

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

AMANDA JOY DAKROUB, M.D.
A.K.A. AMANDA JOY KAUFMAN, M.D.
License No. 43-01-081734,

File No. 43-21-002218

Respondent.

CONSENT ORDER

On December 20, 2022, the Department of Licensing and Regulatory Affairs executed an Administrative Complaint charging Respondent with violating the Public Health Code, MCL 333.1101 *et seq.*¹

The parties have stipulated that the Michigan Board of Medicine's Disciplinary Subcommittee (DSC) may enter this Consent Order and Stipulation. The DSC has reviewed this Consent Order and Stipulation and agrees that the public interest is best served by resolution of the outstanding Complaint.

Therefore, IT IS FOUND that the facts alleged in the Complaint are true and constitute violations of MCL 333.16221(a) and (b)(i).

¹ The Complaint incorrectly spelled Respondent's last name as Dekroub. It is correctly spelled here.

Accordingly, IT IS ORDERED that for the cited violations of the Public Health Code:

Respondent is REPRIMANDED.

Respondent is FINED **\$1,500.00** to be paid to the State of Michigan within 90 days of the effective date of this Order. Respondent shall **direct payment** to the **Department of Licensing and Regulatory Affairs, Enforcement Division, Compliance Section, P.O. Box 30189, Lansing, MI 48909**. The fine shall be paid by check or money order, made payable to the State of Michigan, and shall clearly display **File Number 43-21-002218**.

Respondent shall comply with the Public Health Code and its administrative rules.

Respondent is solely responsible for payment of all costs incurred in complying with the terms of this Order.

If Respondent violates any provision of this Order, the DSC may take disciplinary action pursuant to Mich Admin Code, R 338.1632 and MCL 333.16221(h).

This Order shall be effective 30 days after the date signed by the DSC.

MICHIGAN BOARD OF MEDICINE

Lauram Brown for

By: Chairperson, Disciplinary Subcommittee

Dated: July 19, 2023

STIPULATION

The Department of Licensing and Regulatory Affairs and Respondent stipulate as follows:

1. Respondent does not contest the allegations of fact and law in the Complaint. Respondent understands that, by pleading no contest, Respondent does not admit the truth of the allegations but agrees that the Disciplinary Subcommittee may treat the allegations as true for resolution of the Complaint and may enter an Order treating the allegations as true. Therefore, the DSC finds that the facts alleged in the Complaint are true and constitute violations of MCL 333.16221(a) and (b)(i).

2. Respondent understands and intends that, by signing this Stipulation, Respondent waives the right, under the Public Health Code, its administrative rules, and the Administrative Procedures Act, MCL 24.201 *et seq*, to require the Department to prove the charges set forth in the Complaint by presenting evidence and legal authority, and Respondent is waiving the right to appear with an attorney and witnesses to present a defense to the charges.

3. This matter is a public record required to be published and made available to the public pursuant to the Michigan Freedom of Information Act, MCL 15.231 *et seq.*, and this action will be reported to the National Practitioner Data Bank and any other entity as required by state or federal law.

4. This Order is approved as to form and substance by Respondent and the Department and may be entered as the final order of the DSC in this matter.

5. Venkat Rao, M.D. supports this resolution. Dr. Rao or a Department representative may discuss this matter with the DSC and recommend acceptance of the resolution set forth in this Order.

6. Dr. Rao and the parties considered the following factors in agreeing to the above terms:

- a. In a compliance conference between the parties, Respondent engaged in an open discussion of the allegations in the Complaint.
- b. Respondent admitted that due to her relationship with the patients, she did not obtain ADHD diagnoses as she should have instead of simply believing them.
- c. Respondent stated that during one of her telehealth appointments with a patient, Respondent's family member walked through the room quickly because the family member did not know of the telehealth appointment. This was near the beginning of the Covid-19 pandemic and Respondent was still adapting to the new normal of telehealth visits from her home.
- d. Respondent submitted proof of completing over 20 hours of continuing education in the area of controlled substance prescribing, which included a master class on psychopharmacology.
- e. Respondent has no prior disciplinary history since becoming licensed in Michigan in 2005.

7. This Order is effective only upon acceptance by the DSC. Respondent and the Department reserve the right to further proceedings without prejudice if the DSC rejects this Order.

Signatures on Next Page

Agreed to by:



Patrick Cole, Analyst
Regulation Section
Enforcement Division

Dated: 6/22/2023

Agreed to by:



Amanda J. Dakroub, M.D.
Respondent

Dated: June 20, 2023

Approved by:



Farah R. Israel (P80707),
Attorney for Respondent

Dated: 6/21/23

Pc/jp

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In the Matter of

AMANDA JOY DEKROUB, M.D.
A.K.A. AMANDA JOY KAUFMAN, M.D.
License No. 43-01-081734,

File No. 43-21-002218

Respondent.

ADMINISTRATIVE COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs, by Forrest Pasanski, Director, Enforcement Division, Bureau of Professional Licensing, complains against Respondent Amanda J. Dekroub, M.D. as follows:

1. The Michigan Board of Medicine is an administrative agency established by the Public Health Code, MCL 333.1101 *et seq.* Pursuant to MCL 333.16226, the Board's Disciplinary Subcommittee (DSC) is empowered to discipline licensees for Code violations.

2. Respondent is currently licensed to practice medicine in the State of Michigan. Respondent also holds an active controlled substance license.

3. At times relevant to this Complaint, Respondent was engaged in the practice of medicine in Ann Arbor, Michigan.

4. Alprazolam (e.g., Xanax), a schedule 4 controlled substance, is a benzodiazepine used to treat anxiety disorders and panic disorder. Alprazolam is a commonly abused and diverted drug, particularly in its 1 mg and 2 mg dosages.

5. Amphetamine salts (e.g., Adderall) are schedule 2 controlled substances.

6. The Department received an allegation that Respondent was negligent in her practice by unnecessarily prescribing controlled substances to patient A, who had a history of substance abuse, and that Respondent betrayed patient A's confidence. It was also alleged that Respondent was negligent in prescribing controlled substances to patient B.

INTERVIEW WITH RESPONDENT

7. On or about January 27, 2022, a Department investigator interviewed Respondent. Respondent provided the following information to the investigator:

- a. Respondent stated that she works in a small private practice four days per week, from 9:00am until 5:00pm.
- b. Respondent stated that she has treated patients with addiction issues.
- c. Respondent stated that during the Covid-19 pandemic she converted to telemedicine appointments from her home. Respondent admitted that during one telemedicine appointment with patient A, a relative briefly came into the room where Respondent was conducting the appointment to retrieve something. Respondent stated there was a learning curve to telemedicine appointments.
- d. Respondent stated that patient A had gone to an ADHD¹ conference and was given Adderall by an unnamed "expert." Respondent stated that she started patient A on Adderall and that she trusted patient A. Patient A had not been diagnosed with ADHD.

¹ Attention-Deficit Hyperactivity Disorder.

OBSERVATIONS OF THE EXPERT

8. The Department subpoenaed medical records for patient A and B and the Department retained the services of an expert to review all relevant materials in this case. The expert and the Department investigator had the following observations:

- a. Respondent failed to confirm a diagnosis of ADHD prior to prescribing Adderall to both patient A and B.
- b. Respondent failed to conduct or refer to a screening scale prior to prescribing Adderall to patients A and B.
- c. Respondent failed to consider red flags, such as obtaining and consuming Adderall without a prescription, before prescribing Adderall for patients A and B.
- d. Respondent failed to document consideration of patient A's history of hypertension and hyperaldosteronism prior to prescribing Adderall. Prescribing Adderall is associated with increased risk of serious cardiovascular disease.
- e. Respondent's conduct in treating patients A and B for ADHD and subsequent prescribing of Adderall to each is a violation of a general duty, consisting of negligence or failure to exercise due care, including negligent delegation to or supervision of employees or other individuals, whether or not injury resulted.
- f. Respondent's conduct in treating patients A and B for ADHD and subsequent prescribing of Adderall to each is a departure from, or failure to conform to, minimal standards of acceptable and prevailing practice for the profession, whether or not actual injury to an individual occurred.

COUNT I

Respondent's conduct constitutes a violation of a general duty, consisting of negligence or failure to exercise due care, including negligent delegation to or supervision of employees or other individuals, or a condition, conduct, or practice that impairs, or may impair, the ability safely and skillfully to engage in the practice of the health profession in violation of MCL 333.16221(a).

COUNT II

Respondent's conduct, as set forth above, demonstrates Respondent's "departure from, or failure to conform to, minimal standards of acceptable and prevailing practice for the health profession, whether or not actual injury to an individual occurs", and accordingly "incompetence," in violation of MCL 333.16221(b)(i).

RESPONDENT IS NOTIFIED that, pursuant to MCL 333.16231(8), Respondent has 30 days from the date of receipt of this Complaint to submit a written response to the allegations contained in it. Pursuant to section 16192(2) of the Code, Respondent is deemed to be in receipt of the complaint three (3) days after the date of mailing listed in the attached proof of service. The written response shall be submitted by email to the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing to BPL-DMS@michigan.gov. If unable to submit a response by email, Respondent may submit by regular mail to the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, P.O. Box 30670, Lansing, MI 48909.

Respondent's failure to submit an answer within 30 days is an admission of all Complaint allegations. If Respondent fails to answer, the Department shall transmit this complaint directly to the Board's Disciplinary Subcommittee to impose a sanction pursuant to MCL 333.16231(9).

MICHIGAN DEPARTMENT OF
LICENSING AND REGULATORY AFFAIRS

Dated: 12/20/22

 signing for

By: Forrest Pasanski, Director
Enforcement Division
Bureau of Professional Licensing

Pc/jp