Dr. Henry's criminal case is still pending in Elkhart County, where he has been charged with a Felony involving sexual misconduct.

After taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION

Barai/Dunniway, 6/0/0
Motion carries

The following board members voted aye by roll call:

Victoria McCann, Kirk Masten, John Strobel, Rebecca Mueller, Heidi Dunniway, Bharat Barai

The following board members objected: none

The following board members abstained: none

Ethan Bickelhaupt, M.D., License No. 01076075A, Cause No. 2015 MLB 0051

Respondent appeared telephonically and was not represented by counsel regarding a request 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.

Candace Backer, Case Manager with ISMA (PAP) was sworn in as a witness.

Ms. Backer testified that Dr. Bickelhaupt has been one hundred percent (100%) compliant with his ISMA contract. They released his from his contract in May of this year.

In 2015, Dr. Bickelhaupt's license was placed on Indefinite Probation based upon action in Kansas.

He complied with the terms of probation in Kansas and his license there has now been changed back to active status.

His sobriety date is September 11, 2007. He completed his monitoring program in Kansas on January 15, 2020.

He has been completely compliant with his Indiana probationary order.

He holds three (3) board certifications and teaches residents.

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

Barai/Masten, 6/0/0
Motion carries

The following board members voted aye by roll call:

Victoria McCann, Kirk Masten, John Strobel, Rebecca Mueller, Heidi Dunniway, Bharat Barai

The following board members objected: none

The following board members abstained: none

James Douglas Twomley, M.D., License No. 01041740A, Cause No. 2003 MLB 0016

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

Dr. Twomley has not met the terms in his Suspension Order that must be completed before he can have his license reinstated.

At this time, Dr. Twomley requested to withdraw his request to have his license reinstated.

After taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to APPROVE Dr. Twomley's request to WITHDRAW his request for reinstatement.

CONSENSUS
Motion carries

The following board members voted aye by roll call:

Victoria McCann, Kirk Masten, John Strobel, Rebecca Mueller, Heidi Dunniway, Bharat Barai

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 Final Hearing scheduled before the Board. The State of Indiana was represented by Amanda Elizondo Cassidy, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

A settlement agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board. The settlement agreement included INDEFINITE SUSPENSION for not less than Fifteen (15) months with terms and conditions.

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

Barai/Masten, 6/0/0
Motion carries

The following board members voted aye by roll call:
Victoria McCann, Kirk Masten, John Strobel, Rebecca Mueller, Heidi Dunniway, Bharat Barai

The following board members objected: none
The following board members abstained: none

Michael Love, M.D., License No. 01048505A, Cause No. 2016 MLB 0046

Respondent appeared telephonically and was represented by counsel, Richard Kiefer regarding a Final Hearing 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 settlement agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board. The settlement agreement included INDEFINITE SUSPENSION until June 19, 2021 with terms and conditions.

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

Strobel/Mueller, 6/0/0
Motion carries

The following board members voted aye by roll call:
Victoria McCann, Kirk Masten, John Strobel, Rebecca Mueller, Heidi Dunniway, Bharat Barai

The following board members objected: none
The following board members abstained: none

Marcello Pietrantonio, M.D., License No. 01044452A, Cause No. 2020 MLB 0018

Respondent appeared telephonically and was represented by counsel, J. Fox De Moisey regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by April Keaton, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

After a six (6) day hearing the Kentucky Board disciplined the Respondent's Kentucky medical license. On March 22, 2019 his Kentucky license was placed on restricted/limited for an indefinite period, he was issued a \$30,000 fine.

New York Board revoked his license based upon the actions in Kentucky.

States Exhibit(s):

A – Kentucky Order

A1- Part of Kentucky Order

Respondents Exhibit(s):

1 – Court documents

2 – Additional court documents

3 – Lifeguard completion certificate

After discussion, the Board found the Respondent to be in violation of count 1.

Strobel/Masten, 6/0/0

Motion carries

The following board members voted aye by roll call:

Victoria McCann, Kirk Masten, John Strobel, Rebecca Mueller, Heidi Dunniway, Bharat Barai

The following board members objected: none

The following board members abstained: none

After further discussion, the Board found the Respondent to be in violation of count 2.

Strobel/Masten, 6/0/0

Motion carries

The following board members voted aye by roll call:

Victoria McCann, Kirk Masten, John Strobel, Rebecca Mueller, Heidi Dunniway, Bharat Barai

The following board members objected: none

The following board members abstained: none

After taking official, judicial notice of the pleadings, evidence, and orders in this matter the

Board moved to place the Respondent's license on INDEFINITE PROBATION mirroring his Kentucky probation order with terms and conditions.

Strobel/Masten, 6/0/0
Motion carries

The following board members voted aye by roll call:
Victoria McCann, Kirk Masten, John Strobel, Rebecca Mueller, Heidi Dunniway, Bharat Barai

The following board members objected: none
The following board members abstained: none

Carey Marie Vigor, M.D., License No. 01069925A, Cause No. 2018 MLB 0025

Respondent appeared telephonically and was represented by counsel, Jeff McQuary regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Jessica Krug, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

On July 31, 2018, the Board issued an order compelling physical and psychiatric examination. This order stated that the Respondent, Carrey Vigor, M.D. to submit to a complete physical and psychiatric examination by a qualified practitioner in the state of Indiana. Within five (5) days of this order she was to contact ISMA (PAP) to arrange for this evaluation.

Mr. McQuary requested a continuance for the Respondent to obtain an ISMA evaluation.

After taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to APPROVE the Respondent's request for a CONTINUANCE.

Barai/Masten, 6/0/0
Motion carries

The following board members voted aye by roll call:
Victoria McCann, Kirk Masten, John Strobel, Rebecca Mueller, Heidi Dunniway, Bharat Barai

The following board members objected: none
The following board members abstained: none

The Board further discussed additional sanctions and determined they would NOT add additional sanctions.

Strobel/Barai, 6/0/0
Motion carries

The following board members voted aye by roll call:

Victoria McCann, Kirk Masten, John Strobel, Rebecca Mueller, Heidi Dunniway, Bharat Barai

The following board members objected: none
The following board members abstained: none

The Respondent and the Board agrees to an INDEFINITE SUMMARY SUSPENSION on her license until the resolution of a final hearing.

Strobel/Masten, 6/0/0
Motion carries

The following board members voted aye by roll call:
Victoria McCann, Kirk Masten, John Strobel, Rebecca Mueller, Heidi Dunniway, Bharat Barai

The following board members objected: none
The following board members abstained: none

Mohammed Ranginwala, M.D., Cause No. 2020 MLB 0001

Respondent appeared telephonically and was not represented by counsel regarding an Appeal of Denial of Initial Application scheduled before the Board. The State of Indiana was not represented in this matter and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

Dr. Ringinwala's application was denied because he failed to pass the USMLE Step II until the fourth (4th) try. His medical school is also on Indiana's denied list.

Dr. Ringinwala went to UTESA which was denied by the Board back in 2008.

Dr. Ringinwala has been working in Michigan in an underserved area for the past eleven (11) years.

He is board certified in internal medicine and has licenses in both Michigan and New York.

He has not had any malpractice actions and is Board Certified in Internal medicine.

He wishes to come into Indiana to work in the South Bend area hospital.

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

Barai/Strobel, 3/3/0 with Dr's Masten and Mueller and Ms. McCann objecting
Motion fails

The following board members voted aye by roll call:
John Strobel, Heidi Dunniway, Bharat Barai

The following board members objected: Victoria McCann, Kirk Masten, Rebecca Mueller
The following board members abstained: none

After further discussion, the Board moved to TABLE this matter until next month.

CONSENSUS
Motion carries

The following board members voted aye by roll call:
John Strobel, Heidi Dunniway, Bharat Barai, Victoria McCann, Kirk Masten, Rebecca
Mueller

The following board members objected: none
The following board members abstained: none

Boris Sachakov, M.D., Cause No. 2020 MLB 0011

Dr. Sachakov appeared telephonically and was not represented by counsel regarding an Appeal of Denial of Initial Application scheduled before the Board. The State of Indiana was not represented in this matter and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

Dr. Sachakov was convicted in Federal Court in Brookly, New York, for healthcare fraud committed from 2008 to 2010. He was incarcerated for thirty (30) months.

As a result of this conviction, Dr. Sachakov's license in New York State was revoked in 2013 and his Pennsylvania license was revoked in 2016 due to the New York license revocation as well as being excluded from being a Medicare/Medicaid provider in 2013 for 15 years.

Dr. Sachakov indicated that he can reinstate his licenses that have been revoked, but it will be a very long process.

The Board informed Dr. Sachakov that he needs to have a free and clear active license in either New York or Pennsylvania.

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

Strobel/Masten, 6/0/0
Motion carries

The following board members voted aye by roll call:
John Strobel, Heidi Dunniway, Bharat Barai, Victoria McCann, Kirk Masten, Rebecca
Mueller

The following board members objected: none
The following board members abstained: none

DISCUSSION

Rule Readoption

Participating Members: Victoria McCann, Kirk Masten, John Strobel, Heidi Dunniway, Bharat Barai, Rebecca Mueller

Laura Turner, J.D., Board Director gave the Board copies of the following rules that need to be readopted; 844 IAC 5-6-1; 844 IAC 5-6-4; 844 IAC 5-6-6; 844 IAC 5-6-7; 844 IAC 5-6-9; 844 IAC 5-6-10. She informed the Board that she has filed the notice of intent and they will be able to vote of the readoption at their September or October meeting.

Asha Thomas, M.D., License # 01083232A Provisional license

The Board approved a provisional license for Dr. Thomas at their December 2019 meeting. Dr. Thomas has met all the requirements for the provisional license and has requested the 'provisional' be taken off her license.

After review and discussion, the Board moved to WITHDRAW the Provisional from Dr. Thomas' license.

Strobel/Barai, 6/0/0
Motion carries

The following board members voted aye by roll call:
John Strobel, Heidi Dunniway, Bharat Barai, Victoria McCann, Kirk Masten, Rebecca Mueller

The following board members objected: none
The following board members abstained: none

Dietitian Degree Discussion

Michelle Bojrab, Indiana Academy of Dietitians and Carol Friesen, Ph.D., RDN, Graduate Program Director at Ball State, Samatha Schaefer, President of the Indiana Academy of Dietitians and Pepin Tuma all joined the Board for this discussion.

IC 25-14.5-3-1 Educational requirements

Sec. 1. The board may require a person who applies for licensure as a dietitian under this article to have:

- (1) completed a major course of study in human nutrition, nutrition education, food and nutrition, and dietetics or food systems management; and
- (2) received a baccalaureate or higher degree from a regionally accredited college or university located in the United States or its territories.

As added by P.L.124-1994, SEC.7. Amended by P.L.90-2019, SEC.27.

The above doesn't state you have to have a degree in Dietetics.

Assend is the only accrediting body for Dietitians.

Brian Park indicated the Board can finalize this through the rule process.

When you come back into practice, you can take verification courses and the school will issue the verification statement.

After discussion, the Board reviewed and that the rules indicate you do not have to have a major in dietetic's just course work.

Barai/Dunniway, 5/0/0
Motion carries

The following board members voted aye by roll call:
John Strobel, Heidi Dunniway, Bharat Barai, Victoria McCann, Kirk Masten
The following board members objected: none
The following board members abstained: none

Waiver requests discussion:

Ms. Edens requested this discussion as in the past the Board was very strict about what they accepted for waiver requirements and one specific item was the applicant had to commit to a three (3) year service in an underserved area in Indiana and the employer must appear with them and show that the area in which they would be serving is indeed an underserved area. Plus, there are other requirements.

The Board indicated that they have not been enforcing the requirement and gave Ms. Edens some general information they would like to see. Letters of recommendation, board certification, no malpractice actions, no discipline in other states. They will review the waiver requests on an individual basis.

Ms. Edens thanked the Board for their guidance.

There being no further business the Board adjourned at 4:34 p.m.