

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

**MINUTES OF SEPTEMBER 27, 2018**

Kirk Masten, M.D., Vice President, called the meeting to order at 8:35 a.m. A quorum was declared in accordance with IC 25-22.5.

Members Present: Kirk Masten, D.O., Vice President  
Victoria McCann, J.D., Secretary  
Scott Green, M.D., Member  
Bharat Barai, M.D., Member, arrived at 10:20 a.m.  
Michael Busk, M.D., Member, out at 4:05 p.m.  
Rebecca Mueller, M.D., Member

Members Absent: John Strobel, M.D., President

Staff Present: Darren R. Covington, J.D., Board Director  
Professional Licensing Agency  
Kimberly A. Letko, Assistant Board Director  
Professional Licensing Agency  
James Schmidt, Deputy Attorney General  
Office of the Attorney General

The Board voted to adopt the agenda.

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D., Rebecca Mueller, M.D.

McCann/Green, 5/0/0  
Aye's: Masten, McCann, Green, Busk, Mueller  
Motion carries

The Board voted to adopt the minutes of the August 23, 2018 meeting.

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D., Rebecca Mueller, M.D.

McCann/Green, 4/0/1, Masten recused  
Aye's: McCann, Green, Busk, Mueller  
Motion carries

Green/Busk, 6/0/0  
Ayes: Masten, McCann, Busk, Mueller, Green  
Motion carries

v. Respiratory Care Committee

After discussion the Board approved the Respiratory Care Committee's list as amended.

Busk/Green, 6/0/0  
Ayes: Masten, McCann, Busk, Mueller, Green  
Motion carries

**FULL BOARD APPLICATION REVIEW**

**Larry McMann, M.D. – Unapproved Foreign Medical School**

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D., Rebecca Mueller, M.D.

Dr. McCann is requesting a waiver of the approved medical school rule, due to receiving his degree from the University of Medicine and Health Sciences in St. Kitts. This foreign medical school is not currently listed on Indiana's or California's approved or disapproved foreign medical school lists.

Dr. McCann is Board certified by the American Board of Internal Medicine and attended Wayne State University for his post-graduate training in internal medicine. Dr. McCann holds unrestricted licenses in Michigan and Ohio.

After discussion, the Board moved to schedule Dr. McMann for a personal appearance.

Masten/McCann, 5/0/0  
Aye's: Masten, McCann, Green, Busk, Mueller  
Motion carries

**Sumita Jain, M.D. – Unapproved Foreign Medical School**

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D., Rebecca Mueller, M.D.

Dr. Jain is requesting a waiver of the approved medical school rule, due to receiving his degree from the University of Medicine and Health Sciences in St. Kitts. This foreign medical school is not currently listed on Indiana's or California's approved or disapproved foreign medical school lists.

Dr. Jain completed his residency at the William Beaumont Hospital in Grosse Point, Michigan and is Board certified by the American Board of Family Medicine. Dr. Jain holds unrestricted licenses in South Carolina and Tennessee.

After discussion, the Board moved to schedule Dr. Jain for a personal appearance.

Masten/McCann, 5/0/0  
Aye's: Masten, McCann, Green, Mueller, Busk  
Motion carries

### PERSONAL APPEARANCES

#### Alphonso B. Benton, M.D. – Positive response

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D., Rebecca Mueller, M.D.

Dr. Benton contacted the Assistant Director via email the day before the August 23, 2018 Board meeting and stated that he currently resided in California and would not be able to appear before the Board at that meeting.

The Board rescheduled Dr. Benton's appearance for September 27, 2018, due to his failure to appear at the August 23, 2018 Board meeting.

Dr. Benton answered yes to the following questions on his licensure application:

1. Has disciplinary action ever been taken regarding any health license, certificate, registration or permit you hold or have held?
8. Have you ever had a malpractice judgement against you or settled any malpractice action?

Dr. Benton was reprimanded on January 5, 2017 by the Medical Board of California for failure to maintain adequate or accurate records.

Dr. Benton settled a malpractice suit that resulted in the death of the patient due to premature discharge from institution for ninety thousand (\$90,000.00) dollars.

After discussion, the Board moved to DENY Dr. Benton's application for LICENSURE.

Masten/McCann, 5/0/0  
Aye's: Masten, McCann, Green, Mueller, Busk  
Motion carries

**Sumit Chawla, M.D. – Unapproved foreign medical school**

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D., Rebecca Mueller, M.D.

Dr. Chawla is requesting a waiver of the approved medical school rule, due to receiving his degree from the University of Medicine and Health Sciences in St. Kitts. This foreign medical school is not currently listed on Indiana's or California's approved or disapproved foreign medical school lists.

Dr. Chawla completed his post-graduate training at East Tennessee State University, where he completed an extra year as Chief Resident and is currently in his third year of fellowship in Pulmonary Critical Care at Augusta University (formerly the Medical College of Georgia). Dr. Chawla is Board certified by the American Board of Internal Medicine and has unrestricted licenses in Tennessee, Georgia, South Carolina and Pennsylvania. Dr. Chawla will be sitting for his Pulmonary and Critical Care Boards soon.

After discussion, the Board moved to APPROVE Dr. Chawla's Waiver for LICENSURE in the State of Indiana.

Green/McCann, 5/0/0  
Aye's: Masten, McCann, Green, Mueller, Busk  
Motion carries

**Sunil Kamat, M.D. – Physician providing care via telemedicine outside of the U.S.**

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D., Rebecca Mueller, M.D.

Dr. Kamat appeared via teleconference due to his physical location in Mumbai, India.

Representatives from Dr. Kamat's employer, Remote ICU, LLC, appeared via teleconference, per request by the Board, and was represented by counsel, Maritza Webb, who was physically present before the Board. Representatives from Remote ICU who spoke to the Board via teleconference were Seth Rabinowitz and Dr. Goldstein.

Representatives from Dr. Kamat's contracted employer, Parkview Hospital appeared before the Board: Max Maile, Vice President, Eric Peterson, MD, and Jo Suko.

Remote ICU is Dr. Kamat's employer. Remote ICU contracts with Avera, who is contracting with Parkview Hospital.

Parkview Hospitals have 24/7 intensivists physicians using eICU at Randallia Hospital with physically present hospitalists.

Dr. Kamat has been contracted by Parkview, through Avera and Remote ICU to provide telemedicine intensivist services to the Intensive Care Unit at Parkview Hospital in Fort Wayne, Indiana.

After discussion, the Board moved to TABLE the PERSONAL APPEARANCE in order to request and receive advisement from the Attorney General's Office.

Masten/Mueller, 5/0/0  
Aye's: Masten, McCann, Green, Mueller, Busk  
Motion carries

**Dileep Raman, M.D. – Physician providing care via telemedicine outside of the U.S.**

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D., Rebecca Mueller, M.D.

Dr. Raman appeared via teleconference due to his physical location in Mumbai, India.

Representatives from Dr. Raman's employer, Remote ICU, LLC, appeared via teleconference, per request by the Board, and was represented by counsel, Maritza Webb, who was physically present before the Board. Representatives from Remote ICU who spoke to the Board via teleconference were Seth Rabinowitz and Dr. Goldstein.

Representatives from Dr. Raman's contracted employer, Parkview Hospital appeared before the Board: Max Maile, Vice President, Eric Peterson, MD, and Jo Suko.

Remote ICU is Dr. Raman's employer. Remote ICU contracts with Avera, who is contracting with Parkview Hospital.

Parkview Hospitals have 24/7 intensivist physicians using eICU at Randailia Hospital with physically present hospitalists.

Dr. Raman has been contracted by Parkview, through Avera and Remote ICU to provide telemedicine intensivist services to the Intensive Care Unit at Parkview Hospital in Fort Wayne, Indiana.

After discussion, the Board moved to TABLE the PERSONAL APPEARANCE in order to request and receive advisement from the Attorney General's Office.

Masten/Mueller, 5/0/0  
Aye's: Masten, McCann, Green, Mueller, Busk  
Motion carries

**Kaying Xiong, M.D. – Positive response**

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D., Rebecca Mueller, M.D.

Dr. Xiong answered yes to the following questions on his application:

2. Have you ever been denied a license, certificate, registration or permit to practice medicine, osteopathic medicine or any regulated health occupation in any state (including Indiana) or country, or surrendered your license?
7. Have you ever been admonished, censured, reprimanded or requested to withdraw, resign or retire from any hospital or health care facility in which you have trained, held staff membership or privileges or acted as a consultant?
12. Were any limitations or special requirements imposed on you because of academic performance, incompetence, disciplinary problems or any other reason during your medical education or post graduate training / residency program?

Dr. Xiong was denied licensure by the Medical Board of California on the grounds of professional incompetency based on her performance during her residency with Banner University Medical Center in Phoenix, Arizona. Dr. Xiong resigned from the program after two years due to personal issues.

Dr. Xiong is currently in an observership in cardiology and family medicine at Americkships Medical Society.

After discussion, the Board moved to TABLE Dr. Xiong's application for LICENSURE until she secured employment with a preceptor and a training plan. Once Dr. Xiong has done this, she will be rescheduled to appear before the Board to consider granting a provisional license.

Masten/Green, 5/0/0  
Aye's: Masten, McCann, Green, Mueller, Busk  
Motion carries

**Hisham T. Youssef, M.D. – Positive response**

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Scott Green, M.D., Michael Busk, M.D., Rebecca Mueller, M.D.

Dr. Youssef answered yes to the following questions on his application for licensure:

1. Has disciplinary action ever been taken regarding any health license, certificate, registration or permit you hold or have held?

4. Have you ever been the subject of an investigation by a regulatory agency concerning your license?
  
8. Have you ever had a malpractice judgment against you or settled any malpractice action?

Dr. Youssef appeared before the board with counsel, Sherry A. Fabina-Abney.

Dr. Youssef was reprimanded by the Illinois Department of Financial and Professional Regulation (IDFPR) and was ordered to pay a fine of five hundred (\$500.00) dollars for failure to properly read an MRI on one of his patients which showed a diagnosis of an enlarged heart leading to congestive heart failure and death of the patient. The IDFPR gave him the choice to sign the consent order which would impose the fine and issue the letter of reprimand in lieu of proceeding with a formal hearing on the matter.

After discussion, the Board moved to APPROVE Dr. Youssef's APPLICATION for LICENSURE.

Masten/Busk, 5/0/0  
Aye's: Masten, McCann, Green, Mueller, Busk  
Motion carries

**Lee Laney M.D. – Reinstatement – Positive response**

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Bharat Barai, M.D., Scott Green, M.D., Michael Busk, M.D., Rebecca Mueller, M.D.

Dr. Laney answered yes to the following question on his Physician Reinstatement application.

1. Since you last renewed, has any health professional license, certificate, registration or permit you hold or have held been disciplined or are formal charges pending?

Dr. Laney surrendered his Ohio medical license on February 3, 2017 due to avoiding an investigation into allegations of impropriety with a patient of a sexual nature.

Dr. Laney failed to appear before the Board at this personal appearance.

After discussion, the Board moved to TABLE Dr. Laney's reinstatement application for the October 25, 2018 Board meeting. The October Board meeting will be the last available personal appearance for Dr. Laney before the Board will have to make a decision regarding his reinstatement application.

**Mahmud Mustafa Kara – USMLE 3 Attempt rule**

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Bharat Barai, M.D., Scott Green, M.D., Michael Busk, M.D., Rebecca Mueller, M.D.

Dr. Kara failed to appear before the Board at this meeting.

Dr. Kara is requesting a waiver of the USMLE 3 Attempt rule. Dr. Kara passed the USMLE Step three in seven (7) attempts.

Dr. Kara stated that the reason it took him so many attempts to pass the USMLE step three was due to a visual disability. The NBME issued an accommodation allowing Dr. Kara more time and a larger font size on the USMLE step three exam.

After discussion, the Board decided to reschedule Dr. Kara for the October 25, 2018 Board meeting.

**ADMINISTRATIVE HEARINGS**

**Matthew C. Grothaus, M.D., License No. 01061897A, Cause No. 2018 MLB 0032**

Respondent appeared in person and with counsel, Michael Gaerte, regarding a Disciplinary Hearing and Proposed Settlement Agreement scheduled before the Board. The State of Indiana was represented by Jessica Krug, Supervising Deputy Attorney General and the court reporter sworn in for this matter was Peggy Morgan with Circle City Reporting.

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Bharat Barai, M.D., Scott Green, M.D., Michael Busk, M.D., Rebecca Mueller, M.D.

The State presented that Respondent allegedly allowed medical personnel at his clinic in Kendallville, Indiana to use pre-signed prescription pads in order to prescribe to patients in his absence. This led to staff abusing prescription drugs by prescribing for personal reasons and for family members.

Respondent admitted the following exhibit:

Exhibit A: Memorandum of Agreement, U.S. Department of Justice Drug Enforcement Administration

The State and Respondent have agreed to a proposed settlement agreement which places Respondent's license on indefinite probation.

After discussion, the Board moved to ACCEPT the SETTLEMENT AGREEMENT and IMPOSE a FINE of TWO THOUSAND (\$2,000.00) DOLLARS PAYABLE within NINETY (90) DAYS.



McCann/\_\_\_\_\_  
Motion fails

After final discussion, the Board moved to ACCEPT the SETTLEMENT AGREEMENT and IMPOSE a FINE of FIVE HUNDRED (\$500.00) DOLLARS PAYABLE within NINETY (90) DAYS

Mueller/Barai, 6/0/0  
Aye's: Barai, Green, Masten, McCann, Mueller, Busk  
Motion carries

**Daniel Clayton, M.D., License No. 01076849A, Cause No. 2018 MLB 0018**

Respondent failed to appear in person or with counsel, regarding an Extension of Summary Suspension 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 was Peggy Morgan with Circle City Reporting.

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Bharat Barai, M.D., Scott Green, M.D., Michael Busk, M.D., Rebecca Mueller, M.D.

Respondent is in Washington State and his license has been suspended in Washington State.

Respondent's final hearing will be in October, 2018.

The State is requesting that the Board disregard the summary suspension extension and allow the summary suspension to lapse.

After discussion, the Board moved to EXTEND the SUMMARY SUSPENSION for an additional NINETY (90) DAYS.

Barai/Green, 6/0/0  
Aye's: Barai, Green, Masten, McCann, Mueller, Busk  
Motion carries

**Dale E. Economan, D.O., License No. 02000601A, Cause No. 2015 MLB 0031**

Respondent failed to appear in person or with counsel, regarding an Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Jessica Krug, Supervising Deputy Attorney General and the court reporter sworn in for this matter was Peggy Morgan with Circle City Reporting.

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Bharat Barai, M.D., Scott Green, M.D., Michael Busk, M.D., Rebecca Mueller, M.D.

State requests Board extend the summary suspension for an additional ninety (90) days. Respondent's Criminal trial related to original suspension is set for February of 2019.

After discussion, the Board moved to EXTEND the SUMMARY SUSPENSION for an additional NINETY (90) DAYS.

Barai/Busk, 6/0/0  
Aye's: Barai, Green, Masten, McCann, Mueller, Busk  
Motion carries

**Faizuddin Shareef, D.O., License No. 02003711A, Cause No. 2018 MLB 0026**

Respondent appeared in person and without counsel, regarding an Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Timothy Weber, Deputy Attorney General and the court reporter sworn in for this matter was Peggy Morgan with Circle City Reporting.

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Bharat Barai, M.D., Scott Green, M.D., Michael Busk, M.D., Rebecca Mueller, M.D.

The State requests that the Board summarily suspend Respondent's license for an additional ninety (90) days.

The State called the following witnesses to testify:  
Jason Beaman, MD, Chairman of Psychiatry, University of Oklahoma  
Rebekah Legg – Office of the Attorney General, Case analyst

**The State admitted the following exhibits:**

- Exhibit F: Transcript of Hearing on 7.26.2018
- Exhibit G: Medication Analysis Report from Respondent July 26, 2017-July 25, 2018, Lab Pro
- Exhibit H-1: Part of INSPECT data report of Respondent's DEA number from July 2017-July 2018
- Exhibit H-2: Analysis of Respondent's X DEA in INSPECT.
- Exhibit H-3: Analysis of Respondent's regular DEA in INSPECT
- Exhibit H-4: Analysis of all of Respondent's DEA prescriptions in INSPECT
- Exhibit I: Respondent's patient logs
- Exhibit J-1: Anatomical findings and clinical observations of Respondent's patient, T.B.
- Exhibit J-2: Respondent's patient, T.B., INSPECT report
- Exhibit K-1: Coroner's report and toxicology report for Respondent's patient, A.T.
- Exhibit K-2: Respondent's patient, A.T., INSPECT report
- Exhibit L-1: Coroner's report and toxicology report for Respondent's patient, J.J.
- Exhibit L-2: Respondent's patient, J.J., INSPECT report

Exhibit M-1: Anatomical findings and clinical observations of Respondent's patient, J.M.  
Exhibit M-2: Respondent's patient, J.M., INSPECT report

Respondent called the following witnesses to testify:  
William A. Zato, M.D., NWI Medical Consultants

Respondent admitted the following exhibits:

- Exhibit 1: Respondent's defense of Patient A
- Exhibit 2: Respondent's Defense of Patient B
- Exhibit 3: Respondent's Defense of Patient C
- Exhibit 4: Respondent's Defense of Patient D
- Exhibit 5: Respondent's Defense of Patient E
- Exhibit 6: Respondent's Defense of Patient F
- Exhibit 7: Respondent's Defense of Patient G
- Exhibit 8: Respondent's Defense of Patient H
- Exhibit 9: Breakdown of patient coverage by insurers by company
- Exhibit 10: Arrowsmith v. NWI Medical Group, LLC, et al. Bankruptcy Litigation
- Exhibit 11: Policies and procedures of SAMHSA TIP 63 and ASAM National Practice Guidelines
- Exhibit 12: Respondent's patient treatment agreement
- Exhibit 13: Respondent's calculations regarding the percentage of patients he treats in Lake County
- Exhibit 14: Letter from Respondent to Ms. Leigh
- Exhibit 15: Email from Respondent sharing an article from Dr. Jason Beaman, "We can do something about the increasing number of opioid overdoses", from tulsaworld.com.

After discussion, the Board moved to EXTEND the SUMMARY SUSPENSION for an additional NINETY (90) DAYS.

McCann/Masten, 3/2/1, Barai recused

Aye's: Masten, McCann, Busk

Nays: Green, Mueller

Motion carries

**Ashwani Duggal, M.D., License No. 01047610A, Cause No. 2010 MLB 0006**

Respondent appeared in person and with counsel, John F. Ittenbach, regarding a Petition to Withdraw Probation scheduled before the Board. The State of Indiana was represented by Roxanne Hilton, Deputy Attorney General and the court reporter sworn in for this matter was Peggy Morgan with Circle City Reporting.

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Bharat Barai, M.D., Scott Green, M.D., Michael Busk, M.D., Rebecca Mueller, M.D.

At the August 27, 2017 Board meeting, Respondent requested that the Board modify his indefinite probation and allow him to practice in the State of Indiana, under the supervision of Subhash Reddy, M.D., at the Heart Care LLC., in Ft. Wayne, Indiana, with terms and conditions as outlined in the employment agreement between Respondent and Dr. Reddy. The Board approved this modification to his probation order.

Respondent states that he has complied with the terms and conditions imposed by the Board and his practice monitor and requests to have the probation withdrawn so that he may apply for license in California and join his wife and family, who are already living in California, and practice there. He does not have any desire to practice in Indiana at this time.

Respondent admitted the following exhibits into evidence:

- Exhibit D: Letter from Subhash Reddy, M.D.
- Exhibit E: Letter from Shawn Lynn Parcels, BS, MSHAPI, PA, PhD-C, CEO and Chairman, Forensic Clinical Anatomist, National Autopsy Service
- Exhibit F: Respondent's Curriculum Vitae

After discussion, the Board moved to TABLE Respondent's PETITION until December 6<sup>th</sup> Board meeting and completion of CPEP evaluation and ISMA contract.

Barai/Mueller, 6/0/0  
Aye's: Masten, Barai, McCann, Busk, Mueller, Green  
Motion carries

**Charles Heinsen, M.D., License No. 01021497A, Cause No. 2014 MLB 0021**

Respondent appeared in person and with counsel, Patrick P. Devine and Ami T. Anderson, regarding a Petition to Withdraw Probation scheduled before the Board. The State of Indiana was represented by Roxanne Hilton, Deputy Attorney General and the court reporter sworn in for this matter was Peggy Morgan with Circle City Reporting.

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Bharat Barai, M.D., Scott Green, M.D., Michael Busk, M.D., Rebecca Mueller, M.D.

Respondent requests the Board to withdraw the probation on his medical license. Respondent has complied with all terms and conditions of his probation.

Respondent currently works at the Clinic of Family Medicine in Rensselaer, Indiana.

After discussion, the Board moved to WITHDRAW PROBATION.

Green/Barai, 6/0/0  
Aye's: Masten, McCann, Busk, Green, Mueller, Barai  
Motion carries

**Paul Des Rosiers, M.D., License No. 01041788A, Cause No. 2018 MLB 0022**

Respondent appeared in person but without counsel, regarding a Disciplinary Hearing and Proposed Settlement Agreement scheduled before the Board. The State of Indiana was represented by Zanna C. Dyer, Deputy Attorney General and the court reporter sworn in for this matter was Peggy Morgan with Circle City Reporting.

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Bharat Barai, M.D., Scott Green, M.D., Michael Busk, M.D., Rebecca Mueller, M.D.

Respondent's employment at the Schneck Medical Center was terminated on August 14, 2017 due to ongoing interpersonal relationship issues and behavior issues with staff that started with a written warning in January of 2014.

On August 17, 2015 Respondent submitted his renewal application with the Indiana Professional Licensing Agency and failed to answer yes to question number five (5), which asked, "Since you last renewed, have you been denied staff membership or privileges in any hospital or health care facility or have staff membership or privileges been revoked, suspended, or subject to any restriction, probation, or other type of discipline – or have you resigned in lieu of discipline or termination?"

On April 5, 2017, an Agreed Order was filed by the Kentucky Board of Medical Licensure regarding Respondent's termination and discipline received at Schneck Medical Center. Respondent failed to disclose a termination and two written warnings he received while employed at Schneck Medical Center when he applied for licensure in Kentucky. Respondent was fined in the amount of one thousand (\$1,000.00) dollars, ordered to undergo an assessment through the Vanderbilt Comprehensive Assessment Program for Professionals at the Vanderbilt Medical Center, provide a copy of the assessment results to all parties, and follow any treatment recommendations from the assessment.

On June 19, 2017, Respondent self-reported the discipline in Kentucky and Illinois and an admission that Respondent was fired from his position with Schneck Medical Center, located in Seymour, Indiana, for cursing.

On August 14, 2017, a consent order was issued by the Illinois Department of Financial and Professional Regulation (IDFPR). Due to the discipline imposed in Kentucky, the IDFPR reprimanded Respondent's license.

Both parties have agreed to a settlement agreement that imposes a letter of reprimand.

After discussion, the Board moved APPROVE the SETTLEMENT AGREEMENT

Green/Barai, 6/0/0  
Aye's: Masten, Green, McCann, Busk, Mueller, Barai  
Motion carries

**Steven C. Paschall, M.D., License No. 01030252A, Cause No. 2018 MLB 0030**

Respondent appeared in person and with counsel, Elliott Pinkie, regarding a Disciplinary Hearing 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 was Peggy Morgan with Circle City Reporting.

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Bharat Barai, M.D., Scott Green, M.D., Rebecca Mueller, M.D.

On June 30, 2016, Respondent entered into a Board ordered five (5) year contract with the Indiana State Medical Association Physician Assistant Program (ISMA PAP) due to pleading guilty for DUI on October 14, 2013.

Respondent's probationary license was withdrawn by the Board on March 16, 2017 due to his continued compliance with the five (5) year Indiana State Medical Association Physician Assistant Program (ISMA PAP) contract.

On May 25, 2018, Respondent breached his contract by testing positive for cannabinoids. ISMA PAP requested that Respondent complete a reassessment at Positive Sobriety Institute, which Respondent completed on June 6, 2018. Positive Sobriety Institute was unable to perform toxicology testing due to Respondent appearing for the appointment with shaved body hair, trimmed nails and dyed hair.

On June 7, 2018, Respondent's blood was drawn and it was positive for alcohol.

On June 8, Respondent was not cleared for clinical work by Positive Sobriety Institute until toxicology results could be obtained through nail testing.

On or about June 13, 2018, ISMA PAP closed Respondent's case due to non-compliance with his contract.

Respondent admitted the following exhibits into evidence:

- Exhibit 1: Correspondence and materials from PSI, August 30, 2018 (Continuing Care Instructions, NAIL 17 test)
- Exhibit 2: Correspondence from Polizzi Addiction Services
- Exhibit 3: Correspondence and materials from PSI, September 19, 2018 (Affinity Monitoring and SoberLink)

The State called the following witness to testify:  
Anne Kelley, MSW, LCSW, LCAC, Clinical Case Manager, ISMA PAP

The Board requested to have Candace Backer, LCSW, LCAC, Physician Assistance Coordinator testify regarding what the process is when a client has been discharged for

non-compliance and wishes to re-enter into a contract with the Indiana State Medical Association Physician Assistance Program (ISMA PAP).

After discussion, the Board moved to PLACE Respondent on INDEFINITE PROBATION with terms and conditions.

Green/Mueller, 5/0/0  
Aye's: Masten, Green, McCann, Mueller, Barai  
Motion carries

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

Respondent appeared in person and with counsel, J. Richard Moore, regarding a Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Jessica Krug, Supervising Deputy Attorney General and the court reporter sworn in for this matter was Peggy Morgan with Circle City Reporting.

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Bharat Barai, M.D., Scott Green, M.D., Rebecca Mueller, M.D.

Respondent received three (3) consumer complaints stating that Respondent was no longer competent to practice medicine due to psychiatric issues.

The State filed an Order Compelling Physical and Psychiatric Exam from the Respondent to be completed within 30 days of the date of the Order. The Board approved the Motion. The State stated that she has yet to comply with this order. On September 28, 2018, Respondent will be in violation of the Order as she has not complied.

Respondent filed a Respondent's Motion to Modify Order Compelling Physical and Psychiatric Examination of Respondent and to Continue Hearing.

Respondent stated that the places and the cost of the psychiatric and physical evaluations requested by the Board are challenging for her to comply with. Respondent is requesting that she can complete the evaluations in Indiana.

The Board called Candace Backer of the Indiana State Medical Association (ISMA) regarding their recommendations for her evaluations.

After discussion, the Board moved to DENY the Respondent's MOTION to MODIFY. A final hearing was scheduled for the October 25, 2018 Board meeting and the Board may consider Summarily Suspending Respondent's license if she has not complied by that time.

Masten/Green, 5/0/0  
Aye's: Masten, Green, McCann, Mueller, Barai  
Motion carries

**Jeffrey Seizys, M.D., License No. 01043925A, Cause No. 2018 MLB 0034**

Respondent appeared in person but without counsel, regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Timothy Weber, Deputy Attorney General and the court reporter sworn in for this matter was Peggy Morgan with Circle City Reporting.

Participating Board Members: Kirk Masten, M.D., Victoria McCann, J.D., Bharat Barai, M.D., Scott Green, M.D., Rebecca Mueller, M.D.

Between December 1999 and January 2009, Respondent's license was on probation due to Respondent's substance use disorder. During that time, he was involved with the Indiana State Medical Association Physician Assistance Program (ISMA PAP).

In November of 2016, Respondent was referred back to ISMA PAP and on March 1, 2017, Respondent signed a lifetime monitoring contract with ISMA PAP. One of the terms of the contract required Respondent to use a Soberlink device.

On March 31, 2018, ISMA PAP received two positive Soberlink results and on August 15, 2018 Respondent again tested positive on his Soberlink device.

On or about August 16, 2018, ISMA PAP closed Respondent's case due to Respondent's non-compliance with the contract.

The State Called Candace Backer with ISMA to testify before the Board.

Respondent is currently under treatment at the Hazelden Betty Ford Clinic in Chicago. Respondent has re-established Soberlink, using it 4 times a day, every day. Respondent does Urine drug screens two times a month through Hazelden Betty Ford Clinic and random drug screens at work.

Respondent is currently employed with Franciscan Alliance in Northern Indiana.

Respondent admitted the following exhibit:

- Exhibit 1: Letter to Respondent from Claude Foreit, D.O., M.H.A, Vice President, FPN, Franciscan Alliance
- Exhibit 2: Letter from respondent's addictions counselor
- Exhibit 3: Respondent's Soberlink Share Program Agreement

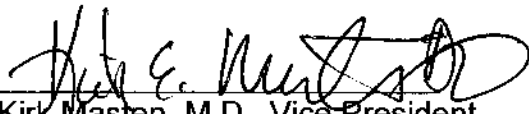
The State is requesting the Board place Respondent's license on a Summary Suspension.

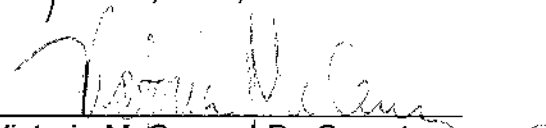
After discussion, the Board moved to DENY Petition for Summary Suspension.



Mueller/Barai, 5/0/0  
Aye's: Masten, Green, McCann, Mueller, Barai  
Motion carries

There being no further business, the meeting adjourned at 6:15 p.m.

  
Kirk Masten, M.D., Vice President

  
Victoria McCann, J.D., Secretary