

STATE MEDICAL BOARD
92 MAR 18 PM 12:00

**THE STATE MEDICAL BOARD OF OHIO
REPRIMAND OF
NARESHKUMAR G. PATEL, M.D.**

Be it known, the STATE MEDICAL BOARD OF OHIO is a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

NARESHKUMAR G. PATEL, M.D., acknowledges this REPRIMAND being fully informed of his rights under Chapter 119., Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudicative hearing on the issues considered herein.

This REPRIMAND is entered into on the basis of the following stipulations, admissions and understandings:

- A. The STATE MEDICAL BOARD OF OHIO is empowered by Section 4731.22 (B)(22), Ohio Revised Code, to limit, revoke suspend a certificate, refuse to register or reinstate an applicant or reprimand or place on probation the holder of a certificate for the limitation, revocation or suspension by another state of a license or certificate to practice issued by that state for an action that would also have been a violation of this Chapter, to wit: Sections 4731.22 (B)(2) and (B)(6), Ohio Revised Code.
- B. THE STATE MEDICAL BOARD OF OHIO acknowledges this REPRIMAND in lieu of formal proceedings based upon the violation of Section 4731.22(B)(22), Ohio Revised Code, and expressly reserves the right to institute formal proceedings based upon any other violations of Chapter 4731. of the Revised Code, whether occurring before or after the effective date of this REPRIMAND.
- C. NARESHKUMAR G. PATEL, M.D., is licensed to practice medicine and surgery in the State of Ohio.
- D. NARESHKUMAR G. PATEL, M.D., ADMITS that on or about July 17, 1990 he was FORMALLY REPRIMANDED and ordered to fulfill certain conditions by Final Order of the Oklahoma State Board of Medical Licensure and Supervision in order to retain his Oklahoma License. (The Final Order is attached hereto and fully incorporated herein.)

This REPRIMAND is entered into on the basis of the following stipulations, admissions and understandings:

WHEREFORE NARESHKUMAR G. PATEL, M.D. should be and is hereby REPRIMANDED and the following conditions are placed on his Ohio license to practice medicine and surgery:

1. NARESHKUMAR G. PATEL, M.D. must provide written documentation which illustrates that he is in compliance with the conditions placed on his Oklahoma license to practice medicine and surgery.

REPRIMAND
NARESHKUMAR G. PATEL, M.D.
PAGE TWO

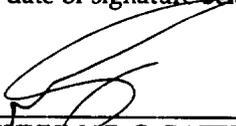
If, in the discretion of the Secretary of the STATE MEDICAL BOARD OF OHIO, DOCTOR NARESHKUMAR G. PATEL appears to have violated or breached any terms or conditions of this REPRIMAND, the STATE MEDICAL BOARD OF OHIO reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including but not limited to, alleged violations of the laws of Ohio occurring before or after the effective date of this REPRIMAND.

NARESHKUMAR G. PATEL, M.D., acknowledges that he has had an opportunity to ask questions concerning the terms of this Agreement and that all questions asked have been answered in a satisfactory manner.

NARESHKUMAR G. PATEL, M.D., hereby releases THE STATE MEDICAL BOARD OF OHIO, its Members, Employees, Agents, Officers and Representatives jointly and severally from any and all liability arising from the within matter.

This REPRIMAND shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code.

This information may be reported to appropriate organizations, data banks and governmental bodies. This REPRIMAND shall become effective upon the last date of signature below.



NARESHKUMAR G. PATEL, M.D.

3/24/92

DATE



HENRY G. CRAMBLETT, M.D.
Secretary

3/20/92

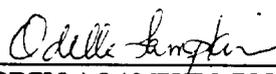
DATE



TIMOTHY S. JOST, ESQ.
Supervising Member

3/24/92

DATE



ODELLA LAMPKIN, ESQ.
Assistant Attorney General

3/24/92

DATE

IN AND BEFORE THE OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE AND SUPERVISION

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel,)
OKLAHOMA STATE BOARD OF)
MEDICAL LICENSURE AND)
SUPERVISION,)
)
Plaintiff,)
)
v.)
)
NARESHKUMAR PATEL, M.D.) CASE NO. 87-7-514
Medical License No. 14640,)
)
Defendant.)

RECEIVED
JUL 11 1990
STATE OF OKLAHOMA
MEDICAL LICENSURE AND SUPERVISION

FINAL ORDER

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on June 9, 1990, at the office of the Oklahoma State Board of Medical Licensure and Supervision, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Daniel J. Gamino, Attorney, appeared for the Plaintiff; and Nareshkumar Patel, Defendant, appeared in person and by counsel, Arnold Fagin, Attorney, Oklahoma City, Oklahoma.

The Board of Medical Licensure and Supervision en banc heard the oral argument of counsel, reviewed exhibits, and being fully advised in the premises, the Board of Medical Licensure and Supervision finds as follows:

FINDINGS OF FACT

1. That Defendant, Nareshkumar Patel, M.D., holds Oklahoma Medical License No. 14640.
2. That the Oklahoma Board of Medical Licensure and Supervision en banc has jurisdiction over the subject matter herein and that notice has been given in all respects as required by law and the rules of the Board.
3. That on or around June 10, 1989, Defendant did perform a surgical procedure on patient E.S.B., and said procedure was performed in an unprofessional manner and in an unprofessional setting.
4. That the Defendant did not comply with applicable state laws and regulations relating to the writing of prescriptions for controlled dangerous substances, in failing to maintain dispensing records for dangerous drugs, and in failing to keep complete and accurate records of the purchase and dispensing of controlled drugs or narcotic drugs.

CONCLUSIONS OF LAW

1. That Defendant failed to demonstrate that his Motion for Partial Continuance should be granted, and said motion was overruled.
2. That Defendant's Motion to Sequester Witnesses prior to the beginning of testimony was granted. However, that ruling did not include persons who were observing the proceedings and who may or may not have any interest in either side of the case.

3. That Defendant's Motion to Voir Dire Board Members on their personal and philosophical feelings toward the subject of abortion was without legal basis and was denied.

4. That Defendant's Motion to Dismiss the Complaint and Citation was without legal basis and was denied.

5. That Defendant, Nareshkumar Patel, M.D., holding Oklahoma Medical License No. 14640, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, Sec. 509 and Sec. 509(11), for unprofessional conduct in his action on patient E.S.B. and for failure to keep complete and accurate records of the purchase and disposal of controlled drugs or narcotic drugs.

ORDER

IT IS THEREFORE ORDERED by the Oklahoma Board of Medical Licensure and Supervision as follows:

1. That the Defendant, Nareshkumar Patel, M.D., holding Oklahoma Medical License No. 14640, should be and is hereby FORMALLY REPRIMANDED and said reprimand should be made a matter of record based on the above and foregoing facts.

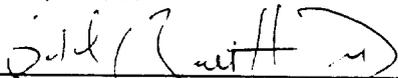
2. That in addition to the aforesaid formal reprimand, Defendant is hereby ordered to fulfill the following conditions, to-wit:

(a) Meet with staff members of the Oklahoma Board of Medical Licensure and Supervision and implement a proper record-keeping system for controlled and narcotic drugs and appear before the Board within one (1) year from June 9, 1990, to demonstrate the record-keeping system put in place for controlled and narcotic drugs.

(b) Implement a formal, written, procedure manual to include qualifications of his professional and non-professional employees and job descriptions therefor, and to provide same to the Board staff within 60 days of June 9, 1990. Defendant may consult with the Board staff for assistance in preparing the formal procedures manual.

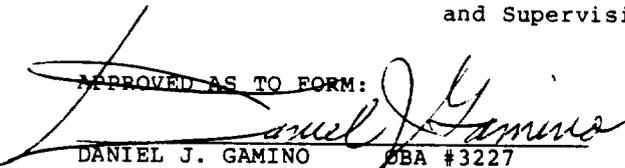
3. Exceptions granted to both parties on all rulings made herein.

DATED this 12 day of ^{June} ~~June~~, 1990.

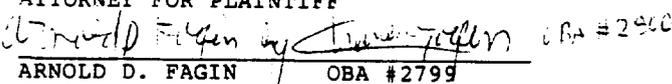


GERALD C. ZUMWALT, M.D., Secretary
State Board of Medical Licensure
and Supervision

APPROVED AS TO FORM:



DANIEL J. GAMINO OBA #3227
Daniel J. Gamino & Associates, P.C.
3315 NW 63
Oklahoma City, OK 73116
(405) 840-3741
ATTORNEY FOR PLAINTIFF



ARNOLD D. FAGIN OBA #2799
Fagin & Fagin, P.C.
2650 First Oklahoma Tower
210 West Park Ave.
Oklahoma City, OK 73102
(405) 239-6771
ATTORNEY FOR DEFENDANT

61310 1003

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 16 day of ~~June~~^{July}, 1990, to:

ARNOLD D. FAGIN
Fagin & Fagin, P.C.
2650 First Oklahoma Tower
210 West Park Ave.
Oklahoma City, OK 73102

Janet Owens

SEARCHED
SERIALIZED
INDEXED
FILED

IN AND BEFORE THE OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE AND SUPERVISION

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel,)
OKLAHOMA STATE BOARD OF)
MEDICAL LICENSURE AND)
SUPERVISION,)
)
Plaintiff,)
v.)
)
NARESHKUMAR PATEL, M.D.) CASE NO. 87-7-514
Medical License No. 14640,)
)
Defendant.)

RECEIVED
FEB 13 PM 3 03

CITATION

TO: NARESHKUMAR PATEL, M.D.
6005 NW 63
Suite A-200
Oklahoma City, OK

YOU ARE HEREBY NOTIFIED that on the 28th day of DECEMBER, 1989, a sworn Complaint was filed with the undersigned member of the Oklahoma State Board of Medical Licensure and Supervision, State of Oklahoma, charging you with violation of the Oklahoma Medical Practice Act, Title 59 O.S. 1981, Sec. 509 and Sec. 509(11). A copy of said Complaint is attached hereto and made a part hereof.

On the 3RD day of FEBRUARY, 1990, said Board will be in regular session at 11:00 o'clock A. M., at Oklahoma State Medical Association, 610 NW Cypressway at which time said Complaint will be considered by the Board and a hearing will be held pursuant to the Oklahoma Administrative Procedures Act, 75 O.S. 1971, Sec. 301, et seq., as amended.

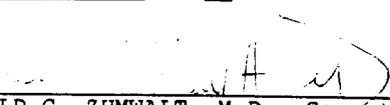
If it be the decision of the Board, after considering all the testimony and evidence, that you are guilty as charged, your license to practice medicine and surgery within the State of Oklahoma will be suspended or revoked or such other disciplinary action taken by the Board as may be authorized by law.

Under the laws of the State of Oklahoma, you are required to file your written Answer under oath with the Secretary of said Board within twenty (20) days after the Citation is served upon you. Unless said Answer is so filed, you will be considered in

default and if the charges be deemed sufficient by the Board your license to practice medicine and surgery in the State of Oklahoma will be suspended or revoked.

THEREFORE, you are cited to appear at said hearing on said date. If you are not present in person, you may be present by your attorney or other representative.

DATED this 28TH day of DECEMBER, 1989.



GERALD C. ZUMWALT, M.D., Secretary
Oklahoma State Board of Medical
Licensure and Supervision

RECEIVED
FEB 19 1990

610-140-2
Case - 87-7-14

RETURN OF SERVICE BY AGENT

Received the attached Citation and Notice of Guidelines on Attempted Postponement of Hearing at Oklahoma City, Oklahoma, on the 28 day of December, 1989, and on the 2nd day of January, 1990, at 4:15 o'clock P.M. served them on the within named NARESHKUMAR PATEL ^{U.D.} by delivering copies to him/her at:

6005 NW 63rd
Oklahoma City,
Oklahoma

[Signature]

Subscribed and sworn to before me on this 3 day of January, 1990
1989.6N

Sharon Nash
Notary Public

My commission expires:
December 13, 1993

SHARON NASH
NOTARY PUBLIC
STATE OF OKLAHOMA

IN AND BEFORE THE OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE AND SUPERVISION

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel,)
OKLAHOMA STATE BOARD OF)
MEDICAL LICENSURE AND)
SUPERVISION,)
)
Plaintiff,)
v.)
)
NARESHKUMAR PATEL, M.D.) CASE NO. 87-7-514
Medical License No. 14640,)
)
Defendant.)

STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION
91 MAR 13 PM 3:04

COMPLAINT

COMES NOW D.C. Mosshart, Investigator for the Oklahoma State Board of Medical Licensure and Supervision, being first duly sworn upon oath and states:

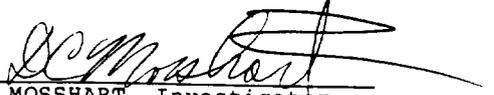
1. That Nareshkumar Patel, M.D., holding Oklahoma Medical License No. 14640, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, Sec. 509 and Sec. 509(11), for unprofessional conduct and for failure to keep complete and accurate records of purchase and disposal of controlled drugs or narcotic drugs.

2. That on or around June 10, 1989, Defendant did perform a surgical procedure on patient E.S.B., and said procedure was performed in an unprofessional manner and in an unprofessional setting.

3. That in ^{AN ORAL REPORT} ~~December 7, 1988~~ ^{or} of 19⁸⁸ ~~88~~, Defendant abandoned a patient and left the premises of his clinic to take a friend to the airport and left the patient in a post-operative condition in the treatment room under anesthesia, and the patient's blood pressure dropped and the patient required emergency medical assistance.

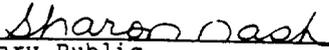
4. That the Defendant did not comply with applicable state laws and regulations relating to the writing of prescriptions for controlled dangerous substances, in failing to maintain dispensing records for dangerous drugs, and in failing to keep complete and accurate records of the purchase and dispensing of controlled drugs or narcotic drugs.

WHEREFORE, Complainant prays this Board to conduct a hearing and upon proof of the allegations contained herein that such disciplinary action be taken by the Board as is authorized by law.



D.C. MOSSHART, Investigator
State Board of Medical Licensure
and Supervision

Subscribed and sworn to before me this 27 day of December, 1989.


Notary Public

My Commission expires:
December 13, 1993

NOV 13 1989
STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION