

BEFORE THE MEDICAL LICENSING BOARD OF INDIANA  
CAUSE NO. 2014 MLB 0042

IN THE MATTER OF THE LICENSE OF )  
 )  
RESAD PASIC, M.D. )  
 )  
LICENSE NO: 01044394A )



ADMINISTRATIVE COMPLAINT

This complaint is brought against the medical license of Resad Pasic, M.D. ("Respondent"), by the State of Indiana, by counsel, Deputy Attorneys General Darren R. Covington and Amanda R. Elizondo, on behalf of the Office of the Attorney General ("the Petitioner") and pursuant to Indiana code § 25-1-7-7 Ind. Code § 25-1-5-3, Ind. Code art. 25-22.5, the Administrative Orders and Procedures Act, Ind. Code ch. 4-21.5-3, and Ind. Code ch. 25-1-9, and in support alleges and states:

FACTS

1. Respondent's address on file with the Medical Licensing Board of Indiana is 2411 Newburg Road, Louisville, Kentucky 40205. Respondent is a licensed Doctor of Medicine, holding Indiana license number 01044394A issued September 28, 1995.

2. Respondent performed abortions at the Clinic for Women, located at 3607 West 16<sup>th</sup> Street, Suite B-2, Indianapolis, Indiana 46222.

3. Pursuant to Ind. Code § 16-34-2-5(b), all physicians performing abortions in Indiana must complete a Terminated Pregnancy Report ("TPR") for each abortion performed. Pursuant to Ind. Code § 16-34-2-5(a), the TPR must include the following information:

- (1) The age of the woman who is aborted.
- (2) The place where the abortion is performed.
- (3) The full name and address of the physicians performing the abortion.
- (4) The name of the father if known.

- (5) The age of the father, or the approximate age of the father if the father's age is unknown.
- (6) The postfertilization age of the fetus, the manner in which the postfertilization age was determined, and, if after the earlier of the time the fetus obtains viability or the time the postfertilization age of the fetus is at least twenty (20) weeks, the medical reason for the abortion.
- (7) The medical procedure employed to administer the abortion . . .
- (8) The mother's obstetrical history, including dates of other abortions, if any.
- (9) The results of pathological examinations if performed.
- (10) Information as to whether the fetus was delivered alive.
- (11) Records of all maternal deaths occurring within the health facility where the abortion was performed.
- (12) The date of the pregnancy termination.
- (13) The date the form was received by the state department.

4. Pursuant to Ind. Code 16-34-2-5(b), the TPRs are to be completed and transmitted to the Indiana State Department of Health ("ISDH") by July 30 for all abortions performed between January 1 and June 30 of that year; and by January 30 for all abortions performed between July 1 and December 31 of the previous year.

5. A physician performing an abortion is separately required to certify the determination of the postfertilization age of the fetus on the TPR. Ind. Code § 16-34-2-2(a). To that end, a physician performing an abortion is required to question the patient concerning the date of fertilization. Ind. Code § 16-34-2-2(b)(1). This is primarily done by asking about the date of the patient's last menses.

6. The Clinic for Women submitted to the ISDH in June 2014 132 TPRs that Respondent completed.

7. The reports contained multiple failures to comply with the requirements of Ind. Code § 16-34-2-5. Among the errors and omissions discovered on the TPRs are the following:

- a. Respondent left blank the field which indicated whether the fetus was delivered alive 20 times (15% of the time) contrary to Ind. Code § 16-34-2-

5(a)(10), which required the Relator to indicate in the TPR "information as to whether the fetus was delivered alive."<sup>1</sup>

- b. Respondent left blank the type of termination procedure performed 20 times (15% of the time), contrary to Ind. Code §16-34-2-5(a)(7), which required the Relator to enter in the TPR the "medical procedure employed to administer the abortion."<sup>2</sup>
- c. Respondent failed to record dates of prior terminations for patients who indicated they had prior abortions or miscarriages 60 times (46% of the time), contrary to Ind. Code § 16-34-2-5(a)(8) which required the Relator to enter in the TPR "the mother's obstetrical history."<sup>3</sup>
- d. Respondent failed to record the age or approximate age of the father 31 times (23% of the time), contrary to Ind. Code § 16-34-2-5(a)(5) which required the Relator to enter in the TPR "the age of the father, or the approximate age of the father if the father's age is unknown."<sup>4</sup>
- e. Additionally, less than 3% of the time, Respondent failed to record one of the following: the patient's age; the date the abortion was performed; the number of living children; the number of deceased children; the number of spontaneous terminations; the number of induced terminations; the date of the patient's last menses; and the name of the father, contrary to Ind. Code § 16-34-2-5 and Ind. Code § 16-34-2-2(b)(1).<sup>5</sup>

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<sup>1</sup> See Exhibit A, Column L

<sup>2</sup> See Exhibit A, Column O

<sup>3</sup> See Exhibit A, Column K

<sup>4</sup> See Exhibit A, Column U

<sup>5</sup> See Exhibit A, Columns E-J, P & T

8. Respondent failed to file all 132 TPRs within the time period required by law. 1 TPR was filed 695 days late. 62 TPRs were filed 330 days late. 66 TPRs were filed 146 days late. 3 TPRs did not record the date of the procedure.

9. Attached to this complaint as Exhibit A is a spreadsheet listing the 132 TPRs and identifying the deficiencies of each of the TPRs that Respondent submitted, each row of the spreadsheet summarizing one TPR and each column identifying one field of the form that Respondent was required to complete. Each cell of the spreadsheet indicates whether Respondent properly completed the field associated with that cell's column, as indicated by an "✓" in the cell.

### VIOLATIONS

10. By his conduct, Respondent has violated Ind. Code § 25-1-9-4(a)(3), in that Respondent has knowingly violated a state statute or rule regulating the profession, to wit, Ind. Code § 16-34-2-5(a) and Ind. Code § 16-34-2-2(b)(1), as evidenced by his failure to ensure that the following information was completed on all TPRs:

- a. The patient's age;
- b. The date of the abortion procedure;
- c. The number of living and deceased children;
- d. The number of spontaneous and induced terminations;
- e. The date of the patient's last menses; and,
- f. The name of the father.

11. By his conduct, Respondent has violated Ind. Code § 25-1-9-4(a)(3), in that Respondent has knowingly violated a state statute or rule regulating the profession, to wit, Ind. Code § 16-34-2-5(a)(8), as evidenced by his failure to ensure that the obstetrical history of

patients, specifically, the dates of prior terminations, were included on 60 TPRs submitted to ISDH.

12. By his conduct, Respondent has violated Ind. Code § 25-1-9-4(a)(3), in that Respondent has knowingly violated a state statute or rule regulating the profession, to wit, Ind. Code § 16-34-2-5(a)(10), as evidenced by his failure to record "information as to whether the fetus was delivered alive" 20 times on TPRs submitted to ISDH.

13. By his conduct, Respondent has violated Ind. Code § 25-1-9-4(a)(3), in that Respondent has knowingly violated a state statute or rule regulating the profession, to wit, Ind. Code § 16-34-2-5(a)(7), as evidenced by his failure to record the "medical procedure employed to administer the abortion" 20 times on TPRs submitted to ISDH.

14. By his conduct, Respondent has violated Ind. Code § 25-1-9-4(a)(3), in that Respondent has knowingly violated a state statute or rule regulating the profession, to wit, Ind. Code § 16-34-2-5(a)(5), as evidenced by his failure to record the "the age of the father, or the approximate age of the father if the father's age is unknown" 31 times on TPRs submitted to ISDH.

15. By his conduct, Respondent has violated Ind. Code § 25-1-9-4(a)(3), in that Respondent has knowingly violated a state statute or rule regulating the profession, to wit, Ind. Code § 16-34-2-5(b), as evidenced by Respondent's failure to timely submit 132 TPRs to ISDH.

16. By his conduct, Respondent has violated Ind. Code § 25-1-9-4(a)(4)(A), as defined by 844 IAC 5-1-1(15), in that Respondent is unfit to practice due to professional incompetence as he continued to engage in a pattern of conduct which demonstrates an inability to exercise reasonable care and diligence as is normally exercised by practitioners in the same or

similar circumstances in that he has failed to comply with the requirements of Ind. Code ch. 16-34-2.

**WHEREFORE**, Petitioner demands an order against Respondent, that:

1. Imposes the appropriate disciplinary sanction;
2. Directs Respondent to immediately pay all the costs incurred in the prosecution of this case;
3. Provides any other relief the Board deems just and proper.

Respectfully submitted,

GREGORY F. ZOELLER  
Attorney General of Indiana  
Attorney Number: 1958-98


By: D - R S -  
Darren R. Covington  
Deputy Attorney General  
Attorney Number: 28511-16

By: Amanda R. Elizondo  
Amanda R. Elizondo  
Deputy Attorney General  
Attorney Number: 30243-53

CERTIFICATE OF SERVICE

I certify that a copy of the Administrative Complaint has been duly served upon the parties listed below by United States first-class mail, on this 17<sup>th</sup> day of Sept., 2014.

Resad Pasic, M.D.  
2411 Newburg Rd.  
Louisville, KY 40205

  
Darren R. Covington  
Deputy Attorney General

Office of the Indiana Attorney General  
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Indianapolis, Indiana 46204-2770  
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EXHIBIT A: SUMMARY OF TERMINATED PREGNANCY REPORTS

✓ : Entry Provided or Not Applicable Blank: Entry Not Provided or Incomplete

Line	ISDH Form Identifier	Year Submitted	Patient's Age	Date Termination	Live Births - Living	Live Births - Dec.	# of Spontns Terms	# of Induced Terms	Prior Term Dates	Fetus Delivered Alive	Path Exam (Y/N)	Path Exam Results	Type of Termination	Last Menses	Est. of Gestation	Postfertilization Age	How Age Determined	Name of Father	Age of Father or Apprx.	
1	7357	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
2	7358	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
3	7359	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
4	7360	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
5	7361	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
6	7362	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
7	7363	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
8	7364	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
9	7365	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
10	7366	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
11	7377	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
12	7378	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
13	7379	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
14	7380	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
15	7381	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
16	7382	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
17	7383	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
18	7384	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
19	7385	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
20	7386	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
21	7387	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
22	7388	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
23	7561	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
24	7564	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
25	7565	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
26	7567	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
27	7569	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
28	7572	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
29	7575	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
30	7593	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
31	7602	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
32	7605	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
33	7611	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
34	7612	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
35	7618	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
36	7619	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
37	7623	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
38	7627	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
39	7628	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
40	7629	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
41	7630	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
42	7632	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
43	7634	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
44	7635	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
45	7636	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
46	7638	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
47	7640	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
48	7641	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
49	7643	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	





EXHIBIT A: SUMMARY OF TERMINATED PREGNANCY REPORTS

✓ : Entry Provided or Not Applicable Blank: Entry Not Provided or Incomplete

105	8031	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
106	8034	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
107	8036	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
108	8038	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
109	8042	2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
110		2014	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
111		2014	✓		✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
112		2014	✓	✓	✓	✓	✓	✓			✓		✓	✓	✓	✓	✓	✓	✓	
113		2014	✓	✓	✓	✓	✓	✓	✓			✓		✓	✓	✓	✓	✓	✓	
114		2014	✓	✓	✓	✓	✓	✓	✓			✓		✓	✓	✓	✓	✓	✓	
115		2014	✓	✓	✓	✓	✓	✓				✓		✓	✓	✓	✓	✓	✓	
116		2014	✓	✓	✓	✓	✓	✓				✓		✓	✓	✓	✓	✓	✓	
117		2014	✓	✓	✓	✓	✓	✓				✓		✓	✓	✓	✓	✓	✓	
118		2014	✓	✓	✓	✓	✓	✓				✓		✓	✓	✓	✓	✓	✓	
119		2014	✓	✓	✓	✓	✓	✓	✓				✓		✓	✓	✓	✓	✓	
120		2014	✓	✓	✓	✓	✓	✓					✓		✓	✓	✓	✓	✓	
121		2014	✓	✓	✓	✓	✓	✓					✓		✓	✓	✓	✓	✓	
122		2014	✓	✓	✓	✓	✓	✓					✓		✓	✓	✓	✓	✓	
123		2014	✓	✓	✓	✓	✓	✓					✓		✓	✓	✓	✓	✓	
124		2014	✓	✓	✓	✓	✓	✓	✓				✓		✓	✓	✓	✓	✓	
125		2014	✓	✓	✓	✓	✓	✓					✓		✓	✓	✓	✓	✓	
126		2014	✓	✓	✓	✓	✓	✓	✓				✓		✓	✓	✓	✓	✓	
127		2014	✓	✓	✓	✓	✓	✓					✓		✓	✓	✓	✓	✓	
128		2014	✓	✓	✓	✓	✓	✓	✓				✓		✓	✓	✓	✓	✓	
129		2014	✓	✓	✓	✓	✓	✓					✓		✓	✓	✓	✓	✓	
130		2014	✓	✓	✓	✓	✓	✓	✓				✓		✓	✓	✓	✓	✓	
131		2014	✓	✓	✓	✓	✓	✓	✓				✓		✓	✓	✓	✓	✓	
132		2014			✓	✓	✓	✓		✓	✓		✓	✓	✓	✓	✓	✓	✓	