



State Medical Board of Ohio

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April 14, 2004

Minakshi B. Deshmukh, M.D.
169 Tilak Nagar
Near Palasia
Indor, 452018
M P, India

Dear Doctor Deshmukh:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of Sharon W. Murphy, Attorney Hearing Examiner, State Medical Board of Ohio; and an excerpt of draft Minutes of the State Medical Board, meeting in regular session on April 14, 2004, including motions approving and confirming the Report and Recommendation as the Findings and Order of the State Medical Board of Ohio.

Section 119.12, Ohio Revised Code, may authorize an appeal from this Order. Such an appeal must be taken to the Franklin County Court of Common Pleas.

Such an appeal setting forth the Order appealed from and the grounds of the appeal must be commenced by the filing of a Notice of Appeal with the State Medical Board of Ohio and the Franklin County Court of Common Pleas. Any such appeal must be filed within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12, Ohio Revised Code.

THE STATE MEDICAL BOARD OF OHIO

Lance A. Talmage, M.D.
Secretary

LAT:jam
Enclosures

REGISTERED MAIL NO. RR 323 469 585 US
RETURN RECEIPT REQUESTED

Mailed 4-15-04

CERTIFICATION

I hereby certify that the attached copy of the Entry of Order of the State Medical Board of Ohio; Report and Recommendation of Sharon W. Murphy, State Medical Board Attorney Hearing Examiner; and excerpt of draft Minutes of the State Medical Board, meeting in regular session on April 14, 2004, including motions approving and confirming the Findings of Fact, Conclusions and Proposed Order of the Hearing Examiner as the Findings and Order of the State Medical Board of Ohio; constitute a true and complete copy of the Findings and Order of the State Medical Board in the Matter of Minakshi B. Deshmukh, M.D., as it appears in the Journal of the State Medical Board of Ohio.

This certification is made by authority of the State Medical Board of Ohio and in its behalf.



Lance A. Talmage, M.D.

Secretary

(SEAL)

April 14, 2004

Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

*

*

MINAKSHI B. DESHMUKH, M.D.

*

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio on April 14, 2004.

Upon the Report and Recommendation of Sharon W. Murphy, State Medical Board Attorney Hearing Examiner, designated in this Matter pursuant to R.C. 4731.23, a true copy of which Report and Recommendation is attached hereto and incorporated herein, and upon the approval and confirmation by vote of the Board on the above date, the following Order is hereby entered on the Journal of the State Medical Board of Ohio for the above date.

It is hereby ORDERED that:

- A. **SUSPENSION:** The certificate of Minakshi B. Deshmukh, M.D., to practice medicine and surgery in the State of Ohio shall be SUSPENDED for an indefinite period of time, but not less than 180 days.
- B. **CONDITIONS FOR REINSTATEMENT OR RESTORATION:** The Board shall not consider reinstatement or restoration of Dr. Deshmukh's certificate to practice medicine and surgery until all of the following conditions have been met:
 1. **Application for Reinstatement or Restoration:** Dr. Deshmukh shall submit an application for reinstatement or restoration, accompanied by appropriate fees, if any.
 2. **Psychiatric Assessment/Treatment:** Prior to submitting her application for reinstatement or restoration, Dr. Deshmukh shall submit to the Board for its prior approval the name and curriculum vitae of a psychiatrist of Dr. Deshmukh's choice. Upon approval by the Board, Dr. Deshmukh shall obtain from the approved psychiatrist an assessment of Dr. Deshmukh's

current psychiatric status. Prior to the initial assessment, Dr. Deshmukh shall furnish the approved psychiatrist copies of the Board's Order, including the Summary of the Evidence, Findings of Fact, Conclusions, and Order, and any other documentation from the hearing record which the Board may deem appropriate or helpful to that psychiatrist.

Upon completion of the initial assessment, Dr. Deshmukh shall cause a written report to be submitted to the Board from the approved psychiatrist. The written report shall include:

- a. A detailed report of the evaluation of Dr. Deshmukh's current psychiatric status and condition;
- b. A detailed plan of recommended psychiatric treatment, if any, based upon the psychiatrist's informed assessment of Dr. Deshmukh's current needs; and
- c. Any reports upon which the treatment recommendation is based, including reports of physical examination and psychological or other testing.

Should the Board approved psychiatrist recommend psychiatric treatment, and upon approval by the Board, Dr. Deshmukh shall undergo and continue psychiatric treatment weekly or as otherwise directed by the Board. The sessions shall be in person and may not be conducted by telephone or other electronic means. Dr. Deshmukh shall comply with her psychiatric treatment plan, including taking medications as prescribed for her psychiatric disorder.

3. **Certification of Compliance with Treatment Plan**: If psychiatric treatment is recommended pursuant to the psychiatric assessment, upon submission of her application for reinstatement or restoration, Dr. Deshmukh shall provide the Board with certification from the psychiatrist approved by the Board that Dr. Deshmukh has been in full compliance with the plan of recommended treatment for a period of at least six months immediately preceding the submission of her application for restoration or reinstatement.
4. **Reports of Evaluation**: Upon submission of her application for reinstatement or restoration, Dr. Deshmukh shall provide the Board with written reports of evaluation by two psychiatrists acceptable to the Board indicating that Dr. Deshmukh's ability to practice has been assessed and that she has been found capable of practicing in accordance with acceptable and prevailing standards of care. Such assessments shall have been performed within sixty days prior to submission of her application for reinstatement or restoration. Each report shall describe with particularity the bases for this

determination and shall set forth any recommended limitations upon Dr. Deshmukh's practice.

5. **Certification of Compliance with the Consent Order and Stipulation of the Michigan Department of Consumer & Industry Services, Bureau of Health Services, Board of Medicine**: At the time she submits her application for reinstatement or restoration, Dr. Deshmukh shall submit to the Board certification from the State of Michigan, Department of Consumer & Industry Services, Bureau of Health Services, Board of Medicine [Michigan Board] dated no earlier than sixty days prior to Dr. Deshmukh's application for reinstatement or restoration, that Dr. Deshmukh has maintained full compliance with the Consent Order and Stipulation of the Michigan Board.
6. **Absence from Practice**: In the event that Dr. Deshmukh has not been engaged in the active practice of medicine and surgery for a period in excess of two years prior to the submission of her application for reinstatement or restoration, the Board may exercise its discretion under Section 4731.222, Ohio Revised Code, to require additional evidence of Dr. Deshmukh's fitness to resume practice.

C. **PROBATIONARY CONDITIONS**: Upon reinstatement or restoration, Dr. Deshmukh's certificate shall be subject to the following PROBATIONARY terms, conditions, and limitations for a period of at least ten years:

1. **Obey Laws in Ohio**: Dr. Deshmukh shall obey all federal, state, and local laws; and all rules governing the practice of medicine in Ohio.
2. **Quarterly Declarations**: Dr. Deshmukh shall submit quarterly declarations under penalty of Board disciplinary action and/or criminal prosecution, stating whether there has been compliance with all the conditions of this Order. The first quarterly declaration must be received in the Board's offices on the first day of the third month following the month in which the Order becomes effective. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.
3. **Appearances**: Dr. Deshmukh shall appear in person for an interview before the full Board or its designated representative during the third month following the effective date of this Order. Dr. Deshmukh must also appear every three months thereafter, and/or as otherwise requested by the Board. If an appearance is missed or is rescheduled for any reason, ensuing appearances shall be scheduled based on the appearance date as originally scheduled.
4. **Continue Psychiatric Treatment**: If the psychiatrist approved by the Board prior to Dr. Deshmukh's reinstatement or restoration recommends that Dr. Deshmukh undergo psychiatric treatment, Dr. Deshmukh shall

continue in psychiatric treatment until such time as the Board determines that no further treatment is necessary. To make this determination, the Board shall require reports from the approved treating psychiatrist. The psychiatric reports shall contain information describing Dr. Deshmukh's current treatment plan and any changes that have been made to the treatment plan since the prior report; Dr. Deshmukh's compliance with the treatment plan; Dr. Deshmukh's psychiatric status; Dr. Deshmukh's progress in treatment; and results of any laboratory studies that have been conducted since the prior report. Dr. Deshmukh shall ensure that the reports are forwarded to the Board on a quarterly basis and are received in the Board's offices no later than the due date for her quarterly declaration.

In addition, Dr. Deshmukh shall ensure that her treating psychiatrist immediately notifies the Board of Dr. Deshmukh's failure to comply with her psychiatric treatment plan and/or any determination that Dr. Deshmukh is unable to practice due to her psychiatric disorder.

In the event that the designated psychiatrist becomes unable or unwilling to serve in this capacity, Dr. Deshmukh must immediately so notify the Board in writing and make arrangements acceptable to the Board for another psychiatrist as soon as practicable. Dr. Deshmukh shall further ensure that the previously designated psychiatrist also notifies the Board directly of his or her inability to continue to serve and the reasons therefore.

5. **Practice Plan**: Prior to commencement of practice in Ohio, or as otherwise determined by the Board, Dr. Deshmukh shall submit to the Board and receive its approval for a plan of practice in Ohio. The practice plan, unless otherwise determined by the Board, shall be limited to a supervised structured environment in which Dr. Deshmukh's activities will be directly supervised and overseen by a monitoring physician approved by the Board. Dr. Deshmukh shall obtain the Board's prior approval for any alteration to the practice plan approved pursuant to this Order.

At the time Dr. Deshmukh submits her practice plan, she shall also submit the name and curriculum vitae of a monitoring physician for prior written approval by the Secretary or Supervising Member of the Board. In approving an individual to serve in this capacity, the Secretary or Supervising Member will give preference to a physician who practices in the same locale as Dr. Deshmukh and who is engaged in the same or similar practice specialty.

The monitoring physician shall monitor Dr. Deshmukh and her medical practice, and shall review Dr. Deshmukh's patient charts. The chart review may be done on a random basis, with the frequency and number of charts reviewed to be determined by the Board.

Further, the monitoring physician shall provide the Board with reports on the monitoring of Dr. Deshmukh and her medical practice, and on the review of Dr. Deshmukh's patient charts. Dr. Deshmukh shall ensure that the reports are forwarded to the Board on a quarterly basis and are received in the Board's offices no later than the due date for Dr. Deshmukh's quarterly declaration.

In the event that the designated monitoring physician becomes unable or unwilling to serve in this capacity, Dr. Deshmukh must immediately so notify the Board in writing. In addition, Dr. Deshmukh shall make arrangements acceptable to the Board for another monitoring physician within thirty days after the previously designated monitoring physician becomes unable or unwilling to serve, unless otherwise determined by the Board. Furthermore, Dr. Deshmukh shall ensure that the previously designated monitoring physician also notifies the Board directly of his or her inability to continue to serve and the reasons therefore.

6. **Declarations of Compliance with Terms of the Monitoring Agreement with the Michigan Health Professional Recovery Corporation:** If

Dr. Deshmukh enters into a Monitoring Agreement with the Michigan Health Professional Recovery Corporation as required by the Michigan Board Consent Order and Stipulation prior to reinstatement of her Michigan license, Dr. Deshmukh shall submit declarations under penalty of Board disciplinary action or criminal prosecution stating whether she has complied with that Monitoring Agreement. Dr. Deshmukh shall ensure that the declarations of compliance are forwarded to the Board on a quarterly basis and are received in the Board's offices no later than the due date for Dr. Deshmukh's quarterly declaration.

7. **Absence from Ohio:** In the event that Dr. Deshmukh should leave Ohio for three continuous months, or reside or practice outside the State, Dr. Deshmukh must notify the Board in writing of the dates of departure and return. Periods of time spent outside Ohio will not apply to the reduction of this period under the Order, unless otherwise determined by the Board in instances where the Board can be assured that probationary monitoring is otherwise being performed.

8. **Violation of Probation; Discretionary Sanction Imposed:** If

Dr. Deshmukh violates probation in any respect, the Board, after giving her notice and the opportunity to be heard, may institute whatever disciplinary action it deems appropriate, up to and including the permanent revocation of her certificate.

9. **Tolling of Probationary Period while Out of Compliance**: In the event Dr. Deshmukh is found by the Secretary of the Board to have failed to comply with any provision of this Order, and is so notified of that deficiency in writing, such period(s) of noncompliance will not apply to the reduction of the probationary period.
- D. **TERMINATION OF PROBATION**: Upon successful completion of probation, as evidenced by a written release from the Board, Dr. Deshmukh's certificate will be fully restored.
- E. **RELEASES**: Dr. Deshmukh shall provide continuing authorization, through appropriate written consent forms, for disclosure of evaluative reports, summaries, and records, of whatever nature, by any and all parties that provide treatment or evaluation for Dr. Deshmukh's psychiatric condition and/or related conditions, or for purposes of complying with this Order, whether such treatment or evaluations occurred before or after the effective date of this Order. The above-mentioned evaluative reports, summaries, and records are considered medical records for purposes of Section 149.43 of the Ohio Revised Code and are confidential pursuant to statute.
- Dr. Deshmukh shall also provide the Board written consent permitting any psychiatrist, counselor, or other treatment provider from whom Dr. Deshmukh obtains treatment to notify the Board in the event Dr. Deshmukh fails to agree to or comply with any recommended treatment. Failure to provide such consent, or revocation of such consent, shall constitute a violation of this Order.
- F. **REQUIRED REPORTING BY LICENSEE TO EMPLOYERS AND HOSPITALS**: Within thirty days of the effective date of this Order, Dr. Deshmukh shall provide a copy of this Order to all employers or entities with which she is under contract to provide health care services or is receiving training; and the Chief of Staff at each hospital where she has privileges or appointments. Further, Dr. Deshmukh shall provide a copy of this Order to all employers or entities with which she contracts to provide health care services, or applies for or receives training, and the Chief of Staff at each hospital where she applies for or obtains privileges or appointments. Further, Dr. Deshmukh shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.
- G. **REQUIRED REPORTING BY LICENSEE TO OTHER STATE LICENSING AUTHORITIES**: Within thirty days of the effective date of this Order, Dr. Deshmukh shall provide a copy of this Order by certified mail, return receipt requested, to the proper licensing authority of any state or jurisdiction in which she currently holds any professional license. Dr. Deshmukh shall also provide a copy of this Order by certified mail, return receipt requested, at time of application to the proper licensing authority of any state in which she applies for

any professional license or reinstatement or restoration of any professional license. Further, Dr. Deshmukh shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.

- H. **SUPERSEDE PREVIOUS CONSENT AGREEMENT:** This Order shall supersede the terms and conditions set forth in the August 8, 2001, Step I Consent Agreement between Dr. Deshmukh and the Board.

EFFECTIVE DATE OF ORDER: This Order shall become effective immediately upon the mailing of notification of approval by the Board.

(SEAL)



Lance A. Talmage, M.D.
Secretary

April 14, 2004

Date

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**REPORT AND RECOMMENDATION
IN THE MATTER OF MINAKSHI B. DESHMUKH, M.D.**

The Matter of Minakshi B. Deshmukh, M.D., was heard by Sharon W. Murphy, Esq., Hearing Examiner for the State Medical Board of Ohio, on February 3, 2004.

INTRODUCTION

I. Basis for Hearing

- A. By letter dated October 8, 2003, the State Medical Board of Ohio [Board] notified Minakshi B. Deshmukh, M.D., that it had proposed to take disciplinary action against her certificate to practice medicine and surgery in this state. The Board based its proposed action on allegations related to actions taken against Dr. Deshmukh's certificate by the Bureau of Health Services, Michigan Department of Consumer and Industry Services [Michigan Board] and on allegations that Dr. Deshmukh had violated the terms of an August 8, 2001, Step I Consent Agreement with the Board.

The Board alleged that the Michigan Board action against Dr. Deshmukh constitutes “[a]ny of the following actions taken by the agency responsible for regulating the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or the limited branches of medicine in another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual’s license to practice; acceptance of an individual’s license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand,’ as that clause is used in R.C. 4731.22(B)(22).” Moreover, the Board alleged that Dr. Deshmukh’s failure to comply with the terms of her Step I Consent Agreement constitutes a “[v]iolation of the conditions of limitation placed by the board upon a certificate to practice,’ as that clause is used in R.C. 4731.22(B)(15).” Accordingly, the Board advised Dr. Deshmukh of her right to request a hearing in this matter. (State’s Exhibit 1A)

- B. On November 10, 2003, Dr. Deshmukh submitted a written hearing request. (State’s Exhibit 1B)

II. Appearances

- A. On behalf of the State of Ohio: Jim Petro, Attorney General, by Gregory A. Perry, Assistant Attorney General.

- B. On behalf of the Respondent: Dr. Deshmukh, having been apprised of her right to attend the hearing or to be represented by counsel, did not appear in person or by representative. Instead, Dr. Deshmukh presented her contentions in writing.

EVIDENCE EXAMINED

I. Testimony Heard

Danielle Bickers

II. Exhibits Examined

- A. State's Exhibits 1A-1J: Procedural exhibits. [Note: State's Exhibits 1B and 1H contain substantive information from Dr. Deshmukh. Moreover, a patient name has been redacted from those exhibits.]
- B. State's Exhibit 2: Certified copies of documents pertaining to Dr. Deshmukh maintained by the Bureau of Health Services, Michigan Department of Consumer and Industry Services.
- C. State's Exhibit 3: Copy of Dr. Deshmukh's August 8, 2001, Step I Consent Agreement with the Board, with attachment.
- D. State's Exhibit 4: Copy of Compliance Logs for Dr. Deshmukh maintained by the Board.

(Note: pages of the exhibits were numbered by the Hearing Examiner post-hearing)

SUMMARY OF THE EVIDENCE

All exhibits and transcripts of testimony, even if not specifically mentioned, were thoroughly reviewed and considered by the Hearing Examiner prior to preparing this Report and Recommendation.

1. Minakshi B. Deshmukh, M.D., received a Bachelor of Medicine and Bachelor of Surgery degree in 1978 from the Mahatma Gandhi Memorial Medical College, University of Indore, Indore, India. The hearing record contains no information regarding Dr. Deshmukh's activities between 1978 and 1991, other than that Dr. Deshmukh obtained a certificate in 1981 from the Educational Commission for Foreign Medical Graduates [ECFMG] and a Master of Public Health degree in 1989 from the University of Pittsburgh. From 1991

through 1994, Dr. Deshmukh participated in a residency program in internal medicine at the Medical College of Ohio in Toledo, Ohio. Dr. Deshmukh successfully completed two years of that program. Dr. Deshmukh's curriculum vitae states that she worked as a hospitalist in Detroit, Michigan, from 1995 to 1998. From 1998 until 2001, Dr. Deshmukh worked in a series of clinics in Michigan and Ohio. (State's Exhibit [St. Ex.] 1H at 16-18, 20-22, 23)

2. On June 5, 2001, the Disciplinary Subcommittee of the State of Michigan, Department of Consumer & Industry Services, Bureau of Health Services, Board of Medicine [Michigan Board], issued an Administrative Complaint in the Matter of Minakshi B. Deshmukh, M.D. In the Administrative Complaint, the Michigan Board advised as follows:
 - a. On March 16, 2001, Dr. Deshmukh had been practicing medicine in the State of Ohio.
 - b. On March 16, 2001, Dr. Deshmukh had advised the Michigan Health Professional Recovery Corporation that she had a history of mental illness and may be a candidate for a non-disciplinary monitoring agreement.
 - c. On April 17, 2001, Dr. Deshmukh had been evaluated by a psychiatrist recommended by the Michigan Health Professional Recovery Corporation. As a result of the evaluation, Dr. Deshmukh was diagnosed with "paranoid psychosis versus delusional disorder . . . paranoid schizophrenia cannot be ruled out." The evaluating psychiatrist advised that Dr. Deshmukh had "a largely untreated major mental illness with paranoia," and that Dr. Deshmukh had "not been followed fully for treatment." Finally, the evaluating psychiatrist noted that he or she would not recommend licensure for Dr. Deshmukh unless effective treatment had been rendered.
 - d. The Michigan Health Professional Recovery Corporation advised Dr. Deshmukh that, based on her psychiatric evaluation, she should not practice. Nevertheless, Dr. Deshmukh responded that she would continue to practice.

(St. Ex. 2 at 9-10)

The Michigan Board alleged that Dr. Deshmukh's conduct "evidences a condition which impairs, or may impair, the ability to safely and skillfully practice the health profession." The Michigan Board further alleged that Dr. Deshmukh "suffers from a mental or physical inability reasonably related to and adversely affecting [her] ability to practice in a safe and competent manner." Finally, after consultation with the Chairperson of the Michigan Board, the Michigan Board ruled that, "the public health, safety, and welfare requires emergency action and [Dr. Deshmukh's] license to practice medicine should accordingly be summarily suspended." (St. Ex. 2 at 2, 11-12)

3. On June 5, 2001, the Director of the State of Michigan, Department of Consumer & Industry Services, Bureau of Health Services, issued an Order of Summary Suspension of Dr. Deshmukh's license to practice medicine in the State of Michigan. The Order of Summary Suspension was issued after finding that "the public health, safety, or welfare requires emergency action," and after "consultation with the chairperson of the Board of Medicine." (St. Ex. 2 at 8)
4. On August 8, 2001, Dr. Deshmukh entered into a Step I Consent Agreement with the Ohio Board. The Step I Consent Agreement was based on the June 5, 2001, Order of Summary Suspension issued by the Michigan Board and the underlying facts and conclusions of law as set forth in the Michigan Board's June 5, 2001, Administrative Complaint. (St. Ex. 3 at 1-3)

In the August 8, 2001, Step I Consent Agreement, Dr. Deshmukh agreed that her certificate to practice medicine and surgery in the State of Ohio would be suspended for an indefinite period of time in lieu of formal proceedings based upon her violation of Section 4731.22(B)(22), Ohio Revised Code. Furthermore, Dr. Deshmukh agreed to monitoring conditions during the period of suspension and to conditions for reinstatement. (St. Ex. 3 at 3-6) Among the monitoring conditions during the period of suspension were the following:

- a. In Paragraph 1 of the Agreed Conditions section of the Consent Agreement, Dr. Deshmukh agreed, among other things, to provide authorization for disclosure to the Board of all evaluative reports, summaries, and records related to treatment or evaluation of Dr. Deshmukh's mental impairment or related conditions.
- b. In Paragraph 2 of the Agreed Conditions section of the Consent Agreement, Dr. Deshmukh agreed to submit quarterly declarations of compliance.
- c. In Paragraph 3 of the Agreed Conditions section of the Consent Agreement, Dr. Deshmukh agreed to make quarterly appearances before the Board.

(St. Ex. 3 at 3-4)

5. On March 20, 2002, the Michigan Board issued a Consent Order and Stipulation [Consent Order]. In the Consent Order, Dr. Deshmukh agreed that she did not contest the allegations of fact and law set forth in the June 5, 2001, Administrative Complaint. Moreover, the Michigan Board found that the allegations of fact set forth in the Administrative Complaint are true and constitute violations of Michigan law. (St. Ex. 2 at 2-3)

Accordingly, Dr. Deshmukh agreed to the suspension of her Michigan license to practice medicine for a period of six months and one day on each of the two violations alleged in

the Administrative Complaint, less the time served during her summary suspension. The two periods of suspension were to run concurrently. (St. Ex. 2 at 3)

Finally, the Michigan Board Consent Order provided that, prior to seeking reinstatement of her Michigan license, Dr. Deshmukh would enter into a monitoring agreement with the Michigan Health Professional Recovery Corporation. Dr. Deshmukh further agreed to participate in the monitoring agreement for at least four months prior to seeking reinstatement. In addition, Dr. Deshmukh agreed to submit to psychological, psychiatric, and neurological evaluations as part of the reinstatement process. (St. Ex. 2 at 4, 5)

6. On October 8, 2003, the Board issued its notice of opportunity for hearing to Dr. Deshmukh. On November 10, 2003, Dr. Deshmukh submitted a written request for hearing. In the hearing request letter, Dr. Deshmukh listed her address as Indore, India. She further advised as follows:

I hereby request that my certificate to practice medicine and surgery in the state of Ohio should be reinstated immediately or I should be granted a hearing promptly.

IT IS CRITICAL FOR ME TO INFORM YOU THAT I HAVE BEEN ALLEGEDLY LABELED WITH THE MENTAL DISORDER 'SCHIZOPHRENIA' DUE TO MY STATUS AS A WITNESS FOR MEDICARE FRAUD.

This fraud is comprised of multiple fraudulent documents with falsified statements created at the Hurley Medical Center in Flint, Michigan and the Medical College of Ohio, Toledo, Ohio. This multifaceted fraud proves me as a noncompetent resident physician.

I was a well above level intern and resident. I have been a very knowledgeable, sincere and hard working physician with superb clinical judgment. These facts can be confirmed from various physicians who supervised me or worked with me at different places.

When I was an intern in the Department of Internal Medicine at the Medical College of Ohio, Toledo, Ohio, I wrote a consult on a patient * * * in December 91. I made the decision to hold the surgery on the patient based upon my findings on physical examination. These mainly included Atrial Fibrillation and Hypotension. Later, the same day, the Assistant Program Director for the Department of Internal Medicine Dr. Earl Campbell cleared [the patient] for surgery. The patient [] coded during surgery and died afterwards.

Patient's wife filed a medical malpractice lawsuit and Dr. Earl Campbell was named in the lawsuit. Afterwards Dr. Earl Campbell forced all of the supervising staff physicians to create evaluations of my performance either unsatisfactory or low satisfactory to settle the lawsuit in his favor. In spite of completion of residency training in the Department of Internal Medicine in June 94, I was granted 2 years of satisfactory completion in December 94.

As per information received by me it can be confirmed that prominent Republican politicians have supported fraudulent settlement of medical malpractice lawsuit. Republican politicians involved in the fraud are responsible for these fraudulent documents and have made several attempts to kill me to save themselves from the prosecutions and prisons.

ALL THE FACTS CAN BE CONFIRMED WITH THE FBI.

In the state of Michigan multiple fraudulent documents have been created allegedly labeling me with Schizophrenia after forced admissions to the Psychiatry unit by the police officers.

It is important to note that my performance and clinical judgment remain the same during all these years without any deterioration or dithering. * * *

(St. Ex. 1B) (Emphasis in original)

7. In a December 15, 2003, letter to the Board, Dr. Deshmukh submitted letters written in her support. The letters were written in 1997 by physicians who worked with Dr. Deshmukh. (St. Ex. 1H at 9-12) She also submitted a "high satisfactory" evaluation written by one of her professors at the Medical College of Ohio. (St. Ex. 1H at 14)
8. Danielle Bickers testified at hearing on behalf of the State. Ms. Bickers testified that she is the Compliance Officer for the Board. In her role as Compliance Officer, Ms. Bickers monitors Board licensees who are subject to the terms of Board orders or consent agreements. (Hearing Transcript at [Tr.] 8)

Ms. Bickers testified that she had met with Dr. Deshmukh in September 2001 to review the terms of Dr. Deshmukh's August 8, 2001, Step I Consent Agreement. Ms. Bickers further testified that Dr. Deshmukh had filed her first quarterly declaration and made her first appearance before the Board in November 2001. Ms. Bickers added that Dr. Deshmukh had expressed understanding of the terms of the Consent Agreement in September and November 2001. (Tr. 9-11)

Nevertheless, Dr. Deshmukh did not appear for her next scheduled quarterly appearance in February 2002. Ms. Bickers testified that she had received a letter from Dr. Deshmukh's

attorney stating that Dr. Deshmukh was visiting in India in February 2002, but would be available to appear before the Board in March 2002. Ms. Bickers testified that she had scheduled an appearance for Dr. Deshmukh in March 2002. Dr. Deshmukh made that appearance, and submitted her quarterly declaration. (Tr. 12-13)

Ms. Bickers' testified that Dr. Deshmukh had been receiving psychiatric treatment at that time. Ms. Bickers' testified that Dr. Deshmukh had been aware that the terms of the Consent Agreement required that she submit releases so that the Board could obtain her treatment records. Nevertheless, Dr. Deshmukh had not submitted any releases. (Tr. 13-14)

Moreover, Dr. Deshmukh did not appear for her next scheduled quarterly appearance in May 2002. In addition, letters sent to Dr. Deshmukh's address of record in Michigan were returned to the Board with no forwarding address. Ms. Bickers contacted Dr. Deshmukh's attorney, and he stated that he would try to locate Dr. Deshmukh and advise the Board as to her situation. Ms. Bickers testified the attorney later reported that he had not had any contact with Dr. Deshmukh. (Tr. 14-16)

Finally, Ms. Bickers' testified that the Board has not received a declaration of compliance from Dr. Deshmukh since March 2002. Moreover, Dr. Deshmukh has not made a quarterly appearance since March 2002. (Tr. 16; St. Ex. 4)

FINDINGS OF FACT

1. On June 5, 2001, the Disciplinary Subcommittee of the State of Michigan, Department of Consumer & Industry Services, Bureau of Health Services, Board of Medicine [Michigan Board], issued an Administrative Complaint in the Matter of Minakshi B. Deshmukh, M.D. The Administrative Complaint included an allegation that Dr. Deshmukh had been evaluated by a psychiatrist on or about April 17, 2001. The evaluating psychiatrist diagnosed Dr. Deshmukh with "paranoid psychosis versus delusional disorder * * * paranoid schizophrenia cannot be ruled out." The evaluating psychiatrist further noted that Dr. Deshmukh had "a largely untreated major mental illness with paranoia" and that Dr. Deshmukh had "not been followed fully for treatment."

Moreover, on June 5, 2001, the Director of the State of Michigan, Department of Consumer & Industry Services, Bureau of Health Services, issued an Order of Summary Suspension of Dr. Deshmukh's license to practice medicine in the State of Michigan. The Order of Summary Suspension was based upon allegations set forth in the Administrative Complaint. In addition, the Order of Summary Suspension was issued after a finding that "the public health, safety, or welfare requires emergency action," and after "consultation with the chairperson of the Board of Medicine."

2. On August 8, 2001, Dr. Deshmukh entered into a Step I Consent Agreement with this Board. The Step I Consent Agreement was based on the June 5, 2001, Order of Summary Suspension issued by the Michigan Board and the underlying facts and conclusions of law as set forth in the Michigan Board's June 5, 2001, Administrative Complaint.

In the Step I Consent Agreement, Dr. Deshmukh agreed that her certificate to practice medicine and surgery in the State of Ohio would be suspended for an indefinite period of time in lieu of formal proceedings based upon her violation of Section 4731.22(B)(22), Ohio Revised Code. Furthermore, Dr. Deshmukh agreed to monitoring conditions during the period of suspension and to conditions for reinstatement. Among the monitoring conditions to be followed during the period of suspension, Dr. Deshmukh agreed to submit releases and quarterly declarations of compliance, and to make quarterly appearances before the Board.

Nevertheless, despite her obligation to do so, Dr. Deshmukh has not submitted any releases to the Board. Moreover, Dr. Deshmukh has not submitted a declaration of compliance or made a quarterly appearance since March 2002.

3. On March 20, 2002, the Michigan Board issued a Consent Order and Stipulation [Consent Order]. In the Michigan Board Consent Order, Dr. Deshmukh did not contest the allegations of fact and law set forth in the June 5, 2001, Administrative Complaint. Moreover, the Michigan Board found that the allegations of fact set forth in the Administrative Complaint are true and constitute violations of Michigan law. Accordingly, Dr. Deshmukh agreed to the suspension of her Michigan license to practice medicine for a period of six months and one day on each of the two violations alleged in the Administrative Complaint, less the time served during her summary suspension. The two periods of suspension were to run concurrently. In addition, Dr. Deshmukh agreed to submit to psychological, psychiatric, and neurological evaluations as part of the reinstatement process.

CONCLUSIONS OF LAW

1. The Consent Order and Stipulation issued by the Disciplinary Subcommittee of the State of Michigan, Department of Consumer & Industry Services, Bureau of Health Services, Board of Medicine, Disciplinary Subcommittee, in the Matter of Minakshi B. Deshmukh, M.D., as set forth in Findings of Fact 3, constitutes, "[a]ny of the following actions taken by the agency responsible for regulating the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or the limited branches of medicine in another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand," as that clause is used in Section 4731.22(B)(22), Ohio Revised Code.

2. Dr. Deshmukh's failure to comply with the terms of the August 8, 2001, Step I Consent Agreement, as set forth in Findings of Fact 2, constitutes a "[v]iolation of the conditions of limitation placed by the board upon a certificate to practice," as that clause is used in Section 4731.22(B)(15), Ohio Revised Code.

PROPOSED ORDER

It is hereby ORDERED that:

- A. **SUSPENSION:** The certificate of Minakshi B. Deshmukh, M.D., to practice medicine and surgery in the State of Ohio shall be SUSPENDED for an indefinite period of time, but not less than 180 days.
- B. **CONDITIONS FOR REINSTATEMENT OR RESTORATION:** The Board shall not consider reinstatement or restoration of Dr. Deshmukh's certificate to practice medicine and surgery until all of the following conditions have been met:
 1. **Application for Reinstatement or Restoration:** Dr. Deshmukh shall submit an application for reinstatement or restoration, accompanied by appropriate fees, if any.
 2. **Psychiatric Assessment/Treatment:** Prior to submitting her application for reinstatement or restoration, Dr. Deshmukh shall submit to the Board for its prior approval the name and curriculum vitae of a psychiatrist of Dr. Deshmukh's choice. Upon approval by the Board, Dr. Deshmukh shall obtain from the approved psychiatrist an assessment of Dr. Deshmukh's current psychiatric status. Prior to the initial assessment, Dr. Deshmukh shall furnish the approved psychiatrist copies of the Board's Order, including the Summary of the Evidence, Findings of Fact, Conclusions, and Order, and any other documentation from the hearing record which the Board may deem appropriate or helpful to that psychiatrist.

Upon completion of the initial assessment, Dr. Deshmukh shall cause a written report to be submitted to the Board from the approved psychiatrist. The written report shall include:

- a. A detailed report of the evaluation of Dr. Deshmukh's current psychiatric status and condition;
- b. A detailed plan of recommended psychiatric treatment, if any, based upon the psychiatrist's informed assessment of Dr. Deshmukh's current needs; and

- c. Any reports upon which the treatment recommendation is based, including reports of physical examination and psychological or other testing.

Should the Board approved psychiatrist recommend psychiatric treatment, and upon approval by the Board, Dr. Deshmukh shall undergo and continue psychiatric treatment weekly or as otherwise directed by the Board. The sessions shall be in person and may not be conducted by telephone or other electronic means.

Dr. Deshmukh shall comply with her psychiatric treatment plan, including taking medications as prescribed for her psychiatric disorder.

3. **Certification of Compliance with Treatment Plan**: If psychiatric treatment is recommended pursuant to the psychiatric assessment, upon submission of her application for reinstatement or restoration, Dr. Deshmukh shall provide the Board with certification from the psychiatrist approved by the Board that Dr. Deshmukh has been in full compliance with the plan of recommended treatment for a period of at least six months immediately preceding the submission of her application for restoration or reinstatement.
4. **Reports of Evaluation**: Upon submission of her application for reinstatement or restoration, Dr. Deshmukh shall provide the Board with written reports of evaluation by two psychiatrists acceptable to the Board indicating that Dr. Deshmukh's ability to practice has been assessed and that she has been found capable of practicing in accordance with acceptable and prevailing standards of care. Such assessments shall have been performed within sixty days prior to submission of her application for reinstatement or restoration. Each report shall describe with particularity the bases for this determination and shall set forth any recommended limitations upon Dr. Deshmukh's practice.
5. **Certification of Compliance with the Consent Order and Stipulation of the Michigan Department of Consumer & Industry Services, Bureau of Health Services, Board of Medicine**: At the time she submits her application for reinstatement or restoration, Dr. Deshmukh shall submit to the Board certification from the State of Michigan, Department of Consumer & Industry Services, Bureau of Health Services, Board of Medicine [Michigan Board] dated no earlier than sixty days prior to Dr. Deshmukh's application for reinstatement or restoration, that Dr. Deshmukh has maintained full compliance with the Consent Order and Stipulation of the Michigan Board.
6. **Absence from Practice**: In the event that Dr. Deshmukh has not been engaged in the active practice of medicine and surgery for a period in excess of two years prior to the submission of her application for reinstatement or restoration, the Board may exercise its discretion under Section 4731.222, Ohio Revised Code, to require additional evidence of Dr. Deshmukh's fitness to resume practice.

C. **PROBATIONARY CONDITIONS:** Upon reinstatement or restoration, Dr. Deshmukh's certificate shall be subject to the following PROBATIONARY terms, conditions, and limitations for a period of at least ten years:

1. **Obey Laws in Ohio:** Dr. Deshmukh shall obey all federal, state, and local laws; and all rules governing the practice of medicine in Ohio.
2. **Quarterly Declarations:** Dr. Deshmukh shall submit quarterly declarations under penalty of Board disciplinary action and/or criminal prosecution, stating whether there has been compliance with all the conditions of this Order. The first quarterly declaration must be received in the Board's offices on the first day of the third month following the month in which the Order becomes effective. Subsequent quarterly declarations must be received in the Board's offices on or before the first day of every third month.
3. **Appearances:** Dr. Deshmukh shall appear in person for an interview before the full Board or its designated representative during the third month following the effective date of this Order. Dr. Deshmukh must also appear every three months thereafter, and/or as otherwise requested by the Board. If an appearance is missed or is rescheduled for any reason, ensuing appearances shall be scheduled based on the appearance date as originally scheduled.
4. **Continue Psychiatric Treatment:** If the psychiatrist approved by the Board prior to Dr. Deshmukh's reinstatement or restoration recommends that Dr. Deshmukh undergo psychiatric treatment, Dr. Deshmukh shall continue in psychiatric treatment until such time as the Board determines that no further treatment is necessary. To make this determination, the Board shall require reports from the approved treating psychiatrist. The psychiatric reports shall contain information describing Dr. Deshmukh's current treatment plan and any changes that have been made to the treatment plan since the prior report; Dr. Deshmukh's compliance with the treatment plan; Dr. Deshmukh's psychiatric status; Dr. Deshmukh's progress in treatment; and results of any laboratory studies that have been conducted since the prior report. Dr. Deshmukh shall ensure that the reports are forwarded to the Board on a quarterly basis and are received in the Board's offices no later than the due date for her quarterly declaration.

In addition, Dr. Deshmukh shall ensure that her treating psychiatrist immediately notifies the Board of Dr. Deshmukh's failure to comply with her psychiatric treatment plan and/or any determination that Dr. Deshmukh is unable to practice due to her psychiatric disorder.

In the event that the designated psychiatrist becomes unable or unwilling to serve in this capacity, Dr. Deshmukh must immediately so notify the Board in writing and make arrangements acceptable to the Board for another psychiatrist as soon as practicable. Dr. Deshmukh shall further ensure that the previously designated psychiatrist also notifies the Board directly of his or her inability to continue to serve and the reasons therefore.

5. **Practice Plan**: Prior to commencement of practice in Ohio, or as otherwise determined by the Board, Dr. Deshmukh shall submit to the Board and receive its approval for a plan of practice in Ohio. The practice plan, unless otherwise determined by the Board, shall be limited to a supervised structured environment in which Dr. Deshmukh's activities will be directly supervised and overseen by a monitoring physician approved by the Board. Dr. Deshmukh shall obtain the Board's prior approval for any alteration to the practice plan approved pursuant to this Order.

At the time Dr. Deshmukh submits her practice plan, she shall also submit the name and curriculum vitae of a monitoring physician for prior written approval by the Secretary or Supervising Member of the Board. In approving an individual to serve in this capacity, the Secretary or Supervising Member will give preference to a physician who practices in the same locale as Dr. Deshmukh and who is engaged in the same or similar practice specialty.

The monitoring physician shall monitor Dr. Deshmukh and her medical practice, and shall review Dr. Deshmukh's patient charts. The chart review may be done on a random basis, with the frequency and number of charts reviewed to be determined by the Board.

Further, the monitoring physician shall provide the Board with reports on the monitoring of Dr. Deshmukh and her medical practice, and on the review of Dr. Deshmukh's patient charts. Dr. Deshmukh shall ensure that the reports are forwarded to the Board on a quarterly basis and are received in the Board's offices no later than the due date for Dr. Deshmukh's quarterly declaration.

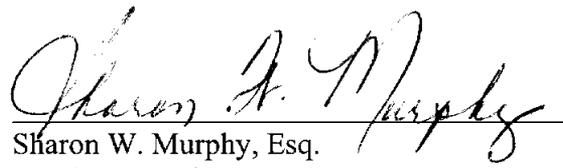
In the event that the designated monitoring physician becomes unable or unwilling to serve in this capacity, Dr. Deshmukh must immediately so notify the Board in writing. In addition, Dr. Deshmukh shall make arrangements acceptable to the Board for another monitoring physician within thirty days after the previously designated monitoring physician becomes unable or unwilling to serve, unless otherwise determined by the Board. Furthermore, Dr. Deshmukh shall ensure that the previously designated monitoring physician also notifies the Board directly of his or her inability to continue to serve and the reasons therefore.

6. **Declarations of Compliance with Terms of the Monitoring Agreement with the Michigan Health Professional Recovery Corporation:** If Dr. Deshmukh enters into a Monitoring Agreement with the Michigan Health Professional Recovery Corporation as required by the Michigan Board Consent Order and Stipulation prior to reinstatement of her Michigan license, Dr. Deshmukh shall submit declarations under penalty of Board disciplinary action or criminal prosecution stating whether she has complied with that Monitoring Agreement. Dr. Deshmukh shall ensure that the declarations of compliance are forwarded to the Board on a quarterly basis and are received in the Board's offices no later than the due date for Dr. Deshmukh's quarterly declaration.
 7. **Absence from Ohio:** In the event that Dr. Deshmukh should leave Ohio for three continuous months, or reside or practice outside the State, Dr. Deshmukh must notify the Board in writing of the dates of departure and return. Periods of time spent outside Ohio will not apply to the reduction of this period under the Order, unless otherwise determined by the Board in instances where the Board can be assured that probationary monitoring is otherwise being performed.
 8. **Violation of Probation; Discretionary Sanction Imposed:** If Dr. Deshmukh violates probation in any respect, the Board, after giving her notice and the opportunity to be heard, may institute whatever disciplinary action it deems appropriate, up to and including the permanent revocation of her certificate.
 9. **Tolling of Probationary Period while Out of Compliance:** In the event Dr. Deshmukh is found by the Secretary of the Board to have failed to comply with any provision of this Order, and is so notified of that deficiency in writing, such period(s) of noncompliance will not apply to the reduction of the probationary period.
- D. **TERMINATION OF PROBATION:** Upon successful completion of probation, as evidenced by a written release from the Board, Dr. Deshmukh's certificate will be fully restored.
- E. **RELEASES:** Dr. Deshmukh shall provide continuing authorization, through appropriate written consent forms, for disclosure of evaluative reports, summaries, and records, of whatever nature, by any and all parties that provide treatment or evaluation for Dr. Deshmukh's psychiatric condition and/or related conditions, or for purposes of complying with this Order, whether such treatment or evaluations occurred before or after the effective date of this Order. The above-mentioned evaluative reports, summaries, and records are considered medical records for purposes of Section 149.43 of the Ohio Revised Code and are confidential pursuant to statute.

Dr. Deshmukh shall also provide the Board written consent permitting any psychiatrist, counselor, or other treatment provider from whom Dr. Deshmukh obtains treatment to notify the Board in the event Dr. Deshmukh fails to agree to or comply with any recommended treatment. Failure to provide such consent, or revocation of such consent, shall constitute a violation of this Order.

- F. **REQUIRED REPORTING BY LICENSEE TO EMPLOYERS AND HOSPITALS:** Within thirty days of the effective date of this Order, Dr. Deshmukh shall provide a copy of this Order to all employers or entities with which she is under contract to provide health care services or is receiving training; and the Chief of Staff at each hospital where she has privileges or appointments. Further, Dr. Deshmukh shall provide a copy of this Order to all employers or entities with which she contracts to provide health care services, or applies for or receives training, and the Chief of Staff at each hospital where she applies for or obtains privileges or appointments. Further, Dr. Deshmukh shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.
- G. **REQUIRED REPORTING BY LICENSEE TO OTHER STATE LICENSING AUTHORITIES:** Within thirty days of the effective date of this Order, Dr. Deshmukh shall provide a copy of this Order by certified mail, return receipt requested, to the proper licensing authority of any state or jurisdiction in which she currently holds any professional license. Dr. Deshmukh shall also provide a copy of this Order by certified mail, return receipt requested, at time of application to the proper licensing authority of any state in which she applies for any professional license or reinstatement or restoration of any professional license. Further, Dr. Deshmukh shall provide this Board with a copy of the return receipt as proof of notification within thirty days of receiving that return receipt.
- H. **SUPERSEDE PREVIOUS CONSENT AGREEMENT:** This Order shall supersede the terms and conditions set forth in the August 8, 2001, Step I Consent Agreement between Dr. Deshmukh and the Board.

EFFECTIVE DATE OF ORDER: This Order shall become effective immediately upon the mailing of notification of approval by the Board.


Sharon W. Murphy, Esq.
Hearing Examiner



State Medical Board of Ohio

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EXCERPT FROM THE DRAFT MINUTES OF APRIL 14, 2004

REPORTS AND RECOMMENDATIONS

Ms. Sloan announced that the Board would now consider the findings and orders appearing on the Board's agenda. She asked whether each member of the Board had received, read, and considered the hearing record, the proposed findings, conclusions, and order, and any objections filed in the matters of: Adel Abdullah Bakhsh, M.D.; Minakshi B. Deshmukh, M.D.; Michael Shane Gainey, M.D.; Louis A. Ling, M.D.; Brian F. McNamee, M.D.; Michael T. Salwitz, M.D.; Ahmad Shahamat, M.D.; Luke A. Siegel-Schaefer, M.T.; and Brian D. Southern, M.D. A roll call was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmage	- aye
	Dr. Bhati	- aye
	Dr. Buchan	- aye
	Dr. Kumar	- aye
	Mr. Browning	- aye
	Dr. Davidson	- aye
	Dr. Robbins	- aye
	Dr. Garg	- aye
	Dr. Steinbergh	- aye
	Ms. Sloan	- aye

Ms. Sloan asked whether each member of the Board understands that the disciplinary guidelines do not limit any sanction to be imposed, and that the range of sanctions available in each matter runs from dismissal to permanent revocation. A roll call was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmage	- aye
	Dr. Bhati	- aye
	Dr. Buchan	- aye
	Dr. Kumar	- aye

Dr. Robbins - aye
Dr. Garg - aye
Dr. Steinbergh - aye
Ms. Sloan - aye

Ms. Sloan noted that, in accordance with the provision in Section 4731.22(F)(2), Revised Code, specifying that no member of the Board who supervises the investigation of a case shall participate in further adjudication of the case, the Secretary and Supervising Member must abstain from further participation in the adjudication of these matters.

Ms. Sloan stated that if there were no objections, the Chair would dispense with the reading of the proposed findings of fact, conclusions and orders in the above matters. No objections were voiced by Board members present.

The original Reports and Recommendations shall be maintained in the exhibits section of this Journal.

.....
MINAKSHI B. DESHMUKH, M.D.

.....
DR. ROBBINS MOVED TO APPROVE AND CONFIRM MS. MURPHY'S PROPOSED FINDINGS OF FACT, CONCLUSIONS, AND ORDER IN THE MATTER OF MINAKSHI B. DESHMUKH, M.D. DR. KUMAR SECONDED THE MOTION.

.....
A vote was taken on Dr. Robbins motion to approve and confirm:

Vote:

Dr. Egner - aye
Dr. Talmage - abstain
Dr. Bhati - aye
Dr. Buchan - aye
Dr. Kumar - aye
Mr. Browning - aye
Dr. Davidson - aye
Dr. Robbins - aye
Dr. Garg - abstain
Dr. Steinbergh - aye

The motion carried.



State Medical Board of Ohio

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October 8, 2003

Minakshi B. Deshmukh, M.D.
1916 West Sugnet Road
Midland, Michigan 48640

Dear Doctor Deshmukh:

In accordance with R.C. Chapter 119., you are hereby notified that the State Medical Board of Ohio intends to determine whether or not to limit, revoke, permanently revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery, or to reprimand or place you on probation for one or more of the following reasons:

- (1) On or about August 8, 2001, you entered into a Step I Consent Agreement with the State Medical Board of Ohio (Ohio Board) suspending your certificate to practice medicine and surgery in Ohio for an indefinite period of time, in lieu of formal proceedings based upon your violation of R.C. 4731.22(B)(22).

The Ohio Board Step I Consent Agreement was based upon an Order of Summary Suspension dated June 5, 2001, issued by the Bureau of Health Services, Michigan Department of Consumer and Industry Services (Michigan Bureau). Copies of the Ohio Board Step I Consent Agreement with the attached Michigan Bureau Order of Summary Suspension dated June 5, 2001, and Michigan Board Administrative Complaint dated June 5, 2001, are attached hereto and incorporated herein.

You admitted that the above Michigan Bureau Order of Summary Suspension was based upon a finding, after consultation with the Chairperson of the Michigan Board of Medicine, that the public health, safety or welfare required emergency action [in Michigan].

Further, you admitted that the above Michigan Bureau finding was based upon allegations in the above Michigan Bureau Administrative Complaint dated June 5, 2001, which included an evaluation by a psychiatrist on or about April 17, 2001, in which you were diagnosed with "paranoid psychosis versus delusional disorder * * * paranoid schizophrenia cannot be ruled out." and the evaluating psychiatrist indicated in the evaluation that you had "a largely untreated major mental illness with paranoia" and that you had "not been followed fully for treatment."

Mailed 10-9-03

Serial Number 10-26-03

The above Step I Consent Agreement suspending your Ohio licensure for an indefinite period of time, provided conditions for reinstatement.

As of this date, you have not submitted a request for reinstatement of your Ohio license.

- (2) In the Michigan Bureau Consent Order and Stipulation dated March 20, 2002, you agreed to the suspension of your Michigan certificate to practice medicine and surgery for a period of six months and one day on each of the two violations alleged in the Administrative Complaint dated June 5, 2001, paragraph one (1) above. These two periods of suspension were to run concurrently, and upon completion of the period of suspension and meeting conditions to include psychological, psychiatric and neurological examinations/evaluations, you could then apply for reinstatement of your Michigan license. A copy of the Michigan Bureau Consent Order and Stipulation dated March 20, 2002, is attached hereto and incorporated herein.

As of this date, you have not applied for reinstatement of your Michigan license.

- (3) In the August 8, 2001, Ohio Board Step I Consent Agreement, paragraph one (1) above, you agreed to terms, conditions and limitations during the period suspension, including Releases, Quarterly Declarations and Appearances, as set forth in paragraphs two (2), three (3), and four (4). As of this date, you have failed to comply with any of the requirements in paragraphs two (2), three (3), and four (4).

The Michigan Bureau Consent Order and Stipulation, as alleged in paragraph two (2) above, constitutes “[a]ny of the following actions taken by the agency responsible for regulating the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or the limited branches of medicine in another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual’s license to practice; acceptance of an individual’s license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand,” as that clause is used in R.C. 4731.22(B)(22).

Further, your acts, conduct, and/or omissions as alleged in paragraph three (3) above, individually and/or collectively, constitute a “[v]iolation of the conditions of limitation placed by the board upon a certificate to practice,” as that clause is used in R.C. 4731.22(B)(15).

Pursuant to R.C. Chapter 119., you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, the request must be made in writing and must be received in the offices of the State Medical Board within thirty days of the time of mailing of this notice.

You are further advised that, if you timely request a hearing, you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing received within thirty days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, permanently revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation.

Please note that, whether or not you request a hearing, R.C. 4731.22(L), provides that "[w]hen the board refuses to grant a certificate to an applicant, revokes an individual's certificate to practice, refuses to register an applicant, or refuses to reinstate an individual's certificate to practice, the board may specify that its action is permanent. An individual subject to a permanent action taken by the board is forever thereafter ineligible to hold a certificate to practice and the board shall not accept an application for reinstatement of the certificate or for issuance of a new certificate."

Copies of the applicable sections are enclosed for your information.

Very truly yours,



Lance A. Talmage, M.D.
Secretary

LAT/jag
Enclosures

CERTIFIED MAIL # 7000 0600 0024 5150 6202
RETURN RECEIPT REQUESTED

Mercy Urgent Care
3232 Navarre Avenue
Oregon, Ohio 43616

CERTIFIED MAIL # 7000 0600 0024 5150 6196
RETURN RECEIPT REQUESTED

Minakshi B. Deshmukh, M.D.
Page 4

Second mailing: 169 Tilak Nagar
Indore 452001
INDIA
REGISTERED MAIL NO. RR 323 469 546 US
RETURN RECEIPT REQUESTED

**CONSENT AGREEMENT
BETWEEN
MINAKSHI B. DESHMUKH, M.D.
AND
THE STATE MEDICAL BOARD OF OHIO**

STATE MEDICAL BOARD
OF OHIO
2001 AUG -6 A 9 03

This CONSENT AGREEMENT is entered into by and between MINAKSHI B. DESHMUKH, M.D., and THE STATE MEDICAL BOARD OF OHIO, a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

MINAKSHI B. DESHMUKH, M.D., enters into this CONSENT AGREEMENT being fully informed of her 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.

BASIS FOR ACTION

This CONSENT AGREEMENT 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 "[a]ny of the following actions taken by the agency responsible for regulating the practice of medicine and surgery, osteopathic medicine and surgery, podiatry, or the limited branches of medicine in another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand."
- B. THE STATE MEDICAL BOARD OF OHIO enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon the violation of Section 4731.22(B)(22), Ohio Revised Code, as set forth in Paragraph E below, 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 Agreement.
- C. MINAKSHI B. DESHMUKH, M.D., is licensed to practice medicine and surgery in the State of Ohio.
- D. MINAKSHI B. DESHMUKH, M.D., STATES that she is also licensed to practice medicine and surgery in the State of Michigan.

- E. MINAKSHI B. DESHMUKH, M.D., ADMITS that The Bureau of Health Services, Michigan Department of Consumer and Industry Services (hereinafter "Michigan Bureau"), issued an Order of Summary Suspension dated June 5, 2001, ordering that her license to practice medicine in the State of Michigan be summarily suspended commencing the date the order was served. The Order of Summary Suspension was based upon a finding, after consultation with the Chairperson of the Michigan Board of Medicine, that the public health, safety, or welfare required emergency action [in Michigan].

This finding was based upon allegations in the Michigan Bureau Administrative Complaint dated June 5, 2001, including the following:

- (1) On March 16, 2001, while DOCTOR DESHMUKH was practicing in Ohio, she contacted the Michigan Health Professional Recovery Corporation (Contractor) as a possible candidate for a non-disciplinary monitoring agreement, reporting that she had a history of mental illness.
- (2) Further, on April 17, 2001, DOCTOR DESHMUKH was evaluated by a psychiatrist per the above Contractor's recommendation. This psychiatric evaluation resulted in DOCTOR DESHMUKH, the Respondent, being diagnosed with "paranoid psychosis versus delusional disorder...paranoid schizophrenia cannot be ruled out." The evaluating psychiatrist indicated that "[Respondent] has a largely untreated major mental illness with paranoia . . . [Respondent] has not been followed fully for treatment...I would be very reluctant to provide her with medical licensure based on the above information unless treatment could be proved more effective than it has up until now."
- (3) On April 26, 2001, based upon the above evaluation, the Contractor recommended to DOCTOR DESHMUKH that she not practice in Ohio. She informed the Contractor that she would continue to practice. Due to her refusal to comply with their recommendation, the Contractor closed DOCTOR DESHMUKH's case and forwarded the matter to the Michigan Bureau.
- (4) The Michigan Bureau alleged a violation of the Michigan Public Health Code in that DOCTOR DESHMUKH's conduct evidences a condition which impairs, or may impair, the ability to safely and skillfully practice the health profession (Count 1).
- (5) Further, the Michigan Bureau alleged a violation of the Michigan Public Health Code in that DOCTOR DESHMUKH suffers from a mental or physical inability reasonably related to and adversely affecting her ability to practice in a safe and competent manner (Count 2).

STATE MEDICAL BOARD
OF OHIO

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Copies of the Michigan Bureau Order of Summary Suspension and Administrative Complaint are attached hereto and incorporated herein.

MINAKSHI B. DESHMUKH, M.D., further ADMITS that, as a result of the Michigan Bureau's Order of Summary Suspension, she has agreed with the Michigan Bureau that she will submit to an examination in or about August 2001 by a psychiatrist and a psychologist approved by the Michigan Bureau and that her Michigan license shall remain suspended pending the results of this examination.

AGREED CONDITIONS

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, MINAKSHI B. DESHMUKH, M.D., knowingly and voluntarily agrees with THE STATE MEDICAL BOARD OF OHIO, (hereinafter BOARD), to the following terms, conditions and limitations:

SUSPENSION OF CERTIFICATE

1. The certificate of DOCTOR DESHMUKH to practice medicine and surgery in the State of Ohio shall be SUSPENDED for an indefinite period of time;

Releases; Quarterly Declarations and Appearances

2. DOCTOR DESHMUKH shall provide authorization, through appropriate written consent forms, for disclosure of evaluative reports, summaries, and records, of whatever nature, by any and all parties that provide treatment or evaluation for DOCTOR DESHMUKH's mental impairment or related conditions, or for purposes of complying with the CONSENT AGREEMENT, whether such treatment or evaluation occurred before or after the effective date of this CONSENT AGREEMENT. The above-mentioned evaluative reports, summaries, and records are considered medical records for purposes of Section 149.43 of the Ohio Revised Code and are confidential pursuant to statute. DOCTOR DESHMUKH further agrees to provide the BOARD written consent permitting any provider from whom she obtains treatment to notify the BOARD in the event she fails to agree to or comply with any treatment. DOCTOR DESHMUKH further agrees that the BOARD may release any materials in its possession to any and all parties that provide treatment or evaluation for DOCTOR DESHMUKH's mental impairment or related conditions, or for purposes of complying with this CONSENT AGREEMENT. Failure to provide such consent, or revocation of such consent, shall constitute a violation of this CONSENT AGREEMENT.
3. DOCTOR DESHMUKH shall submit quarterly declarations under penalty of BOARD disciplinary action or criminal prosecution, stating whether there has been compliance with all the conditions of this CONSENT AGREEMENT. The first quarterly declaration must be received in the BOARD's offices on the first

STATE MEDICAL BOARD
OF OHIO

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day of the third month following the month in which the CONSENT AGREEMENT becomes effective, provided that if the effective date is on or after the 16th day of the month, the first quarterly declaration must be received in the BOARD's offices on the first day of the fourth month following. Subsequent quarterly declarations must be received in the BOARD's offices on or before the first day of every third month;

4. DOCTOR DESHMUKH shall appear in person for quarterly interviews before the BOARD or its designated representative, or as otherwise directed by the BOARD.

If an appearance is missed or is rescheduled for any reason, ensuing appearances shall be scheduled based on the appearance date as originally scheduled. (Example: The first quarterly appearance is scheduled for February, but based upon the doctor's serious personal illness she is permitted to delay appearance until April. The next appearance will still be scheduled for May, three months after the appearance as originally scheduled.) Although the BOARD will normally give DOCTOR DESHMUKH written notification of scheduled appearances, it is DOCTOR DESHMUKH's responsibility to know when personal appearances will occur. If she does not receive written notification from the BOARD by the end of the month in which the appearance should have occurred, DOCTOR DESHMUKH shall immediately submit to the BOARD a written request to be notified of her next scheduled appearance;

CONDITIONS FOR REINSTATEMENT

5. The BOARD shall not consider reinstatement of DOCTOR DESHMUKH's certificate to practice medicine and surgery unless and until all of the following conditions are met:
 - a. DOCTOR DESHMUKH shall submit an application for reinstatement, accompanied by appropriate fees, if any;
 - b. DOCTOR DESHMUKH shall demonstrate to the satisfaction of the BOARD that she can resume practice in compliance with acceptable and prevailing standards of care under the provisions of her certificate. Such demonstration shall include but shall not be limited to the following:
 - i. Two written reports indicating that DOCTOR DESHMUKH's ability to practice has been assessed and that she has been found capable of practicing according to acceptable and prevailing standards of care.

The reports shall be made by psychiatrists, approved by the BOARD, who shall each conduct a psychiatric examination of DOCTOR DESHMUKH. Prior to each examination, DOCTOR

DESHMUKH shall provide each psychiatrist with copies of patient records from any evaluations and/or treatment that she has received, and a copy of this Consent Agreement. The BOARD shall also provide each psychiatrist with any materials in its possession that it determines are relevant to the psychiatric examinations. The report from each evaluating psychiatrist shall include the psychiatrist's diagnoses and conclusions; any recommendations for care, counseling, and treatment for the psychiatric diagnoses; any conditions, restrictions, or limitations that should be imposed on DOCTOR DESHMUKH's practice; and the basis for the psychiatrist's determinations.

- ii. Evidence of continuing full compliance with this consent agreement.
 - iii. Acceptable documentation evidencing that DOCTOR DESHMUKH is permitted to practice medicine in the State of Michigan. DOCTOR DESHMUKH shall provide documentation of any agreements or orders containing any conditions, restrictions, or limitations imposed on DOCTOR DESHMUKH's practice of medicine by the Michigan Bureau.
- c. DOCTOR DESHMUKH shall enter into a written consent agreement including probationary terms, conditions and limitations as determined by the BOARD or, if the BOARD and DOCTOR DESHMUKH are unable to agree on the terms of a written CONSENT AGREEMENT, then DOCTOR DESHMUKH further agrees to abide by any terms, conditions and limitations imposed by Board Order after a hearing conducted pursuant to Chapter 119. of the Ohio Revised Code.

Further, upon reinstatement of DOCTOR DESHMUKH's certificate to practice medicine and surgery in this state, the BOARD shall require continued monitoring which shall include, but not be limited to, compliance with the written consent agreement entered into before reinstatement or with conditions imposed by Board Order after a hearing conducted pursuant to Chapter 119. of the Revised Code.

6. In the event that DOCTOR DESHMUKH has not been engaged in the active practice of medicine and surgery for a period in excess of two years prior to application for reinstatement, the BOARD may exercise its discretion under Section 4731.222, Ohio Revised Code, to require additional evidence of DOCTOR DESHMUKH's fitness to resume practice.

REQUIRED REPORTING BY LICENSEE

STATE MEDICAL BOARD
OF OHIO

8 2001 AUG -b A 9 04

7. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR DESHMUKH shall provide a copy of this CONSENT AGREEMENT by certified mail, return receipt requested, to the proper licensing authority of any state or jurisdiction in which she currently holds any professional license. DOCTOR DESHMUKH further agrees to provide a copy of this CONSENT AGREEMENT by certified mail, return receipt requested, at time of application to the proper licensing authority of any state in which she applies for any professional license or reinstatement of any professional license. Further, DOCTOR DESHMUKH shall provide this BOARD with a copy of the return receipt as proof of notification within thirty (30) days of receiving that return receipt.

Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR DESHMUKH shall provide a copy of this CONSENT AGREEMENT to all employers or entities with which she is under contract to provide health care services or is receiving training; and the Chief of Staff at each hospital where she has privileges or appointments. Further, DOCTOR DESHMUKH shall provide a copy of this CONSENT AGREEMENT to all employers or entities with which she contracts to provide health care services, or applies for or receives training, and the Chief of Staff at each hospital where she applies for or obtains privileges or appointments.

The above described terms, conditions and limitations may be amended or terminated in writing at any time upon the agreement of both parties.

FAILURE TO COMPLY

If, in the discretion of the Secretary and Supervising Member of the BOARD, DOCTOR DESHMUKH appears to have violated or breached any term or condition of this CONSENT AGREEMENT, the BOARD 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 the effective date of this CONSENT AGREEMENT.

ACKNOWLEDGMENTS/LIABILITY RELEASE

DOCTOR DESHMUKH acknowledges that she has had an opportunity to ask questions concerning the terms of this CONSENT AGREEMENT and that all questions asked have been answered in a satisfactory manner.

Any action initiated by the BOARD based on alleged violations of this CONSENT AGREEMENT shall comply with the Administrative Procedure Act, Chapter 119., Ohio Revised Code.

DOCTOR DESHMUKH 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 CONSENT AGREEMENT shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code.

Further, this information may be reported to appropriate organizations, data banks and governmental bodies.

EFFECTIVE DATE

It is expressly understood that this CONSENT AGREEMENT is subject to ratification by the BOARD prior to signature by the Secretary and Supervising Member and shall become effective upon the last date of signature below.

Minakshi B. Deshmukh, M.D., NIPH
MINAKSHI B. DESHMUKH, M.D.

Anand G. Garg, M.D., TAD
ANAND G. GARG, M.D.
Secretary

08/02/01
DATE

8/8/01
DATE

Stephen Houseal
STEPHEN HOUSEAL, ESQ.
Attorney for Dr. DESHMUKH

Raymond J. Albert
RAYMOND J. ALBERT
Supervising Member

2 Aug 01
DATE

8/8/01
DATE

STATE MEDICAL BOARD
OF OHIO
2001 AUG -6 A 9:04

Rebecca J. Albers
REBECCA J. ALBERS, ESQ.
Assistant Attorney General

8/8/01
DATE

STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
BUREAU OF HEALTH SERVICES
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

MINAKSHI B. DESHMUKH, M.D.
License Number: 43-01-056497

File Number: 43-01-0986-00

ORDER OF SUMMARY SUSPENSION

An Administrative Complaint has been filed against the above-named Respondent as provided by the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq; MSA 14.15(1101) et seq, the rules promulgated thereunder, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq; MSA 3.560(101) et seq.

After careful consideration of the documentation filed in said cause and after consultation with the chairperson of the Board of Medicine pursuant to section 16233(5) of the Public Health Code, supra, the Department hereby finds that the public health, safety, or welfare requires emergency action. Now therefore,

IT IS HEREBY ORDERED that Respondent's license to practice medicine in the state of Michigan shall be SUMMARILY SUSPENDED commencing the date this order is served.

MICHIGAN DEPARTMENT OF
CONSUMER & INDUSTRY SERVICES

By Thomas C. Lindsay
Thomas C. Lindsay II, Director
Bureau of Health Services

DATED: June 5, 2001

2001 JUL 30 A 9 08

STATE MEDICAL BOARD
OF OHIO

TRUE COPY

STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
BUREAU OF HEALTH SERVICES
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

MINAKSHI B. DESHMUKH, M.D.
License Number: 43-01-056497

File Number: 43-01-0986-00

ADMINISTRATIVE COMPLAINT

NOW COMES the Michigan Department of Consumer & Industry Services, hereafter Complainant, by Thomas C. Lindsay II, Director, Bureau of Health Services, and files this complaint against Minakshi B. Deshmukh, M.D., hereafter Respondent, alleging upon information and belief as follows:

1. The Michigan Board of Medicine, hereafter Board, is an administrative agency established by the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq; MSA 14.15(1101) et seq. Pursuant to section 16226 of the Public Health Code, supra, the Board's Disciplinary Subcommittee is empowered to discipline licensees for violations of the Code.

2. Respondent is currently licensed to practice medicine in the state of Michigan and holds a current controlled substance license.

2001 JUL 30 A 9 08

STATE MEDICAL BOARD
OF OHIO

TRUE COPY

STATE MEDICAL BOARD
OF OHIO

2001 JUL 30 A 9:08

3. Section 16233(5) of the Public Health Code, supra, as amended, provides, in pertinent part, as follows:

After consultation with the chair of the appropriate board or task force or his or her designee, the department may summarily suspend a license or registration if the public health, safety, or welfare requires emergency action in accordance with section 92 of the administrative procedures act of 1969, being section 24.292 of the Michigan Compiled Laws.

4. Section 7311(6) of the Public Health Code, supra, provides that a controlled substance license is automatically void if a licensee's license to practice is suspended or revoked under Article 15 of the Public Health Code.

5. On March 16, 2001, Respondent, while practicing in the state of Ohio, contacted the Michigan Health Professional Recovery Corporation (Contractor) as a possible candidate for a non-disciplinary monitoring agreement, reporting that she had a history of mental illness.

6. On April 17, 2001, Respondent was evaluated by a psychiatrist per the Contractor's recommendation. The evaluation resulted in Respondent being diagnosed with "paranoid psychosis versus delusional disorder...paranoid schizophrenia cannot be ruled out." The evaluating psychiatrist indicated that "[Respondent] has a largely untreated major mental illness with paranoia...[Respondent] has not been followed fully for treatment ...I would be very reluctant to provide her with medical licensure based on the above information unless treatment could be proved more effective than it has up until now."

7. On April 26, 2001, based on the above mentioned evaluation, the Contractor recommended to Respondent that she not practice in the state of Ohio. Respondent informed the Contractor that she would continue to practice.

8. On April 27, 2001, the Contractor closed Respondent's case and forwarded it to the Department for disposition, due to Respondent's refusal to comply with the Contractor's recommendation.

COUNT I

Respondent's conduct, as set forth above, evidences a condition which impairs, or may impair, the ability to safely and skillfully practice the health profession, in violation of section 16221(a) of the Public Health Code, supra.

COUNT II

Respondent's conduct, as set forth above, indicates that Respondent suffers from a mental or physical inability reasonably related to and adversely affecting Respondent's ability to practice in a safe and competent manner, in violation of section 16221(b)(iii) of the Public Health Code, supra.

WHEREFORE, Complainant requests that a hearing be scheduled pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq; MSA 3.560(101) et seq; the Public Health Code, and the rules promulgated thereunder.

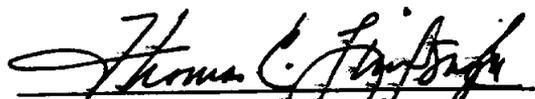
STATE MEDICAL BOARD
OF OHIO
2001 JUL 30 A 9:00

FURTHER, pending a hearing and final determination in the within cause, and pursuant to section 16233(5) of the Public Health Code, supra, Complainant states that the public health, safety and welfare requires emergency action and Respondent's license to practice medicine should accordingly be summarily suspended.

RESPONDENT IS HEREBY NOTIFIED that, pursuant to section 16231(7) of the Public Health Code, supra, Respondent has 30 days from the date of receipt of this complaint to submit a written response to the allegations contained herein. The written response shall be submitted to Complainant, Thomas C. Lindsay II, Director, Bureau of Health Services, Department of Consumer & Industry Services, P.O. Box 30670, Lansing, MI 48909.

RESPONDENT IS FURTHER NOTIFIED that, pursuant to section 16231(8) of the Public Health Code, supra, Respondent's failure to submit a written response within 30 days, as noted above, shall be treated as an admission of the allegations contained herein and shall result in transmittal of this complaint directly to the Disciplinary Subcommittee for imposition of an appropriate sanction.

DATED: *June 5, 2001*


Thomas C. Lindsay II, Director
Bureau of Health Services

STATE MEDICAL BOARD
OF OHIO
2001 JUL 30 A 9:09

This is the last and final page of an Administrative Complaint in the matter of Minakshi B. Deshmukh, M.D., File Number 43-01-0986-00, before the Disciplinary Subcommittee of the Michigan Board of Medicine, consisting of four pages, this page included.

JEC

STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
BUREAU OF HEALTH SERVICES
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

MINAKSHI B. DESHMUKH, M.D.
_____ /

Complaint No. 43-01-0986-00

CONSENT ORDER AND STIPULATION

CONSENT ORDER

An administrative complaint was filed with the Disciplinary Subcommittee of the Board of Medicine on June 5, 2001, charging Minakshi B. Deshmukh, M.D., (Respondent) with having violated sections 16221(a) and (b)(iii) of the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 *et seq.*

Based on the administrative complaint and after consultation with the Chairperson of the Board of Medicine, the Department summarily suspended Respondent's license to practice medicine by order dated June 5, 2001.

By stipulation contained in this document, Respondent does not contest the allegations of fact and law in the complaint. Respondent understands that by pleading no contest she 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. Respondent agrees that the Disciplinary Subcommittee may enter an order treating the allegations as true.

STATE MEDICAL BOARD
OF OHIO
2003 JUL 24 P 12: 23

STATE OF OHIO - INDIAN COUNTY
We certify that the foregoing is a true copy
of the original on file in the office of the
Department of Consumer and Industry
Services.

The Disciplinary Subcommittee has reviewed the stipulation contained in this document and agrees that the public interest is best served by resolution of the outstanding complaint.

Therefore, the Disciplinary Subcommittee finds that the allegations of fact contained in the complaint are true and constitute violation of sections 16221(a) and (b)(iii) of the Public Health Code.

Accordingly,

IT IS ORDERED that for both of the violations Respondent's license to practice medicine is SUSPENDED for a period of six months and one day commencing on the effective date of this order. The periods of suspension shall run concurrently.

IT IS ORDERED that the order of summary suspension previously issued is DISSOLVED commencing on the effective date of this order.

IT IS ORDERED that Respondent shall receive credit for the time during which the order of summary suspension was in effect.

STATE MEDICAL BOARD
OF OHIO

2003 JUL 24 P 12:23

TOWN OF MARIETTA - INDIANA COUNTY
We certify that the foregoing is a true copy
of the original on file in the office of the
Department of Consumer and Industry
Services, Marietta, Indiana

IT IS FURTHER ORDERED that prior to seeking reinstatement, Respondent shall enter into a monitoring agreement with Michigan Health Professional Recovery Corporation.

IT IS FURTHER ORDERED that should Respondent violate any term or condition set forth here, it may be determined that Respondent has violated an order of the Disciplinary Subcommittee, 1996 AACR, R 338.1632, and section 16221(g) of the Public Health Code.

Signed this 20th day of March, 2002.

MICHIGAN BOARD OF MEDICINE

By 
Chairperson, Disciplinary Subcommittee

STATE MEDICAL BOARD
OF OHIO
2003 JUL 24 12:23

STIPULATION

The parties stipulate and agree as follows:

1. Respondent does not contest the allegations set forth in the complaint and agrees that the Disciplinary Subcommittee may treat the allegations of fact and law as true, which finding shall have the same force and effect for purposes of this consent order as if evidence and argument were presented in support of the allegations. Further, Respondent understands and intends that by so stating she is not admitting the truth of the

Division of Subpoena - Wayne County
We certify that the foregoing is a true copy
of the original on file in the office of the
Department of Consumer and Industry
Affairs, State of Michigan

allegations but is agreeing that the Disciplinary Subcommittee may enter its order treating the allegations as true for purpose of resolution of the complaint.

2. Respondent understands and intends that by signing this stipulation she is waiving the right pursuant to the Public Health Code, rules promulgated thereunder, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 *et seq*, to require the State to prove the charges set forth in the complaint by presentation of evidence and legal authority, and to appear with an attorney and such witnesses as Respondent may desire to present a defense to the charges before the Disciplinary Subcommittee or its authorized representative.

3. Factors taken into consideration when determining the proposed sanction include the following:

1. Respondent shall enter into a monitoring agreement with Michigan Health Professionals Recovery Corporation (MHPRC) prior to seeking reinstatement. Respondent agrees that she shall participate in the program for at least four (4) months prior to seeking reinstatement.

2. Respondent agrees that as a part of the reinstatement process that she will submit to a psychological and psychiatric examination by individuals selected by the Board.

3. Respondent agrees that she will undergo a neurological evaluation by a physician selected by the Board as part of the reinstatement process.

4. The Board's conferee, Linda Hotchkiss, M.D., who has indicated support of this proposal, and the Department's representative or the undersigned assistant attorney

STATE MEDICAL BOARD
OF OHIO

2003 JUL 24 P 12:23

DEPT OF MICHIGAN - ECONOMIC DEVELOPMENT
We certify that the foregoing is a true copy
of the original on file in the office of the
Department of Consumer and Industry
Protection, Lansing, Michigan

general are free to discuss this matter with the Disciplinary Subcommittee and recommend acceptance of the resolution set forth in the consent order.

5. This consent order is approved by the respective parties and may be entered as the final order of the Disciplinary Subcommittee in this cause.

6. This proposal is conditioned upon its acceptance by the Disciplinary Subcommittee, the parties expressly reserving the right to further proceedings without prejudice should the consent order be rejected.

AGREED TO BY:

AGREED TO BY:



Howard C. Marderosian (P17080)
Assistant Attorney General
Attorney for Complainant
Dated: 2/20/02



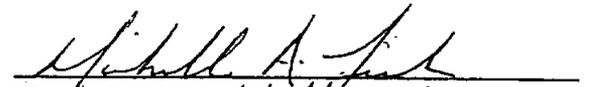
Minakshi B. Deshmukh, M.D.
Respondent

Dated: 02/18/2002

STATE MEDICAL BOARD
OF OHIO
2003 JUL 24 P 12/23

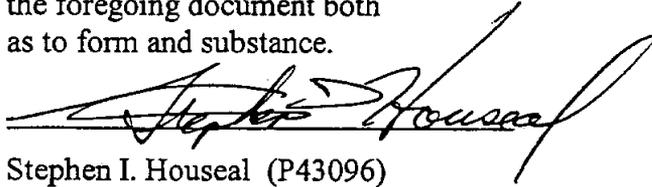
State of Michigan)
County of Midland)ss

On the 18th day of February, 2002, Minakshi B. Deshmukh, M.D., signed this consent order and stipulation in front of me.


Notary Public, Midland County
State of Michigan
My commission expires: 06/03/06

I hereby certify that the foregoing is a true and correct copy of the original on file in the office of the Secretary of Commerce and Industry.

I have reviewed and approved
the foregoing document both
as to form and substance.



Stephen I. Houseal (P43096)
Attorney for Respondent

This is the last and final page of a consent order and stipulation in the matter of Minakshi B. Deshmukh, M.D., pending before the Disciplinary Subcommittee of the Michigan Board of Medicine, and consisting of six pages, this page included.

cases.HCM02.Deshmukh.Deshmukh P COS

STATE MEDICAL BOARD
OF OHIO
2003 JUL 24 P 12: 23

NOTED - BY THE COUNTY
CLERK, that the foregoing is a true copy
as certified on file in the office of the
County Auditor and Industry

STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
BUREAU OF HEALTH SERVICES
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

MINAKSHI B. DESHMUKH, M.D.
License Number: 43-01-056497

File Number: 43-01-0986-00

ORDER OF SUMMARY SUSPENSION

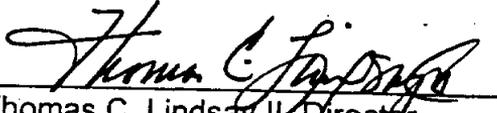
An Administrative Complaint has been filed against the above-named Respondent as provided by the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq; MSA 14.15(1101) et seq, the rules promulgated thereunder, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq; MSA 3.560(101) et seq.

After careful consideration of the documentation filed in said cause and after consultation with the chairperson of the Board of Medicine pursuant to section 16233(5) of the Public Health Code, supra, the Department hereby finds that the public health, safety, or welfare requires emergency action. Now therefore,

IT IS HEREBY ORDERED that Respondent's license to practice medicine in the state of Michigan shall be SUMMARILY SUSPENDED commencing the date this order is served.

MICHIGAN DEPARTMENT OF
CONSUMER & INDUSTRY SERVICES

By


Thomas C. Lindsay II, Director
Bureau of Health Services

DATED: June 5, 2001

STATE MEDICAL BOARD
OFFICE
2001 JUL 5 12:23
P 12:23

We certify that the foregoing is a true and correct copy of the original on file in the office of the
Bureau of Health Services

TRUE COPY

STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
BUREAU OF HEALTH SERVICES
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

MINAKSHI B. DESHMUKH, M.D.
License Number: 43-01-056497

File Number: 43-01-0986-00

ADMINISTRATIVE COMPLAINT

NOW COMES the Michigan Department of Consumer & Industry Services, hereafter Complainant, by Thomas C. Lindsay II, Director, Bureau of Health Services, and files this complaint against Minakshi B. Deshmukh, M.D., hereafter Respondent, alleging upon information and belief as follows:

1. The Michigan Board of Medicine, hereafter Board, is an administrative agency established by the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq; MSA 14.15(1101) et seq. Pursuant to section 16226 of the Public Health Code, supra, the Board's Disciplinary Subcommittee is empowered to discipline licensees for violations of the Code.

2. Respondent is currently licensed to practice medicine in the state of Michigan and holds a current controlled substance license.

STATE MEDICAL BOARD
OF OHIO
2003 JUL 24 PM 12:33

... MICHIGAN COUNTY
to certify that the foregoing is a true copy
of the original on file in the office of the
Department of Consumer and Industry
Services, Bureau of Health Services.

TRUE COPY

3. Section 16233(5) of the Public Health Code, supra, as amended, provides, in pertinent part, as follows:

After consultation with the chair of the appropriate board or task force or his or her designee, the department may summarily suspend a license or registration if the public health, safety, or welfare requires emergency action in accordance with section 92 of the administrative procedures act of 1969, being section 24.292 of the Michigan Compiled Laws.

4. Section 7311(6) of the Public Health Code, supra, provides that a controlled substance license is automatically void if a licensee's license to practice is suspended or revoked under Article 15 of the Public Health Code.

5. On March 16, 2001, Respondent, while practicing in the state of Ohio, contacted the Michigan Health Professional Recovery Corporation (Contractor) as a possible candidate for a non-disciplinary monitoring agreement, reporting that she had a history of mental illness.

6. On April 17, 2001, Respondent was evaluated by a psychiatrist on the Contractor's recommendation. The evaluation resulted in Respondent being diagnosed with "paranoid psychosis versus delusional disorder...paranoid schizophrenia cannot be ruled out." The evaluating psychiatrist indicated that "[Respondent] has a largely untreated major mental illness with paranoia...[Respondent] has not been followed fully for treatment ...I would be very reluctant to provide her with medical licensure based on the above information unless treatment could be proved more effective than it has up until now."

STATE MEDICAL BOARD
OF OHIO
2003 JUL 24 P 1223

Michigan Health Professional Recovery Corporation
1000 West Grand Avenue, Suite 100
Ann Arbor, Michigan 48106
Phone: 734.769.1234
Fax: 734.769.1235
www.mhprc.org

7. On April 26, 2001, based on the above mentioned evaluation, the Contractor recommended to Respondent that she not practice in the state of Ohio. Respondent informed the Contractor that she would continue to practice.

8. On April 27, 2001, the Contractor closed Respondent's case and forwarded it to the Department for disposition, due to Respondent's refusal to comply with the Contractor's recommendation.

COUNT I

Respondent's conduct, as set forth above, evidences a condition which impairs, or may impair, the ability to safely and skillfully practice the health profession, in violation of section 16221(a) of the Public Health Code, supra.

COUNT II

Respondent's conduct, as set forth above, indicates that Respondent suffers from a mental or physical inability reasonably related to and adversely affecting Respondent's ability to practice in a safe and competent manner, in violation of section 16221(b)(iii) of the Public Health Code, supra.

STATE MEDICAL BOARD
OF OHIO
2003 JUL 24 10 23 AM '03

I hereby certify that the foregoing is a true and correct copy of the original on file in the office of the Secretary of State and Industry.

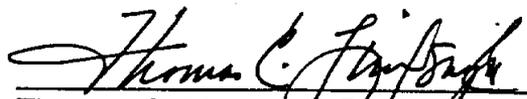
WHEREFORE, Complainant requests that a hearing be scheduled pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq; MSA 3.560(101) et seq; the Public Health Code, and the rules promulgated thereunder.

FURTHER, pending a hearing and final determination in the within cause, and pursuant to section 16233(5) of the Public Health Code, supra, Complainant states that the public health, safety and welfare requires emergency action and Respondent's license to practice medicine should accordingly be summarily suspended.

RESPONDENT IS HEREBY NOTIFIED that, pursuant to section 16231(7) of the Public Health Code, supra, Respondent has 30 days from the date of receipt of this complaint to submit a written response to the allegations contained herein. The written response shall be submitted to Complainant, Thomas C. Lindsay II, Director, Bureau of Health Services, Department of Consumer & Industry Services, P.O. Box 30670, Lansing, MI 48909.

RESPONDENT IS FURTHER NOTIFIED that, pursuant to section 16231(8) of the Public Health Code, supra, Respondent's failure to submit a written response within 30 days, as noted above, shall be treated as an admission of the allegations contained herein and shall result in transmittal of this complaint directly to the Disciplinary Subcommittee for imposition of an appropriate sanction.

STATE MEDICAL BOARD
OF MICHIGAN
JUN 25 12:23


Thomas C. Lindsay II, Director
Bureau of Health Services

DATED: *June 5, 2001*

I hereby certify that the foregoing is a true and correct copy of the original on file in the office of the Secretary of the Department of Consumer and Industry Services.

This is the last and final page of an Administrative Complaint in the matter of Minakshi B. Deshmukh, M.D., File Number 43-01-0986-00, before the Disciplinary Subcommittee of the Michigan Board of Medicine, consisting of four pages, this page included.

JEC

TRUE COPY

**CONSENT AGREEMENT
BETWEEN
MINAKSHI B. DESHMUKH, M.D.
AND
THE STATE MEDICAL BOARD OF OHIO**

2001 MS-16 A 9 03
STATE MEDICAL BOARD

This CONSENT AGREEMENT is entered into by and between MINAKSHI B. DESHMUKH, M.D., and THE STATE MEDICAL BOARD OF OHIO, a state agency charged with enforcing Chapter 4731., Ohio Revised Code.

MINAKSHI B. DESHMUKH, M.D., enters into this CONSENT AGREEMENT being fully informed of her 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.

BASIS FOR ACTION

This CONSENT AGREEMENT 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 “[a]ny of the following actions taken by the agency responsible for regulating the practice of medicine and surgery, osteopathic medicine and surgery, podiatry, or the limited branches of medicine in another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual’s license to practice; acceptance of an individual’s license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand.”
- B. THE STATE MEDICAL BOARD OF OHIO enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon the violation of Section 4731.22(B)(22), Ohio Revised Code, as set forth in Paragraph E below, 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 Agreement.
- C. MINAKSHI B. DESHMUKH, M.D., is licensed to practice medicine and surgery in the State of Ohio.
- D. MINAKSHI B. DESHMUKH, M.D., STATES that she is also licensed to practice medicine and surgery in the State of Michigan.

- E. MINAKSHI B. DESHMUKH, M.D., ADMITS that The Bureau of Health Services, Michigan Department of Consumer and Industry Services (hereinafter "Michigan Bureau"), issued an Order of Summary Suspension dated June 5, 2001, ordering that her license to practice medicine in the State of Michigan be summarily suspended commencing the date the order was served. The Order of Summary Suspension was based upon a finding, after consultation with the Chairperson of the Michigan Board of Medicine, that the public health, safety, or welfare required emergency action [in Michigan].

This finding was based upon allegations in the Michigan Bureau Administrative Complaint dated June 5, 2001, including the following:

- (1) On March 16, 2001, while DOCTOR DESHMUKH was practicing in Ohio, she contacted the Michigan Health Professional Recovery Corporation (Contractor) as a possible candidate for a non-disciplinary monitoring agreement, reporting that she had a history of mental illness.
- (2) Further, on April 17, 2001, DOCTOR DESHMUKH was evaluated by a psychiatrist per the above Contractor's recommendation. This psychiatric evaluation resulted in DOCTOR DESHMUKH, the Respondent, being diagnosed with "paranoid psychosis versus delusional disorder...paranoid schizophrenia cannot be ruled out." The evaluating psychiatrist indicated that "[Respondent] has a largely untreated major mental illness with paranoia . . . [Respondent] has not been followed fully for treatment...I would be very reluctant to provide her with medical licensure based on the above information unless treatment could be proved more effective than it has up until now."
- (3) On April 26, 2001, based upon the above evaluation, the Contractor recommended to DOCTOR DESHMUKH that she not practice in Ohio. She informed the Contractor that she would continue to practice. Due to her refusal to comply with their recommendation, the Contractor closed DOCTOR DESHMUKH's case and forwarded the matter to the Michigan Bureau.
- (4) The Michigan Bureau alleged a violation of the Michigan Public Health Code in that DOCTOR DESHMUKH's conduct evidences a condition which impairs, or may impair, the ability to safely and skillfully practice the health profession (Count 1).
- (5) Further, the Michigan Bureau alleged a violation of the Michigan Public Health Code in that DOCTOR DESHMUKH suffers from a mental or physical inability reasonably related to and adversely affecting her ability to practice in a safe and competent manner (Count 2).

STATE MEDICAL BOARD

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Copies of the Michigan Bureau Order of Summary Suspension and Administrative Complaint are attached hereto and incorporated herein.

MINAKSHI B. DESHMUKH, M.D., further ADMITS that, as a result of the Michigan Bureau's Order of Summary Suspension, she has agreed with the Michigan Bureau that she will submit to an examination in or about August 2001 by a psychiatrist and a psychologist approved by the Michigan Bureau and that her Michigan license shall remain suspended pending the results of this examination.

AGREED CONDITIONS

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, MINAKSHI B. DESHMUKH, M.D., knowingly and voluntarily agrees with THE STATE MEDICAL BOARD OF OHIO, (hereinafter BOARD), to the following terms, conditions and limitations:

SUSPENSION OF CERTIFICATE

1. The certificate of DOCTOR DESHMUKH to practice medicine and surgery in the State of Ohio shall be SUSPENDED for an indefinite period of time;

Releases; Quarterly Declarations and Appearances

2. DOCTOR DESHMUKH shall provide authorization, through appropriate written consent forms, for disclosure of evaluative reports, summaries, and records, of whatever nature, by any and all parties that provide treatment or evaluation for DOCTOR DESHMUKH's mental impairment or related conditions, or for purposes of complying with the CONSENT AGREEMENT, whether such treatment or evaluation occurred before or after the effective date of this CONSENT AGREEMENT. The above-mentioned evaluative reports, summaries, and records are considered medical records for purposes of Section 149.43 of the Ohio Revised Code and are confidential pursuant to statute. DOCTOR DESHMUKH further agrees to provide the BOARD written consent permitting any provider from whom she obtains treatment to notify the BOARD in the event she fails to agree to or comply with any treatment. DOCTOR DESHMUKH further agrees that the BOARD may release any materials in its possession to any and all parties that provide treatment or evaluation for DOCTOR DESHMUKH's mental impairment or related conditions, or for purposes of complying with this CONSENT AGREEMENT. Failure to provide such consent, or revocation of such consent, shall constitute a violation of this CONSENT AGREEMENT.
3. DOCTOR DESHMUKH shall submit quarterly declarations under penalty of BOARD disciplinary action or criminal prosecution, stating whether there has been compliance with all the conditions of this CONSENT AGREEMENT. The first quarterly declaration must be received in the BOARD's offices on the first

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day of the third month following the month in which the CONSENT AGREEMENT becomes effective, provided that if the effective date is on or after the 16th day of the month, the first quarterly declaration must be received in the BOARD's offices on the first day of the fourth month following. Subsequent quarterly declarations must be received in the BOARD's offices on or before the first day of every third month;

4. DOCTOR DESHMUKH shall appear in person for quarterly interviews before the BOARD or its designated representative, or as otherwise directed by the BOARD.

If an appearance is missed or is rescheduled for any reason, ensuing appearances shall be scheduled based on the appearance date as originally scheduled. (Example: The first quarterly appearance is scheduled for February, but based upon the doctor's serious personal illness she is permitted to delay appearance until April. The next appearance will still be scheduled for May, three months after the appearance as originally scheduled.) Although the BOARD will normally give DOCTOR DESHMUKH written notification of scheduled appearances, it is DOCTOR DESHMUKH's responsibility to know when personal appearances will occur. If she does not receive written notification from the BOARD by the end of the month in which the appearance should have occurred, DOCTOR DESHMUKH shall immediately submit to the BOARD a written request to be notified of her next scheduled appearance;

CONDITIONS FOR REINSTATEMENT

5. The BOARD shall not consider reinstatement of DOCTOR DESHMUKH's certificate to practice medicine and surgery unless and until all of the following conditions are met:
 - a. DOCTOR DESHMUKH shall submit an application for reinstatement, accompanied by appropriate fees, if any;
 - b. DOCTOR DESHMUKH shall demonstrate to the satisfaction of the BOARD that she can resume practice in compliance with acceptable and prevailing standards of care under the provisions of her certificate. Such demonstration shall include but shall not be limited to the following:
 - i. Two written reports indicating that DOCTOR DESHMUKH's ability to practice has been assessed and that she has been found capable of practicing according to acceptable and prevailing standards of care.

The reports shall be made by psychiatrists, approved by the BOARD, who shall each conduct a psychiatric examination of DOCTOR DESHMUKH. Prior to each examination, DOCTOR

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DESHMUKH shall provide each psychiatrist with copies of patient records from any evaluations and/or treatment that she has received, and a copy of this Consent Agreement. The BOARD shall also provide each psychiatrist with any materials in its possession that it determines are relevant to the psychiatric examinations. The report from each evaluating psychiatrist shall include the psychiatrist's diagnoses and conclusions; any recommendations for care, counseling, and treatment for the psychiatric diagnoses; any conditions, restrictions, or limitations that should be imposed on DOCTOR DESHMUKH's practice; and the basis for the psychiatrist's determinations.

- ii. Evidence of continuing full compliance with this consent agreement.
- iii. Acceptable documentation evidencing that DOCTOR DESHMUKH is permitted to practice medicine in the State of Michigan. DOCTOR DESHMUKH shall provide documentation of any agreements or orders containing any conditions, restrictions, or limitations imposed on DOCTOR DESHMUKH's practice of medicine by the Michigan Bureau.

- c. DOCTOR DESHMUKH shall enter into a written consent agreement including probationary terms, conditions and limitations as determined by the BOARD or, if the BOARD and DOCTOR DESHMUKH are unable to agree on the terms of a written CONSENT AGREEMENT, then DOCTOR DESHMUKH further agrees to abide by any terms, conditions and limitations imposed by Board Order after a hearing conducted pursuant to Chapter 119. of the Ohio Revised Code.

Further, upon reinstatement of DOCTOR DESHMUKH's certificate to practice medicine and surgery in this state, the BOARD shall require continued monitoring which shall include, but not be limited to, compliance with the written consent agreement entered into before reinstatement or with conditions imposed by Board Order after a hearing conducted pursuant to Chapter 119. of the Revised Code.

- 6. In the event that DOCTOR DESHMUKH has not been engaged in the active practice of medicine and surgery for a period in excess of two years prior to application for reinstatement, the BOARD may exercise its discretion under Section 4731.222, Ohio Revised Code, to require additional evidence of DOCTOR DESHMUKH's fitness to resume practice.

REQUIRED REPORTING BY LICENSEE

DOCTOR DESHMUKH
HOSPITAL BOARD

7. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR DESHMUKH shall provide a copy of this CONSENT AGREEMENT by certified mail, return receipt requested, to the proper licensing authority of any state or jurisdiction in which she currently holds any professional license. DOCTOR DESHMUKH further agrees to provide a copy of this CONSENT AGREEMENT by certified mail, return receipt requested, at time of application to the proper licensing authority of any state in which she applies for any professional license or reinstatement of any professional license. Further, DOCTOR DESHMUKH shall provide this BOARD with a copy of the return receipt as proof of notification within thirty (30) days of receiving that return receipt.

8. Within thirty (30) days of the effective date of this CONSENT AGREEMENT, DOCTOR DESHMUKH shall provide a copy of this CONSENT AGREEMENT to all employers or entities with which she is under contract to provide health care services or is receiving training; and the Chief of Staff at each hospital where she has privileges or appointments. Further, DOCTOR DESHMUKH shall provide a copy of this CONSENT AGREEMENT to all employers or entities with which she contracts to provide health care services, or applies for or receives training, and the Chief of Staff at each hospital where she applies for or obtains privileges or appointments.

The above described terms, conditions and limitations may be amended or terminated in writing at any time upon the agreement of both parties.

FAILURE TO COMPLY

If, in the discretion of the Secretary and Supervising Member of the BOARD, DOCTOR DESHMUKH appears to have violated or breached any term or condition of this CONSENT AGREEMENT, the BOARD 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 the effective date of this CONSENT AGREEMENT.

ACKNOWLEDGMENTS/LIABILITY RELEASE

DOCTOR DESHMUKH acknowledges that she has had an opportunity to ask questions concerning the terms of this CONSENT AGREEMENT and that all questions asked have been answered in a satisfactory manner.

Any action initiated by the BOARD based on alleged violations of this CONSENT AGREEMENT shall comply with the Administrative Procedure Act, Chapter 119., Ohio Revised Code.

DOCTOR DESHMUKH 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 CONSENT AGREEMENT shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code.

Further, this information may be reported to appropriate organizations, data banks and governmental bodies.

EFFECTIVE DATE

It is expressly understood that this CONSENT AGREEMENT is subject to ratification by the BOARD prior to signature by the Secretary and Supervising Member and shall become effective upon the last date of signature below.

Minakshi B. Deshmukh, M.D., MPH
MINAKSHI B. DESHMUKH, M.D.

Anand G. Garg, M.D. /TAD
ANAND G. GARG, M.D.
Secretary

08/02/01
DATE

8/8/01
DATE

Stephen Houseal
STEPHEN HOUSEAL, ESQ.
Attorney for Dr. DESHMUKH

Raymond J. Albert
RAYMOND J. ALBERT
Supervising Member

2 Aug 01
DATE

8/8/01
DATE

Rebecca J. Albers
REBECCA J. ALBERS, ESQ.
Assistant Attorney General

8/8/01
DATE

STATE OF OHIO
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STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
BUREAU OF HEALTH SERVICES
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

MINAKSHI B. DESHMUKH, M.D.
License Number: 43-01-056497

File Number: 43-01-0986-00

ORDER OF SUMMARY SUSPENSION

An Administrative Complaint has been filed against the above-named Respondent as provided by the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq; MSA 14.15(1101) et seq, the rules promulgated thereunder, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq; MSA 3.560(101) et seq.

After careful consideration of the documentation filed in said cause and after consultation with the chairperson of the Board of Medicine pursuant to section 16233(5) of the Public Health Code, supra, the Department hereby finds that the public health, safety, or welfare requires emergency action. Now therefore,

IT IS HEREBY ORDERED that Respondent's license to practice medicine in the state of Michigan shall be SUMMARILY SUSPENDED commencing the date this order is served.

MICHIGAN DEPARTMENT OF
CONSUMER & INDUSTRY SERVICES

By Thomas C. Lindsay II
Thomas C. Lindsay II, Director
Bureau of Health Services

DATED: June 5, 2001

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STATE MEDICAL BOARD
OF OHIO

TRUE COPY

STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
BUREAU OF HEALTH SERVICES
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

MINAKSHI B. DESHMUKH, M.D.
License Number: 43-01-056497

File Number: 43-01-0986-00

ADMINISTRATIVE COMPLAINT

NOW COMES the Michigan Department of Consumer & Industry Services, hereafter Complainant, by Thomas C. Lindsay II, Director, Bureau of Health Services, and files this complaint against Minakshi B. Deshmukh, M.D., hereafter Respondent, alleging upon information and belief as follows:

1. The Michigan Board of Medicine, hereafter Board, is an administrative agency established by the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq; MSA 14.15(1101) et seq. Pursuant to section 16226 of the Public Health Code, supra, the Board's Disciplinary Subcommittee is empowered to discipline licensees for violations of the Code.

2. Respondent is currently licensed to practice medicine in the state of Michigan and holds a current controlled substance license.

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OF OHIO

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3. Section 16233(5) of the Public Health Code, supra, as amended, provides, in pertinent part, as follows:

After consultation with the chair of the appropriate board or task force or his or her designee, the department may summarily suspend a license or registration if the public health, safety, or welfare requires emergency action in accordance with section 92 of the administrative procedures act of 1969, being section 24.292 of the Michigan Compiled Laws.

4. Section 7311(6) of the Public Health Code, supra, provides that a controlled substance license is automatically void if a licensee's license to practice is suspended or revoked under Article 15 of the Public Health Code.

5. On March 16, 2001, Respondent, while practicing in the state of Ohio, contacted the Michigan Health Professional Recovery Corporation (Contractor) as a possible candidate for a non-disciplinary monitoring agreement, reporting that she had a history of mental illness.

6. On April 17, 2001, Respondent was evaluated by a psychiatrist per the Contractor's recommendation. The evaluation resulted in Respondent being diagnosed with "paranoid psychosis versus delusional disorder...paranoid schizophrenia cannot be ruled out." The evaluating psychiatrist indicated that "[Respondent] has a largely untreated major mental illness with paranoia...[Respondent] has not been followed fully for treatment ...I would be very reluctant to provide her with medical licensure based on the above information unless treatment could be proved more effective than it has up until now."

7. On April 26, 2001, based on the above mentioned evaluation, the Contractor recommended to Respondent that she not practice in the state of Ohio. Respondent informed the Contractor that she would continue to practice.

8. On April 27, 2001, the Contractor closed Respondent's case and forwarded it to the Department for disposition, due to Respondent's refusal to comply with the Contractor's recommendation.

COUNT I

Respondent's conduct, as set forth above, evidences a condition which impairs, or may impair, the ability to safely and skillfully practice the health profession, in violation of section 16221(a) of the Public Health Code, supra.

COUNT II

Respondent's conduct, as set forth above, indicates that Respondent suffers from a mental or physical inability reasonably related to and adversely affecting Respondent's ability to practice in a safe and competent manner, in violation of section 16221(b)(iii) of the Public Health Code, supra.

WHEREFORE, Complainant requests that a hearing be scheduled pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq; MSA 3.560(101) et seq; the Public Health Code, and the rules promulgated thereunder.

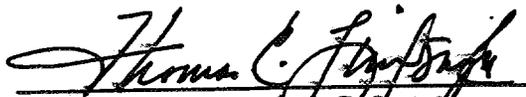
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FURTHER, pending a hearing and final determination in the within cause, and pursuant to section 16233(5) of the Public Health Code, supra, Complainant states that the public health, safety and welfare requires emergency action and Respondent's license to practice medicine should accordingly be summarily suspended.

RESPONDENT IS HEREBY NOTIFIED that, pursuant to section 16231(7) of the Public Health Code, supra, Respondent has 30 days from the date of receipt of this complaint to submit a written response to the allegations contained herein. The written response shall be submitted to Complainant, Thomas C. Lindsay II, Director, Bureau of Health Services, Department of Consumer & Industry Services, P.O. Box 30670, Lansing, MI 48909.

RESPONDENT IS FURTHER NOTIFIED that, pursuant to section 16231(8) of the Public Health Code, supra, Respondent's failure to submit a written response within 30 days, as noted above, shall be treated as an admission of the allegations contained herein and shall result in transmittal of this complaint directly to the Disciplinary Subcommittee for imposition of an appropriate sanction.

DATED: *June 5, 2001*


Thomas C. Lindsay II, Director
Bureau of Health Services

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This is the last and final page of an Administrative Complaint in the matter of Minakshi B. Deshmukh, M.D., File Number 43-01-0986-00, before the Disciplinary Subcommittee of the Michigan Board of Medicine, consisting of four pages, this page included.

JEC