

**Medical Licensing Board of Indiana
Indiana Government Center - South Building
Room W064
402 W. Washington Street
Indianapolis, Indiana 46204**

**Minutes from the Meeting of
September 26, 2024**

John Strobel, MD, President, called the meeting to order at 8:51 a.m. and declared a quorum in accordance with IC 25-26-13-3(d), pursuant to public notice posted at the principal office for the Board, online at the board's website and on the state calendar at least forty-eight (48) hours before the time of the meeting.

Board Members Present:

John Strobel, MD
Victoria McCann, JD
Heidi Dunniway, MD
Bharat Barai, MD
Michael Busk, MD [via Zoom]
Rebecca Mueller, MD – Left meeting at 1:00 pm

Board Members Absent:

Kirk Masten, DO

PLA Staff:

Christine Maslan, Board Director
Kiko Dixon, Assistant Board Director

Advisory Counsel:

Adam Harvey, JD

Court Reporter:

Accurate Reporting – Margie Addington

Adoption of Agenda

A motion was made and seconded to adopt the agenda.
Barai/Dunniway 6-0-0

Adoption of Minutes

A motion was made and seconded to adopt the amended minutes from August 22, 2024.
Barai/McCann 6-0-0.

Discussion Items

1. OAG Report - presented by Amy Osborne
2. Director's Report – presented by Christine Maslan
3. Report on Accreditation Costs for Office-Based Anesthesia – presented by Evan Bartel and Doug Boyle

Administrative Hearings

Probation Withdrawal

Rajat Prakash, M.D., 01092811A Cause No.: 2024 MLB 0005

DAG: None

Respondent: Appeared with counsel, Elliott Pinkie

Exhibit(s): Exhibit A – Attestation Letter of Kantilal S. Patel, M.D., Practice Monitor
Exhibit B – Attestation Letter of Arvind K. Kakodkar, M.D., Practice Proctor
Exhibit C – Monthly Practice Monitor Reports, April-September, Pages 1-21

Witness(es): Dr. Prakash

A motion was made and seconded to DENY the requested probation withdrawal and to instead MODIFY practitioner's probation to include updated terms and conditions.

Barai/Mueller 6-0-0.

Motion carries.

Proposed Default

Tim Lloyd Alward, M.D., 01023808A Cause No.: 2023 MLB 0018

DAG: Sha'na Terry

Respondent: Appeared without counsel

Exhibit(s): Exhibit A – Consumer Complaint filed by the DEA
Exhibit B – Photos of Dr. Alward's medical practice 1-12

Witness(es): Bret Busby, PLA compliance officer
Christine Maslan, Medical Board Director

Has continued to prescribe controlled substances. There is a chart for every patient in the office, there is not an entry for every visit of the patient or the reason entry for each prescription written.

Seeing patients about 1 per week, after the first 4 months of the year. Sees them either at their home, in the lobby of his office, at the library, at a convenience store, or any other place around the small town he is practicing in, "they have to take their own vitals".

A motion was made and seconded to VACATE the proposed default notice.

McCann/Strobel 6-0-0

Motion carries

Ms. Terry – Notes the state is dismissing counts 1 and 2, proceeding with counts 3-6.

Count 1 – Dismissed

Count 2 – Dismissed

Count 3 – Positive finding Barai/Mueller 6-0-0

Count 4 – Positive finding Barai/Dunniway 6-0-0

Count 5 – Positive finding Strobel/Barai 6-0-0

Count 6 – Negative finding Barai/Dunniway 6-0-0

Suspend license with terms and conditions:

- Photographic evidence of a safe professional medical office (does not have to be current office)
- Provide a support staff plan for medical office
- Provide a plan for maintaining medical records
- Complete CME – minimum of 8 (eight) hours of medical record keeping and 8 (eight) hours in opioid prescribing
- Obtain a fitness for duty evaluation and submit it to the board

A motion was made and seconded to SUSPEND license with terms and conditions.

Barai/Dunniway 6-0-0.

Motion carries.

Mark Fenzi, D.O., 02003433A Cause No.: 2024 06 MED 0018

DAG: Ryan Eldridge

Respondent: Appeared without counsel

Exhibit(s): State's Exhibit 1 – Consumer Complaint and Attachments

State's Exhibit 2 – Federal Register: Decision and order against Respondent

Witness(es): Samantha Anders, OAG Investigator

DEA license was revoked 4.10.2024

Board Finds in default

Strobel/McCann 6-0-0

Motion to exclude Respondent's Exhibits

Strobel/Dunniway 6-0-0

Positive finding – Strobel/McCann 5-1-0

Barai abstained
Motion carries

A motion was made and seconded to SUSPEND license with terms and conditions.
Strobel/Dunniway 6-0-0.
Motion carries.

Personal Appearances

Initial Application

Anthony Rinella, MD

Reason: Positive Response on application.

Dr. Rinella appeared in person without counsel

A motion was made and seconded to APPROVE issuance of this license.
Dunniway/McCann 4-0-0.
Motion carries

Christopher Keto, MD

Reason: Current WI PHP Program

Dr. Keto appeared in person without counsel.
Currently enrolled in the WI PHP program, WI license is active free and clear.

A motion was made and seconded to APPROVE issuance of this license pending receipt of ISMA PAP contract.
Strobel/Barai 4-0-0.
Motion carries

Christopher Nichols, MD

Reason: Previous litigation on AL + LA licenses that were lifted in 2024.

Dr. Nichols appeared in person without counsel.

A motion was made and seconded to APPROVE issuance of this license.
Barai/Dunniway 4-0-0
Motion carries.

Eva Escatel, MD

Reason: Positive Response

Dr. Escatel appeared via Zoom without counsel.

A motion was made and seconded to APPROVE issuance of this license.
Dunniway/McCann 4-0-0
Motion carries.

Millard Collins, MD

Reason: Continued from March 2024

Dr. Collins appeared via Zoom without counsel. Provided additional information previously requested by the board at their March 2024 appearance.

A motion was made and seconded to APPROVE issuance of license.
Dunniway/Strobel 4-0-0
Motion carries.

Stephen Markowiak, MD

Reason: 2023 medical malpractice, suspended clinical privileges

Dr. Markowiak appeared in person without counsel.
Current position at University of Cincinnati on a trauma fellowship. Has accepted a position with Parkview Hospital in Indiana.
No action taken on Ohio license, has renewed free and clear.

A motion was made and seconded to APPROVE issuance of this license.
Strobel/Dunniway 4-0-0
Motion carries.

Reinstatement

Whitney Bevins, RD 37001805A

Reason: 2023 DUI, currently no active license

Appeared in person, sober for over a year.

A motion was made and seconded to APPROVE reinstatement of this license.
Strobel/McCann 5-0-0
Motion carries.

William Payne III, MD 01057850A

Reason: Positive Response on reinstatement application

Dr. Payne appeared in person without counsel.
Currently practicing in IL, has not practiced in Indiana, forming new medical group in Indiana need to have a practitioner with an Indiana license. Will have an administrative role with new

group in Indiana.

A motion was made and seconded to APPROVE reinstatement of this license.
Dunniway/Strobel 5-0-0
Motion carries.

Waiver Request

Fidel Valero Moreno, MD

Reason: No PGT Residency in the U.S.

Dr. Valero Moreno appeared in person without counsel.
Attended University of Monterrey Mexico medical school. Residency in Israel. Worked as a research fellow in Florida at Mayo Clinic and a fellow at Nationwide Children's Hospital in Ohio.

Applicant WITHDREW application

Narges Zandvakil, MD

Reason: Continued from August 2024

Dr. Zandvakil appeared in person with John Lind, MD Chair of the Department of Ophthalmology at IU Health, and an IU Health counsel.

A motion was made and seconded to GRANTS waiver and APPROVES issuance of this license.
Barai/Dunniway 4-0-0
Motion carries.

Adjournment 2:09 p.m.