

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

**MINUTES OF APRIL 18, 2019**

John Strobel, M.D., President, called the meeting to order at 8:40 a.m. A quorum was declared in accordance with IC 25-22.5.

Members Present: John Strobel, M.D., President  
Kirk Masten, D.O., Vice President  
Michael Busk, M.D., Member  
Scott Green, M.D., Member  
Rebecca Mueller, M.D., Member

Members Absent: Bharat Barai, M.D., Member  
Victoria McCann, J.D., Secretary

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

The Board voted to adopt the agenda.

Participating Board Members: John Strobel, M.D., Kirk Masten, M.D., M.D., Michael Busk, M.D., Rebecca Mueller, M.D., Scott Green, M.D.

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

The Board voted to adopt the minutes of the March 28, 2019 meeting.

Participating Board Members: John Strobel, M.D., Kirk Masten, M.D., M.D., Michael Busk, M.D., Rebecca Mueller, M.D., Scott Green, M.D.

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

## DISCUSSION

Participating Board Members: John Strobel, M.D., Kirk Masten, M.D., M.D., Michael Busk, M.D., Rebecca Mueller, M.D., Scott Green, M.D.

### Citations

#### **Spencer Markowitz, M.D. – 01046970A – Death certificate issue**

Decedent died on March 11, 2019.

Per complainant, the death certificate was sent to Dr. Markowitz on March 11, 2019 but was signed six (6) to nine (9) days late, between March 22 and March 25, 2019.

#### **Robert Suer, M.D. – 01027878A – Death Certificate Issue**

Decedent died on March 9, 2019.

Per complainant, the death certificate was sent to Dr. Markowitz on March 11, 2019 but was signed five (5) days late on March 21, 2019.

After discussion, the Board moved to IMPOSE a PENALTY of TWO HUNDRED and FIFTY (\$250.00) DOLLARS each upon Dr. Markowitz and Dr. Suer.

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

### Retirement/Surrender Requests

Mark Lambert, M.D., 01022789A – Retirement

After discussion, the Board moved to APPROVE Dr. Lambert's RETIREMENT of his LICENSE.

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

The Board Director provided an update on the status of the following rules.

- Acupuncture rule changes
- High breast density “consult” definition rule update

### **FULL BOARD APPLICATION REVIEW**

#### **Sean Ewing, M.D. – Unapproved foreign medical school – additional review**

Participating Board Members: John Strobel, M.D., Kirk Masten, M.D., M.D., Michael Busk, M.D., Rebecca Mueller, M.D., Scott Green, M.D.

After reviewing Dr. Ewing’s application and request for a waiver of the approved medical school rule, and supportive documentation at the March 28, 2019 Board meeting, the Board requested that Dr. Ewing provide 3 letters of recommendation, including one from his current program director, as well as documentation of his future position in Rockville, Indiana.

Dr. Ewing submitted the requested documentation for the Board’s review.

After discussion, the Board moved to APPROVE Dr. Ewing’s WAIVER.

Green/Masten, 5/0/0  
Aye’s: Strobel, Masten, Busk, Mueller, Green  
Motion carries

#### **Thalia Kamel, M.D. – Unapproved foreign medical school**

Participating Board Members: John Strobel, M.D., Kirk Masten, M.D., M.D., Michael Busk, M.D., Rebecca Mueller, M.D., Scott Green, M.D.

After reviewing Dr. Kamel’s application and request for a waiver of the approved medical school rule, and supportive documentation at the March 28, 2019 Board meeting, the Board agreed that more information was needed in order for them to effectively review her waiver request, and requested that Dr. Kamel submit a letter from her current program director, letters of recommendation and any other supportive documentation

Dr. Kamel submitted the requested documentation for the Board’s review.

After discussion, the Board moved to APPROVE Dr. Kamel’s WAIVER.

Green/Mueller, 5/0/0  
Aye’s: Strobel, Masten, Busk, Mueller, Green  
Motion carries

**Gagandeep Kaur, M.D. – Unapproved foreign medical school – additional review**

Participating Board Members: John Strobel, M.D., Kirk Masten, M.D., M.D., Michael Busk, M.D., Rebecca Mueller, M.D., Scott Green, M.D.

After reviewing Dr. Kaur's application and request for a waiver of the approved medical school rule, and supportive documentation at the March 28, 2019 Board meeting, the Board agreed that more information was needed in order for them to effectively review her waiver request, and requested that Dr. Kaur submit a letter from her current program director, a copy of her employment contract or documentation from her future employer CCNI.

Dr. Kaur submitted the requested documentation for the Board's review.

After discussion, the Board moved to APPROVE Dr. Kaur's WAIVER.

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

**Rohit Praful Shah, M.D.– Unapproved foreign medical school**

Participating Board Members: John Strobel, M.D., Kirk Masten, M.D., M.D., Michael Busk, M.D., Rebecca Mueller, M.D., Scott Green, M.D.

After reviewing Dr. Shah's application and request for a waiver of the approved medical school rule at the March 28, 2019 meeting, the Board agreed that more information was needed in order for them to effectively review his waiver request, and requested that Dr. Shah submit a letter from his current program director, letters of recommendation and any other supportive documentation.

Dr. Shah submitted the requested documentation for the Board's review.

After discussion, the Board moved to APPROVE Dr. Shah's WAIVER.

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

## PERSONAL APPEARANCES

### Calvary Baptist Church – Volunteer Registry Location

Participating Board Members: John Strobel, M.D., Kirk Masten, M.D., M.D., Michael Busk, M.D., Rebecca Mueller, M.D., Scott Green, M.D.

Mary Ellen Hamby appeared before the Board regarding an inaugural annual community event that she and Calvary Baptist Church is organizing that would provide a free health and wellness clinic to the community. The clinic would be within the Church facility. The clinic would include administering vaccinations, health screenings, providing health education, and clinical patient exams. She is hoping to partner with a pharmacist to help with vaccinations. The physicians who volunteer will possibly be prescribing non-controlled substances to patients.

After discussion the Board moved to APPROVE Calvary Baptist Church's application to be included on the VOLUNTEER REGISTRY for LOCATIONS.

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

### Anthony Azubuike Onuigbo, M.D. – Positive response

Participating Board Members: John Strobel, M.D., Kirk Masten, M.D., M.D., Michael Busk, M.D., Rebecca Mueller, M.D., Scott Green, M.D.

Dr. Onuigbo answered yes to the following question on his application.

8.) Have you ever had a malpractice judgment against you or settled any malpractice action?

On July 19, 2011, Dr. Onuigbo settled a malpractice suit for one million, four hundred and four thousand, one hundred and ninety one (\$1,404,191.01) due to improper performance during a vaginal delivery where the patient developed a shoulder dystocia and was subsequently diagnosed with a significant, permanent left brachial plexus injury.

Dr. Onuigbo has had five complaints filed with the Iowa Board of Medicine spanning from 2005 through 2017. The most recent complaint is still open.

The Iowa Board of Medicine ordered Dr. Onuigbo to undergo a Board approved confidential comprehensive clinical competency evaluation due to concerns stemming from a complaint filed on November 27, 2017 that included patient care; hemostasis management; difficulty with C-Sections; ability to recognize a need for assistance during cases; poor communication during procedures/cases resulting in perceived uncertainty

of medical urgency identification and subsequent treatment options; incomplete documentation.

Dr. Onuigbo is in the process of completing a CPEP program ordered by the Iowa Board of Medicine. He is due to complete it on April 30, 2019.

Dr. Onuigbo has not seen a patient in a clinical setting for over a year.

After discussion, the Board moved to TABLE until January 23, 2020 meeting or until he can provide CPEP results and Iowa's decision regarding open complaint.

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

### **Jason M. Lynch – Acupuncture Detox Application – Positive response**

Participating Board Members: John Strobel, M.D., Kirk Masten, M.D., M.D., Michael Busk, M.D., Rebecca Mueller, M.D., Scott Green, M.D.

Mr. Lynch answered yes to the following questions on his Acupuncture Detox Specialist application.

- 1.) Has disciplinary action ever been taken regarding any health license, certificate, registration or permit you hold or have held in any state?
  
- 3.) Do you have any condition or impairment (including a history of alcohol or substance abuse) that currently interferes, or if left untreated may interfere, with your ability to practice as an acupuncture detoxification specialist in a competent and professional manner?

Mr. Lynch sought treatment for substance abuse disorder in March of 2003. Treatment consisted of inpatient followed by outpatient treatment.

At this time, Mr. Lynch was completing his final semester of a Bachelor's of Science in Nursing program. On or about August 2003 he applied for licensure in Missouri for Nursing and disclosed his prior substance abuse. The Missouri Medical Licensing Board granted his license on probation for two (2) years with monitoring contingent upon receiving a passing score on the NCLEX-RN. Mr. Lynch completed all terms and conditions of probation and at the end of the two (2) year period, the Board withdrew the probation.

Mr. Lynch sought inpatient treatment in March of 2013 to address his addiction to opiates stemming from a back injury and spinal fusion surgery. Mr. Lynch completed an inpatient program and then elected to complete sixty (60) days of residential treatment.

Mr. Lynch's sobriety date is March 9, 2013. Mr. Lynch regularly attends Alcoholics Anonymous and Narcotics Anonymous meetings and has a sponsor.

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

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

### **ADMINISTRATIVE HEARINGS**

#### **Kendal T. Freeman, M.D., License No. 01078412A, Cause No. 2018 MLB 0029**

Respondent failed to appear in person or with counsel, regarding a Petition to Extend Summary Suspension scheduled before the Board. The State of Indiana was represented by Tina Mann, Deputy Attorney General and the court reporter sworn in for this matter was Sherry Rutledge with Rutledge Independent Reporting.

Participating Board Members: John Strobel, M.D., Kirk Masten, M.D., M.D., Michael Busk, M.D., Rebecca Mueller, M.D., Scott Green, M.D.

Respondent's final hearing is scheduled for May 23, 2019.

The State requests that the Board extend Respondent's summary suspension for an additional ninety (90) days.

After discussion, the Board moved to APPROVE Respondent's SUMMARY SUSPENSION for an additional NINETY (90) DAYS.

Green/Masten, 5/0/0  
Ayes: Busk, Mueller, Strobel, Masten, Green  
Motion carries

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

Respondent failed to appear in person or with counsel, regarding a Petition to Extend Summary Suspension scheduled before the Board. The State of Indiana was represented by Natalie Stidd, Deputy Attorney General and the court reporter sworn in for this matter was Sherry Rutledge with Rutledge Independent Reporting.

Participating Board Members: John Strobel, M.D., Kirk Masten, M.D., M.D., Michael Busk, M.D., Rebecca Mueller, M.D., Scott Green, M.D.

The State informed the Board that the Respondent was notified of the hearing and that they received a response from the Respondent that he would not be attending.

Respondent's criminal trial is scheduled in September of 2019.

The State requests that the Board extend Respondent's summary suspension for an additional ninety (90) days.

After discussion, the Board moved to APPROVE Respondent's SUMMARY SUSPENSION for an additional NINETY (90) DAYS.

Masten/Busk, 5/0/0  
Ayes: Busk, Mueller, Strobel, Masten, Green  
Motion carries

**Marios Papachristou, M.D., License No. 01076623A, Cause No. 2018 MLB 0031**

Respondent failed to appear in person or with counsel, regarding a Petition to Extend Summary Suspension scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter sworn in for this matter was Sherry Rutledge with Rutledge Independent Reporting.

Participating Board Members: John Strobel, M.D., Kirk Masten, M.D., M.D., Michael Busk, M.D., Rebecca Mueller, M.D., Scott Green, M.D.

The State admitted the following exhibit into evidence:

Exhibit J: Revocation Order for Respondent's license in West Virginia

The State requests that the Board extend Respondent's summary suspension for an additional ninety (90) days.

After discussion, the Board moved to APPROVE Respondent's SUMMARY SUSPENSION for an additional NINETY (90) DAYS.

Green Mueller, 5/0/0  
Ayes: Busk, Mueller, Strobel, Masten, Green  
Motion carries

**Benjamin Loveridge, M.D., License No. 01066134A, Cause No. 2019 MLB 0014**

Respondent appeared in person and with counsel, John Tompkins, regarding a Petition for Summary Suspension 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 was Sherry Rutledge with Rutledge Independent Reporting.



Participating Board Members: John Strobel, M.D., Kirk Masten, M.D., M.D., Michael Busk, M.D., Rebecca Mueller, M.D., Scott Green, M.D.

The State presented to the Board that Respondent came before the Board in 2011 and was placed on probation with terms and conditions. Respondent's probation was withdrawn in April of 2015 after complying with all terms and conditions.

The following witnesses were called by the State to testify:

Witness 1: Benjamin Loveridge, M.D.

Witness 2: Jack Beckley, Supervising Investigator for AG's Office

Mr. Beckley received a complaint from Patient 1 of Respondent in December of 2018, who was being treated for addiction with Suboxone. Patient stated that Respondent touched her inappropriately during a medical examination. Patient 2, according to Mr. Beckley, filed a complaint in March of 2019 and stated she saw Respondent for anxiety and sciatica pain. Patient stated that Respondent made inappropriate comments and touched her inappropriately.

The State admitted the following exhibits into evidence:

Exhibit A: IPLA license renewal record of Respondent from 2011

Exhibit B: Minutes of the Medical Licensing Board of Indiana meeting held on October 27, 2011

Exhibit C: Decision on License Reinstatement Application for the Respondent by the Medical Licensing Board of Indiana, filed November 9, 2011

Exhibit D: Respondent's case with the United States Air Force Court of Criminal Appeals

Exhibit E: Respondent's Plea Agreement with the South Jordan Justice Court in Utah

Exhibit F: Respondent's Order Withdrawing Probation

Exhibit G: Text communication between Patient 2 and Respondent

The State requests that the Board Summarily Suspend Respondent's license.

After discussion, the Board moved to INDEFINITELY SUSPEND Respondent's LICENSE for NINETY (90) DAYS

Green/Masten, 5/0/0

Ayes: Busk, Mueller, Strobel, Masten, Green

Motion carries

**Asad Cheema, M.D., License No. 01080747A, Cause No. 2018 MLB 0038**

Respondent failed to appear in person or by counsel regarding a Notice of Proposed Default 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 was Sherry Rutledge with Rutledge Independent Reporting.

Participating Board Members: John Strobel, M.D., Kirk Masten, M.D., M.D., Michael Busk, M.D., Rebecca Mueller, M.D., Scott Green, M.D.

Respondent was charged criminally in Adams County, Indiana with three (3) counts of Unlawful Possession or Use of a Legend Drug, level 6 Felony. These charges are still pending.

At the March 28, 2019 meeting the Board moved to issue a notice of proposed default. The Respondent did not submit a response to the notice of proposed default.

After discussion, the Board moved to hold Respondent in DEFAULT.

Masten/Green, 5/0/0  
Ayes: Busk, Mueller, Strobel, Masten, Green  
Motion carries

The State admitted the following exhibits into evidence:

Exhibit 1: Respondent's employer final written warning; Termination records

Exhibit 2: Respondent's Adams Health Network new hire form; H1B Visa; letter from Respondent's housekeeper; drug test results

Exhibit 3: Adams Superior Court criminal counts of Respondent

Exhibit 4: Email from Respondent to AG's office

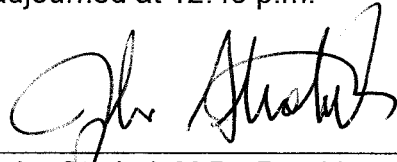
After additional discussion, the Board found that Respondent was in violation of the following counts; I.C. § 25-1-9-4(a)(8)(A); I.C. § 25-1-9-4(a)(4)(D); I.C. § 25-1-9-4(a)(3).

Masten/Busk, 5/0/0  
Ayes: Busk, Mueller, Strobel, Masten, Green  
Motion carries

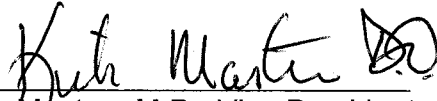
After final discussion, the Board moved to REVOKE Respondent's LICENSE and IMPOSE a FINE of THREE THOUSAND DOLLARS (\$3,000.000) PAYABLE in 120 DAYS.

Masten/Mueller, 5/0/0  
Ayes: Busk, Mueller, Strobel, Masten, Green  
Motion carries

There being no further business, the meeting adjourned at 12:45 p.m.



John Strobel, M.D., President



Kirk Masten, M.D., Vice President