

IN THE MATTER OF SHAKIR R. MEGHANI, M.D.)))))	BEFORE THE ALABAMA BOARD OF MEDICAL EXAMINERS CASE NO. 2019-04
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CONSENT ORDER

This matter is before the Alabama Board of Medical Examiners (“the Board”) pursuant to an Order to Show Cause filed by the Board on April 1, 2019, and pursuant to a Joint Settlement Agreement entered into by the Board and Shakir R. Meghani, M.D. (hereinafter collectively referred to as “the Parties”).

Based upon the Joint Settlement of the Parties, which is incorporated by reference as if fully set forth herein, the Board finds that a sufficient factual basis exists to conclude that Shakir R. Meghani, M.D. has committed the violations alleged in the Order to Show Cause.

Based upon the foregoing findings of facts and conclusions of law, the Board enters an **ORDER** as follows:

1. Dr. Meghani’s Alabama Controlled Substances Certificate (“ACSC”), identified by number ACSC.22917, is hereby REVOKED. Said revocation shall be suspended, and Dr. Meghani’s ACSC shall be placed on PROBATION for a period of sixty (60) months, subject to the following conditions:

a. Dr. Meghani shall pay the administrative costs of the Board in the amount of \$5,820, due and payable within thirty (30) days of October 16, 2019;

b. Dr. Meghani shall contact the Center for Personalized Education for Professionals (“CPEP”) within fourteen (14) days of the effective date of this Order;

c. Dr. Meghani shall submit to and successfully complete a Clinical Competency Assessment by CPEP;

d. Dr. Meghani shall fully disclose any and all results of the Clinical Competency Assessment and any subsequent courses, education, evaluations, or correspondence with CPEP to the Board;

e. Dr. Meghani shall fully adhere and abide by any and all recommendations made by CPEP as a result of the Clinical Competency Assessment and shall successfully complete any and all educational, remedial, or other programs recommended by CPEP;

f. Dr. Meghani shall agree to and abide by any and all practice restrictions recommended by CPEP;

g. Dr. Meghani shall fully cooperate with the Board's monitoring of his compliance with the terms of his probation;

h. Dr. Meghani shall comply with all state and federal laws and regulations related to the practice of medicine and controlled substances;

i. Prior to the completion of a Clinical Competency Assessment by CPEP, Dr. Meghani's controlled substance privileges will be limited as follows:

(1) For existing patients:

(i) Dr. Meghani shall not write prescriptions for benzodiazepines other than Clonazepam (Klonopin) and Lorazepam (Ativan);

(ii) Dr. Meghani shall not write prescriptions for stimulants other than Adderall (Amphetamines) and Concerta (Methylphenidate family);

(iii) Dr. Meghani shall not write prescriptions for opioids other than Suboxone (buprenorphine/naloxone) and Subutex (buprenorphine); and

(iv) Dr. Meghani shall retain the ability to write prescriptions for controlled substances except as set forth in subparagraphs (1) and (2).

(2) For new patients:

(i) Dr. Meghani shall not write prescriptions for controlled substances prior to the completion of a Clinical Competency Assessment by CPEP other than:

1. Schedule IV and Schedule V controlled substances for the treatment of narcolepsy, insomnia, seizure disorders, and chronic fatigue syndrome;
2. Suboxone for the treatment of opioid use disorder;
3. Subutex for the treatment of opioid use disorder in pregnant women.

(ii) Dr. Meghani shall not accept new patients for the treatment of chronic pain.

(iii) Dr. Meghani shall not prescribe opioids and central nervous system depressants concomitantly.

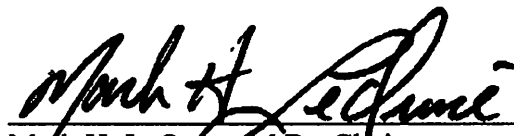
2. Following the receipt by the Board of a Clinical Competency Assessment by CPEP, Dr. Meghani's controlled substance privileges may be returned to him during his probationary term when (1) a schedule or class of drug is recommended by CPEP for utilization by Dr. Meghani and (2) the Board agrees.

3. Dr. Meghani shall take prompt, medically-appropriate action to amend any deficiency and to notify the Board of such action, within seven (7) business days of being notified of any deficiency in his compliance by the Board or CPEP.

IT IS FURTHER ORDERED that Dr. Meghani be required to show complete compliance with this Order before any petition for modification or relief from this Order can be filed. Dr. Meghani may petition the Board for termination of his probation prior to the completion of the sixty (60) month term if (1) he has completed and adhered to all the terms of the Joint Settlement Agreement and this Order; and (2) he has completed all recommended programs and is recommended for unrestricted practice by CPEP. Any failure by Dr. Meghani to comply with any

or all of the requirements or restrictions imposed by this Order may result in the revocation of his probation and the imposition of the suspended revocation of his ACSC. The Board retains jurisdiction in this matter to issue further orders as may be necessary to enforce this Order or to implement the terms of the Joint Settlement Agreement.

ORDERED this 22 day of October, 2019.



Mark H. LeQuire, M.D., Chairman
Alabama Board of Medical Examiners

IN THE MATTER OF) BEFORE THE ALABAMA BOARD OF
) MEDICAL EXAMINERS
SHAKIR R. MEGHANI, M.D.) CASE NO. 2019-04

JOINT SETTLEMENT AGREEMENT

COME NOW, the Alabama State Board of Medical Examiners (“Board”), Complainant, and Shakir R. Meghani, M.D., Respondent, hereinafter collectively referred to as “the Parties,” and jointly enter this Settlement Agreement to resolve the disciplinary charges filed against the Respondent's Alabama Controlled Substance Certificate (“ACSC”). In support thereof, the Parties state as follows:

STIPULATION

1. On or about July 1999, the Board issued to Respondent an Alabama Controlled Substances Certificate, identified by registration number ACSC.22917. For every year since 1999, the Respondent maintained and renewed his ACSC. The Respondent was licensed at all times relevant to the matters asserted herein.

2. On or about April 1, 2019, the Board issued an Order to Show Cause alleging that the Respondent excessively dispensed controlled substances in violation of Ala. Code § 20-2-54(a)(5), and to show cause why his ACSC should not be revoked.

3. The Parties enter this Joint Settlement Agreement as a matter of compromise and to eliminate further litigation and issues between them related to the allegations.

4. The Respondent has denied the allegations set forth in the Order to Show Cause. However, the Respondent acknowledges that the allegations, if found to be true, would constitute grounds for disciplinary action. The Respondent has been advised that the Board could meet its burden of proof to establish the allegations set forth in the Order to Show Cause. Therefore, the Respondent enters this Joint Settlement Agreement and agrees to the entry of a Consent Order by

the Board for the purposes of resolving the issues between the Parties, and to avoid the uncertainties associated with a full hearing.

5. The Respondent acknowledges the authority of the Board to exercise jurisdiction in this matter, consents and agrees to the entry by the Board of the Consent Order stated herein, and agrees to be bound by the findings of fact, conclusions of law, and terms and conditions stated therein. The Respondent waives any further findings of fact and conclusions of law with respect to the above-styled matter, and waives any right to appeal this Joint Settlement Agreement and Consent Order. The Respondent waives his right to an administrative hearing before the Board, his right to be represented at such hearing by counsel of his choice, and agrees to waive any and all rights to further notice and formal adjudication of charges arising from the facts stated herein. Further, the Respondent waives his right to judicial review of the Consent Order agreed to herein under applicable provisions of the Alabama Administrative Procedure Act, Ala. Code §41-22-1, *et. seq.* The Respondent understands and acknowledges that the Joint Settlement Agreement and Consent Order, if approved and executed by the parties, shall constitute a public record under the laws of the state of Alabama.

6. The Respondent acknowledges and agrees that this Joint Settlement Agreement and Consent Order constitutes a public record of the Board and will be reported by the Board to the Federal National Practitioner Data Bank (“NPDB”) and the Federation of State Medical Boards (“FSMB”) disciplinary data bank. This Joint Settlement Agreement and Consent Order may be released by the Board to any person or entity requesting information concerning the licensure status in Alabama of Respondent.

6. The Board stipulates and agrees that the terms and conditions of this Agreement and resulting Consent Order constitute a reasonable disposition of the matter stated herein, and that such disposition protects the public's health and safety.

TERMS OF THE AGREEMENT

7. Respondent consents to an Order being entered in his case revoking his authority to order, manufacture, distribute, possess, dispense, administer, or prescribe any and all controlled substances, including any and all controlled substances listed in Schedules II, IIN, III, IV, and V, under ACSC.22917. The Board agrees that this revocation should be suspended, and that the Respondent's ACSC should be placed on probation for a term of sixty (60) months, with conditions. The Board further agrees to move for the dismissal of the Administrative Complaint filed against Respondent with the Medical Licensure Commission in case number 2019-062.

8. Respondent shall pay the administrative costs of the Board in the amount of \$5,820, due and payable within thirty (30) days of the effective date of this agreement.

9. The Board waives the imposition of an administrative fine against Respondent.

10. The terms of Respondent's probation are:

a. Respondent shall contact the Center for Personalized Education for Professionals ("CPEP") within fourteen (14) days of the effective date of this Agreement;

b. Respondent shall submit to and successfully complete a Clinical Competency Assessment by CPEP;

c. Respondent shall fully disclose any and all results of the Clinical Competency Assessment and any subsequent courses, education, evaluations, or correspondence with CPEP to the Board;

d. Respondent shall fully adhere and abide by any and all recommendations made by CPEP as a result of the Clinical Competency Assessment and shall successfully complete any and all educational, remedial, or other programs recommended by CPEP;

e. Respondent shall agree to and abide by any and all practice restrictions recommended by CPEP;

f. Respondent shall fully cooperate with the Board's monitoring of his compliance with the terms of his probation;

g. Respondent shall comply with all state and federal laws and regulations related to the practice of medicine and controlled substances.

11. Respondent understands and agrees that prior to the completion of a Clinical Competency Assessment by CPEP, his controlled substance privileges will be limited as follows:

(A) For existing patients:

(i) Respondent shall not write prescriptions for benzodiazepines other than Clonazepam (Klonopin) and Lorazepam (Ativan);

(ii) Respondent shall not write prescriptions for stimulants other than Adderall (Amphetamines) and Concerta (Methylphenidate family);

(iii) Respondent shall not write prescriptions for opioids other than Suboxone (buprenorphine/naloxone) and Subutex (buprenorphine); and

(iv) Respondent shall retain the ability to write prescriptions for controlled substances except as set forth in this subparagraph (A).

(B) For new patients:

(i) Respondent shall not write prescriptions for controlled substances prior to the completion of a Clinical Competency Assessment by CPEP other than:

1. Schedule IV and Schedule V controlled substances for the treatment of narcolepsy, insomnia, seizure disorders, and chronic fatigue syndrome;
2. Suboxone for the treatment of opioid use disorder;
3. Subutex for the treatment of opioid use disorder in pregnant women.

(ii) Respondent shall not accept new patients for the treatment of chronic pain.

(iii) Respondent shall not prescribe opioids and central nervous system depressants concomitantly.

Respondent understands and agrees that following the receipt of a Clinical Competency Assessment by CPEP, his controlled substance privileges may be returned to him during his probationary term when (1) a schedule or class of drug is recommended by CPEP for utilization by Respondent and (2) the Board agrees.

12. Respondent understands and agrees that he may petition the Board for termination of his probation prior to the completion of the sixty (60) month term if (1) he has completed and adhered to all the terms of this Agreement, and (2) he has completed all recommended programs and is recommended for unrestricted practice by CPEP. Upon receipt of such a petition, the Board may grant the petition or set a hearing directing Respondent to show cause why the petition should not be denied.

13. Respondent understands and agrees that a violation of this Agreement, or a new violation of state or federal law, may result in the Board revoking his probation and imposing the revocation of his ACSC. Respondent understands and agrees that a violation of this Agreement or a new violation of state or federal laws and regulations may result in the Board taking action against his license to practice medicine in Alabama. Respondent understands and agrees that his noncompliance or failure to complete CPEP's recommendations may result in the Board

extending, modifying, or revoking his probation. The Parties acknowledge that Respondent will receive notice and an opportunity for a fair hearing consistent with the Alabama Administrative Procedures Act and Board rules prior to any action by the Board to revoke his probation.

ACKNOWLEDGMENTS

Respondent's Understanding

I have read and understand the provisions of this Agreement. I have discussed it with my lawyer and agree and approve of all the provisions of this Agreement, both individually and as a total binding agreement. I have personally and voluntarily signed this Agreement for the express purpose of entering into this Agreement with the Board.

9/30/2019
DATE



SHAKIR R. MEGHANI, M.D.

Counsel's Acknowledgement

I have discussed this case with my client in detail and have advised my client of all my client's rights and possible defenses. My client has conveyed to me that he understands this Agreement and consents to all its terms. I believe this Agreement and the disposition set forth herein is appropriate under the facts of this case and is in accord with my best judgment.

10/3/19
DATE



WILLIAM ATHANAS, ESQ.
Counsel for Respondent

Board's Acknowledgement

I have reviewed this matter and this Agreement and concur that the disposition set forth herein is appropriate and adequately protects the public's health and safety.

10/21/19
DATE

Virginia B. Reeves
VIRGINIA B. REEVES
Associate General Counsel
Alabama Board of Medical Examiners

**BEFORE THE MEDICAL LICENSURE COMMISSION
OF ALABAMA**

ALABAMA STATE BOARD OF MEDICAL)		
EXAMINERS,))	
)	Case No. 19-062
Complainant,))	
)	
v.))	
)	
SHAKIR R. MEGHANI, M.D.))	
)	
Respondent.))	
)	
)	
)	
)	
)	
)	


ORDER

This cause came before the Medical Licensure Commission of Alabama on July 23, 2019 on Respondent's Unopposed Motion to Continue. The Commission finds that the motion is due to be and is hereby GRANTED.

It is, therefore, ORDERED that the hearing on the Administrative Complaint be and is hereby reset for November 22, 2019 at 9:30 a.m. at the offices of the Medical Licensure Commission of Alabama, 848 Washington Avenue, Montgomery, Alabama. The parties should be prepared to proceed with the hearing at that time absent other action by the Commission.

Dr. Meghani is hereby directed to submit to the Commission within thirty (30) days of the date of this order, a statement from his treating physician setting out when, in light of his physical injuries and necessary prescribed medications, Dr. Meghani will be able to attend a hearing at the Commission offices and defend the allegations which are made the basis of the Administrative Complaint.

Done this 2nd day of August, 2019.



James H. Walburn, M.D., Chairman
Medical Licensure Commission of Alabama

ALABAMA STATE BOARD OF)	
MEDICAL EXAMINERS,)	
)	BEFORE THE MEDICAL LICENSURE
Complainant,)	COMMISSION OF ALABAMA
)	
v.)	
)	CASE NO. 19-062
SHAKIR R. MEGHANI M.D.,)	
)	
Respondent.)	

ORDER SETTING HEARING

The Medical Licensure Commission has received the verified Administrative Complaint of the State Board of Medical Examiners filed in this cause. The Commission has determined that this matter is due to be set down for hearing under the provisions of §34-24-361, Code of Alabama 1975.

Accordingly, it is the Order of the Commission that this matter be set for hearing before the Commission on the 28th day of August, 2019 at 9:30 o'clock in the a.m. at the offices of the Medical Licensure Commission, 848 Washington Avenue, Montgomery, Alabama. The Respondent, SHAKIR R. MEGHANI M.D., is directed to respond to the allegations of the verified Complaint in the manner prescribed in Rule 545-X-3-.03 of the Rules and Regulations of the Medical Licensure Commission. Such answer shall be filed **within 20 days** of service of a copy of the Administrative Complaint and the Order Setting Hearing.

This hearing shall be conducted in accordance with §34-24-361(e), Code of Alabama 1975 and Chapter 3 of the Rules and Regulations of the Medical Licensure Commission concerning hearings in contested cases. The Respondent is entitled to be present at the hearing and to be represented by counsel, is entitled to cross examine witnesses presented by the

Complainant, and is entitled to present testimony and other evidence touching on the allegations contained in the Complaint.

Wallace D. Mills, Esq., is hereby appointed to act as legal counsel for the Commission under the authority of Rule 545-X-3-.08 of the Rules and Regulations of the Medical Licensure Commission.

It is the further order of the Commission that a copy of the verified Complaint of the Alabama State Board of Medical Examiners and a copy of this Order Setting Hearing is forthwith served upon the said SHAKIR R. MEGHANI M.D., by personally delivering the same to him if he can be found within the State of Alabama or by overnight courier, signature required, to his last known address if he cannot be found within the State of Alabama. The Commission further directs that personal service of process shall be made by Fed Ex / Karen Silas who is designated as the duly authorized agent of the Medical Licensure Commission.

The Complainant and Respondent are directed to comply strictly with the Commission's Standing Order and Scheduling Order, which are attached hereto.

It is further ordered that the parties and their attorneys immediately check their calendars for scheduling conflicts. **No requests for continuances based upon schedule conflicts of attorneys or parties will be considered unless such request is made forty-five (45) days prior to the scheduled hearing date.**

ORDERED at Montgomery, Alabama, this 15th day of April 2019.


JAMES H. WALBURN, M.D., Chairman
Medical Licensure Commission of Alabama

IN THE MATTER OF) **BEFORE THE ALABAMA BOARD OF**
) **MEDICAL EXAMINERS**
SHAKIR R. MEGHANI, M.D.) **Case No. 2019-04**

ORDER TO SHOW CAUSE

TO:

This Order to Show Cause is directed to Shakir R. Meghani, M.D., pursuant to the authority of Ala. Code § 20-2-53. A hearing will be conducted at 1:00 p.m. on Wednesday, September 18, 2019, at the office of the Alabama State Board of Medical Examiners (“the Board”), 848 Washington Avenue, Montgomery, Alabama. SHAKIR R. MEGHANI, M.D., is ORDERED and DIRECTED to appear before the Board at the time and place stated above and to show cause, if there be any, why his Alabama Controlled Substances Certificate should not be revoked. As grounds revocation, the Board states the following:

1. On January 1, 2019, the Board issued to SHAKIR R. MEGHANI, M.D., an Alabama Controlled Substances Certificate, identified by registration number ACSC.22917. An investigation has shown probable cause to believe that Dr. MEGHANI has committed the following violations of Ala. Code § 20-2-54(a)(5):

- a. Excessively dispensed controlled substances to one or more of his patients;
- b. Dispensed controlled substances for no legitimate medical purpose;
- c. Dispensed controlled substances in amounts not reasonably related to the proper medical management of one or more his patients’ illnesses or conditions;
- d. Violated the Requirements for the Use of Controlled Substances for the Treatment of Pain set out in Rules 540-X-4-.08 and 540-X-19-.09 of the Rules of the Alabama Board of Medical Examiners; and
- e. Violated the Risk and Abuse Mitigation Strategies by Prescribing Physicians as set out in Rule 540-X-4-.09 of the Rules of the Alabama Board of Medical Examiners.

2. In support of these allegations, the Board states as follows:
 - a. Dr. MEGHANI is a psychiatrist who practices at 2812 Hartford Highway, Suite 1, Dothan, Alabama 36305.
 - b. The Board began investigating Dr. MEGHANI's prescribing practices after a complaint was filed alleging Dr. MEGHANI prescribed medications leading to a patient's overdose and death. In furtherance of its investigation, the Board subpoenaed and reviewed 10 patient charts. The Board also sent those charts for review by an independent expert. The expert's review found that Dr. MEGHANI's practice patterns were harmful to patients, that he exposed the health of his patients to unreasonable risks of harm which were not medically justified by the expected benefits to the patient, that he prescribed controlled substances to patients for reasons other than a legitimate medical purpose, that the care he rendered to patients was below the standard of care generally accepted in the medical community, and that he failed to maintain minimum standards of medical recordkeeping.
 - c. The expert review found that Dr. MEGHANI frequently and concomitantly prescribed opioids and benzodiazepines, which placed his patients at risk.
 - d. Dr. MEGHANI also failed to respond to abnormal or inconsistent urine drug screens and failed to employ proper risk and abuse mitigation strategies.
 - e. Significantly, Patient One presented to a hospital after being found confused and soiled in bed surrounded by empty bottles. The patient denied intentionally overdosing, but the patient's chart noted the patient told a consulting physician that the patient overtook the medications prescribed

by Dr. MEGHANI. Ultimately, this patient died. The cause of death listed is cardiopulmonary respiratory arrest.

- f. Further, Dr. MEGHANI continued to prescribe benzodiazepines to Patient Two despite knowing about the patient's alcohol use disorder. This patient also had a seizure and falls, which the expert believes could be attributed to Dr. MEGHANI's inappropriate prescribing.
- g. The Board's independent reviewer found that Dr. MEGHANI excessively dispensed controlled substances to eight out of the 10 patients whose charts were reviewed.
- h. Based on the medical charts, the independent expert review, the death of a patient, and other evidence, the Board finds probable cause that Dr. MEGHANI has prescribed controlled substances in amounts not reasonably related to the proper medical management of his patients' illnesses and conditions.

3. Pursuant to Ala. Code § 20-2-54, and Alabama Board of Medical Examiners Rule 540-X-5-.03, the Board seeks to revoke Dr. MEGHANI's Alabama Controlled Substance Certificate and/or take any other action that the Board deems appropriate based upon the evidence presented for consideration.

4. Dr. MEGHANI is entitled to be present at the hearing, to call witnesses, to present evidence in his behalf, to examine documents offered into evidence and to examine any witnesses called to testify. Dr. MEGHANI is entitled to be represented by counsel at his own expense.

5. The hearing shall be considered a contested case under the Alabama Administrative Procedures Act, and the hearing shall be conducted in accordance with Ala. Code § 41-22-1, *et seq.*, and Chapter 6 of the Rules and Regulations of the Board of Medical Examiners.

6. The Honorable William R. Gordon is hereby appointed as Hearing Officer.

The Board is presently continuing the investigation of Dr. MEGHANI and said investigation may result in additional charges being prepared and filed as an amendment to this Order.

The Board requests that administrative costs be assessed against Dr. MEGHANI pursuant to Ala. Code § 34-24-380 and Board Rule 540-X-5-.03.

This Order to Show Cause is entered by direction of the Alabama Board of Medical Examiners this 1st day of April, 2019.



Sarah H. Moore
Executive Director
Alabama Board of Medical Examiners



Virginia Reeves, Attorney for the
Alabama Board of Medical Examiners
P.O. Box 946
Montgomery, Alabama 36101-0946
Telephone: (334) 242-4116
Email: vreeves@albme.org

RETURN OF SERVICE

I, the undersigned, being over the age of 19 years and not a party in this matter, hereby certify that I have served the foregoing Order to Show Cause upon Shahid Meghani, M.D this the 3rd day of April, 2019.

Edu Foy
Process Server

SWORN TO AND SUBSCRIBED before me this 3rd day of April, 2019.

Sydney Z Crowder
Notary Public
My Commission Expires:

My Commission Expires December 17, 2022