

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**

Complainant,

vs.

SHAKIR RAZA MEGHANI, M.D.,

Respondent.

**BEFORE THE MEDICAL
LICENSURE COMMISSION
OF ALABAMA**

CASE NO. 2023-061

ORDER SETTING HEARING
For Contested Cases Initiated by Administrative Complaint

The Medical Licensure Commission has received the verified Administrative Complaint filed by the Alabama State Board of Medical Examiners in this matter. The Commission has determined that this matter is due to be set down for hearing under the provisions of Ala. Code § 34-24-361(e). This Order shall serve as the Notice of Hearing prescribed in Ala. Admin. Code r. 545-X-3-.03(3), (4). The Commission's legal authority and jurisdiction to hold the hearing in this matter are granted by Article 8, Chapter 24, Title 34 of the Code of Alabama (1975), and the particular sections of the statutes and rules involved are as set forth in the Administrative Complaint and in this Order.

1. Service of the Administrative Complaint

A copy of the Administrative Complaint and a copy of this Order shall be served forthwith upon the Respondent, by personally delivering the same to Respondent if he or she can be found within the State of Alabama, or, by overnight courier, signature required, to Respondent's last known address if he or she cannot be found within the State of Alabama. The Commission further directs that personal service of process shall be made by Devin Whittle, who is designated as the duly authorized agent of the Commission.

2. Initial Hearing Date

This matter is set for a hearing as prescribed in Ala. Code §§ 34-24-360, *et seq.*, and Ala. Admin. Code Chapter 545-X-3, to be held on Thursday, July 27th, 2023, at 10:00 a.m., at 848 Washington Avenue, Montgomery, Alabama, 36104. Unless otherwise specified by the Commission, the hearing will be held in person. All parties and counsel are expected to appear and to be prepared for the hearing at this date, time, and place.

3. Appointment of Hearing Officer

The Commission appoints the Honorable William R. Gordon, Circuit Judge (Ret.) as the Hearing Officer in this matter, pursuant to Ala. Admin. Code r. 545-X-3-.08. The Hearing Officer shall exercise general superintendence over all pre-hearing proceedings in this matter, and shall serve as the presiding officer at the

hearing, having and executing all powers described in Ala. Admin. Code r. 545-X-3-.08(1)(a)-(g).

4. Answer

Respondent shall file an Answer, as prescribed in Ala. Admin. Code r. 545-X-3-.03(6), within 20 calendar days of the service of the Administrative Complaint. If Respondent does not file such an Answer, the Hearing Officer shall enter a general denial on Respondent's behalf.

5. Rescheduling/Motions for Continuance

All parties and attorneys are expected to check their schedules immediately for conflicts. Continuances will be granted only upon written motion and only for good cause as determined by the Chairman of the Medical Licensure Commission. Continuances requested on grounds of engagement of legal counsel on the eve of the hearing will not be routinely granted.

6. Case Management Orders

The Hearing Officer is authorized, without further leave of the Commission, to enter such case management orders as he considers appropriate to the particular case. Among any other matters deemed appropriate by the Hearing Officer, the Hearing Officer may enter orders addressing the matters listed in Ala. Admin. Code

r. 545-X-3-.03(5)(a)-(f) and/or 545-X-3-.08(1)(a)-(g). All parties will be expected to comply with such orders.

7. Manner of Filing and Serving Pleadings

All pleadings, motions, requests, and other papers in this matter may be filed and served by e-mail. All filings should be e-mailed to:

- The Hearing Officer, William Gordon (wrgordon@charter.net);
- The Director of Operations of the Medical Licensure Commission, Rebecca Robbins (rrobbins@almlc.gov);
- General Counsel of the Medical Licensure Commission, Aaron Dettling (adettling@almlc.gov);
- General Counsel for the Alabama Board of Medical Examiners, Wilson Hunter (whunter@albme.gov); and
- Respondent/Licensee or his or her counsel, as appropriate.

The Director of Operations of the Medical Licensure Commission shall be the custodian of the official record of the proceedings in this matter.

8. Discovery

Consistent with the administrative quasi-judicial nature of these proceedings, limited discovery is permitted, under the supervision of the Hearing Officer. *See* Ala. Code § 41-22-12(c); Ala. Admin. Code r. 545-X-3-.04. All parties and attorneys

shall confer in good faith with one another regarding discovery. If disputes regarding discovery are not resolved informally, a motion may be filed with the Hearing Officer, who is authorized to hold such hearings as appropriate and to to make appropriate rulings regarding such disputes.

9. Publicity and Confidentiality

Under Alabama law, the Administrative Complaint is a public document. The hearing itself is closed and confidential. The Commission's written decision, if any, will also be public. *See* Ala. Code § 34-24-361.1; Ala. Admin. Code r. 545-X-3-.03(10)(h), (11).

10. Stipulations

The parties are encouraged to submit written stipulations of matters as to which there is no basis for good-faith dispute. Stipulations can help to simplify and shorten the hearing, facilitate the Commission's decisional process, and reduce the overall costs of these proceedings. Written stipulations will be most useful to the Commission if they are submitted in writing approximately 10 days preceding the hearing. The Hearing Officer is authorized to assist the parties with the development and drafting of written stipulations.

11. Judicial Notice

The parties are advised that the Commission may take judicial notice of its prior proceedings, findings of fact, conclusions of law, decisions, orders, and judgments, if any, relating to the Respondent. *See* Ala. Code § 41-22-13(4); Ala. Admin. Code r. 545-X-3-.09(4).

12. Settlement Discussions

The Commission encourages informal resolution of disputes, where possible and consistent with public interest. If a settlement occurs, the parties should notify the Hearing Officer, the Commission's Director of Operations, and Commission's General Counsel. The terms of settlement are subject to the approval of the Commission. If approved, the Commission will generally incorporate the settlement terms into a Consent Decree.

13. Subpoenas

The Commission has the statutory authority to compel the attendance of witnesses, and the production of books and records, by the issuance of subpoenas. *See* Ala. Code §§ 34-24-363; 41-22-12(c); Ala. Admin. Code r. 545-X-3-.05. The parties may request that the Hearing Officer issue subpoenas for witnesses and/or documents, and the Hearing Officer is authorized to approve and issue such subpoenas on behalf of the Commission. Service of such subpoenas shall be the responsibility of the party requesting such subpoenas.

14. Hearing Exhibits

- A. Parties and attorneys should, if possible, stipulate as to the admissibility of documents prior to the hearing.
- B. The use of electronic technology, USB drives, CD's, DVD's, etc. is acceptable and encouraged for voluminous records. If the Commission members will need their laptop to view documents, please notify the Hearing Officer prior to your hearing.
- C. If providing hard copies, voluminous records need not be copied for everyone but, if portions of records are to be referred to, those portions should be copied for everyone.
- D. If a document is to be referred to in a hearing, copies should be available for each Commission member, the Hearing Officer, the Commission's General Counsel, opposing attorney, and the court reporter (12 copies).
- E. Index exhibits/documents for easy reference.
- F. Distribute exhibit/document packages at the beginning of the hearing to minimize distractions during the hearing.

15. Administrative Costs

The Commission is authorized, pursuant to Ala. Code § 34-24-381(b) and Ala. Admin. Code r. 545-X-3-.08(9) and (10), to assess administrative costs against the Respondent if he or she is found guilty of any of the grounds for discipline set forth in Ala. Code § 34-24-360. The Board of Medical Examiners [**X**]has / []has **not** given written notice of its intent to seek imposition of administrative costs in this matter.

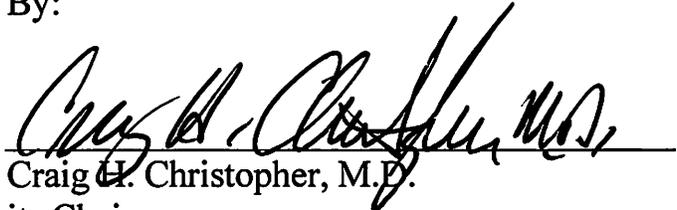
16. Appeals

Appeals from final decisions of the Medical Licensure Commission, where permitted, are governed by Ala. Code § 34-24-367.

DONE on this the 27th day of March, 2023.

THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

By:



Craig H. Christopher, M.D.
its Chairman

Distribution:

- Honorable William R. Gordon (incl. Administrative Complaint)
- Rebecca Robbins
- Respondent/Respondent's Attorney
- E. Wilson Hunter
- Aaron L. Dettling

This Administrative Complaint is a public document under Alabama law. The Medical Licensure Commission of Alabama makes this document available on its web site as a service to the public. The matters set out in the Administrative Complaint are allegations. The licensee who is the subject of this Administrative Complaint has the right to a hearing, at which the Alabama Board of Medical Examiners may present evidence supporting the allegations. If the allegations are substantiated, the Medical Licensure Commission of Alabama may impose sanctions on the licensee's license to practice medicine in Alabama.

BEFORE THE MEDICAL LICENSURE COMMISSION OF ALABAMA

ALABAMA STATE BOARD OF)
MEDICAL EXAMINERS,)
)
Complainant,)
)
v.) **CASE NO. 2023-061**
)
SHAKIR RAZA MEGHANI, M.D.,)
)
Respondent.)

ADMINISTRATIVE COMPLAINT

COMES NOW the Alabama State Board of Medical Examiners (“the Board”), by and through its counsel, and submits this Administrative Complaint seeking to reprimand, revoke, and assess a fine against the medical license of SHAKIR RAZA MEGHANI, M.D.’s (“Respondent”), under Ala. Code § 34-24-361.

JURISDICTION

1. On July 29, 1999, Respondent was duly licensed to practice medicine or osteopathy in the State of Alabama, having been issued license number MD.22917, and the same being currently active. Respondent maintained a license to practice medicine in Alabama at all times relevant to the matters asserted herein.

FACTS

2. Respondent appeared for an interview with the Board’s Credentials Committee on February 15, 2023. Prior to his interview, Respondent was asked to provide his continuing medical education (“CME”) documentation from the calendar year 2022. Upon review of the 2022 CME documents provided on behalf of Respondent, the Board found Respondent to be compliant with the year’s requirement.

3. In addition to providing his 2022 CME documentation, Respondent voluntarily provided his CME documentation from calendar year 2021. Unfortunately, he was not compliant with the requirements for that year. Respondent did not obtain 25 credits of CME by December 31, 2021. Instead, he only acquired 21 valid credits.

4. On or about December 27, 2021, Respondent submitted, or caused to be submitted, an Alabama medical license renewal application for calendar year 2022, wherein Respondent certified that the annual minimum CME requirement of 25 credits had been met or would be met by December 31, 2021. Respondent further represented that supporting documents could be produced if audited.

5. On February 15, 2023, Respondent was interviewed by the Board's Credentials Committee in connection with an investigation of his medical practice. Specifically, Respondent was questioned about allegations that he pre-signed prescriptions and/or prescribed controlled substances to Patient 1 not for a legitimate medical purpose and outside the usual course of professional practice. Under questioning, Respondent denied talking to Patient 1 on the phone about the controlled substance prescriptions. He denied ever talking to her about the prescriptions and stated he had not spoken to her since 2016. He admitted that he did not consider Patient 1 to be a patient and that he did not keep a chart. However, the Board possessed a recording of a phone conversation between Respondent and Patient 1 which contradicts his testimony to the Board. In addition, the Alabama Board of Nursing found that Respondent had issued Patient 1 "numerous signed prescriptions."

6. On or about November 19, 2021, a handwriting expert rendered an opinion to the Board and concluded that a "strong probability" existed that the pre-signed prescriptions used by Patient 1 to fill prescription medications had been written by Respondent.

CHARGES

7. The Board has investigated Respondent and based on that investigation, has concluded that there is probable cause to believe that Respondent has violated Ala. Code § 34-24-360.

COUNT ONE – FAILURE TO MEET BASIC CONTINUING MEDICAL EDUCATION REQUIREMENT

8. On or about December 31, 2021, SHAKIR RAZA MEGHANI, M.D., failed to obtain the required 25 credit hours of continuing medical education for calendar year 2021, in violation of Ala. Code § 34-24-360(23) and Ala. Admin. R. 545-X-5-.02.

COUNT TWO – MAKING ANY FRAUDULENT OR UNTRUE STATEMENT TO THE COMMISSION OR THE BOARD

9. On or about December 27, 2021, SHAKIR RAZA MEGHANI, M.D., made a fraudulent or untrue statement to the Board when he submitted, or caused to be submitted, an application to renew his medical license for calendar year 2022 on which he certified that he had met or would meet the annual number of continuing medical education requirement of 25 credits, in violation of Ala. Code § 34-24-360(17).

COUNT THREE – MAKING ANY FRAUDULENT OR UNTRUE STATEMENT TO THE COMMISSION OR THE BOARD

10. On or about February 15, 2023, SHAKIR RAZA MEGHANI, M.D., made one or more fraudulent or untrue statements to the Board during the course of an investigative interview regarding his prescribing of controlled substances to Patient 1, in violation of Ala. Code § 34-24-360(17).

COUNT FOUR – FAILING TO MAINTAIN A MEDICAL RECORD FOR A PATIENT

11. Beginning in our about early 2014 and continuing through October 31, 2019, more specific dates being unknown to the Board, SHAKIR RAZA MEGHANI, M.D., failed to maintain

a medical record for Patient 1 sufficient to meet the minimum standards required by the Medical Licensure Commission, in violation of Ala. Admin. Code R. 545-X-4-.09 and Ala. Code § 34-24-360(22).

COUNT FIVE – SIGNING BLANK, UNDATED, OR PREDATED PRESCRIPTIONS

12. Beginning in our about early 2014 and continuing through October 31, 2019, more specific dates being unknown to the Board, SHAKIR RAZA MEGHANI, M.D., committed unprofessional conduct by signing one or more blank, undated, and predated prescription forms for Patient 1, in violation of Ala. Admin. Code R. 545-X-4-.06(13) and Ala. Code § 34-24-360(2).

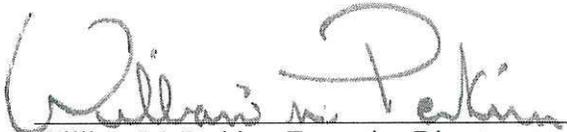
WHEREFORE, the Board moves the Commission to set a hearing on this Administrative Complaint, and order that Respondent, SHAKIR RAZA MEGHANI, M.D., appear and answer the allegations contained herein. The Board further moves that, at the conclusion of the hearing, the Commission reprimand Respondent's license to practice medicine, impose the requirement that Respondent obtain *25 additional credits* of continuing medical education prior to December 31, 2023, assess an administrative fine in the amount of not less than \$1,000 for Count Two, assess an administrative fine in the amount of \$10,000 for Count Three, Four, and Five, and take such other actions as the Commission may deem appropriate based upon the evidence presented for consideration.

The Board is continuing the investigation of Respondent and said investigation may result in additional charges being prepared and filed as an amendment to this Administrative Complaint.

The Board requests that administrative costs be assessed against Respondent pursuant to Ala. Code § 34-24-381 and Commission Rule 545-X-3-.08(12)(e).

This Administrative Complaint is executed for and on behalf of the Board by its Executive Director pursuant to the instructions of the Board as contained in its resolution of February 16, 2023, a copy of which is attached hereto and incorporated herein.

EXECUTED this 21st day of March, 2023.


William M. Perkins, Executive Director
Alabama State Board of Medical Examiners


E. Wilson Hunter, General Counsel
Alabama State Board of Medical Examiners
Post Office Box 946
Montgomery, Alabama 36101-0946
Telephone: 334-242-4116
Email: whunter@albme.gov


Alicia Harrison, Associate General Counsel
Alabama State Board of Medical Examiners
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Email: aharrison@albme.gov

STATE OF ALABAMA)
)
COUNTY OF MONTGOMERY)

Before me, the undersigned, personally appeared William M. Perkins, who being by me first duly sworn, deposes and says that he, in his capacity as Executive Director of the Alabama State Board of Medical Examiners, has executed the contents of the foregoing Complaint and affirms that the contents thereof are true and correct to the best of his knowledge, information, and belief.


William M. Perkins, Executive Director
Alabama State Board of Medical Examiners

SWORN TO AND SUBSCRIBED before me this 21st day of March, 2023.




Notary Public
My Commission Expires: 4/14/2023

STATE OF ALABAMA)
MONTGOMERY COUNTY)

A F F I D A V I T

Before me, the undersigned, personally appeared William M. Perkins, Executive Director of the Alabama State Board of Medical Examiners, who, being by me first duly sworn deposes and says as follows:

The Alabama State Board of Medical Examiners in session on February 16, 2023, a quorum of the members of the Board being present, conducted an investigation into the medical practice of SHAKIR RAZA MEGHANI, M.D. At the conclusion of the discussion, the Board adopted the following resolution:

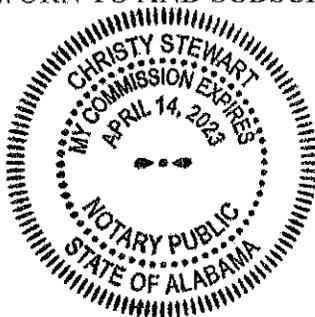
Shakir Raza Meghani, M.D., Dothan, AL After consideration of investigative information, the Credentials Committee recommended filing an Administrative Complaint with the Medical Licensure Commission seeking an administrative fine on the ground that Dr. Meghani made a fraudulent or untrue statement to the Board, a violation of Ala. Code § 34-24-360(17). The motion was adopted without objection.

Shakir Raza Meghani, M.D., Dothan, AL After consideration of investigative information, the Credentials Committee recommended filing an Administrative Complaint with the Medical Licensure Commission seeking an administrative fine in the amount of \$1,000.00 and imposing the requirement that Dr. Meghani obtain a total of 50 *AMA PRA Category 1 Credits*TM or equivalent in the calendar year 2023, on the ground that Dr. Meghani failed to meet the 2021 CME requirement, a violation of Ala. Code § 34-24-360(23). The motion was adopted without objection.

I further certify that the foregoing resolution was adopted by the Alabama State Board of Medical Examiners on the 16th day of February, 2023.


William M. Perkins, Executive Director
Alabama State Board of Medical Examiners

SWORN TO AND SUBSCRIBED before me this the 21st day of March, 2023.




Notary Public
My commission expires: 4/14/2023

In the Matter of)
)
)
SHAKIR R. MEGHANI, M. D.) Case No. 2019-04
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)
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AMENDED
CONSENT ORDER

This matter is before the Alabama State Board of Medical Examiners (“the Board”) pursuant to a request by SHAKIR R. MEGHANI, M. D., filed on March 22, 2021, to remove restrictions entered on his Alabama Controlled Substances Certificate, number ACSC.22917, on October 22, 2019, pursuant to a Consent Order.

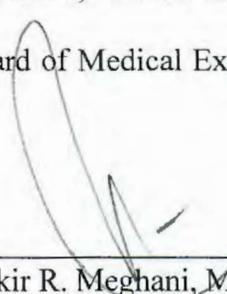
The request for reinstatement of controlled substances prescribing privileges having been duly considered, it is the ORDER of the Board that the authority of SHAKIR R. MEGHANI, M.D., to order, prescribe, and administer Schedules II, IIN, III, IIIN, IV, and V controlled substances be REINSTATED, subject to terms and conditions which are the following:

1. Dr. Meghani continue the Education Plan established by CPEP which includes reviewing of his controlled substance prescribing practices during ongoing participation in the Education Plan and submitting monthly prescribing logs and patient charts for review at the request of CPEP;
2. Dr. Meghani shall fully adhere and abide by any and all recommendations made by CPEP;
3. Dr. Meghani shall submit any and all reports relating to courses, education, evaluations, or correspondence with CPEP, to the Board;
4. Dr. Meghani continue to work with and utilize a preceptor;

5. Dr. Meghani agrees that, upon confirmation of a violation of this Amended Consent Order, he shall surrender to the Board his Alabama Controlled Substances Certificate and any authority to order, prescribe, or administer any controlled substance in the state of Alabama.

* * * * *

By signing this document, I, Shakir R. Meghani, M.D., consent and agree to the entry of this Amended Consent Order by the Alabama State Board of Medical Examiners, and I consent and agree to the terms and conditions stated herein.



Shakir R. Meghani, M. D.

5/11/2021

Date

ENTERED this 17th day of May, 2021.

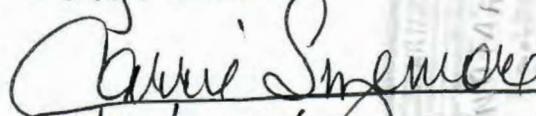


Mark H. LeQuire, M.D.
Chairman, Alabama State Board of Medical Examiners

STATE OF ALABAMA
COUNTY OF HOUSTON

Before me, the undersigned, a Notary Public, in and for said State and County, personally appeared Shakir R. Meghani, M.D., who is known to me and executed the above on the 11th day of May, 2021.

2



3/24/2024

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 than 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)
)
SHAKIR R. MEGHANI, M.D.) BEFORE THE ALABAMA BOARD OF
) MEDICAL EXAMINERS
) 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

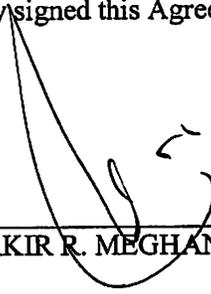
extending, modifying, or revoking his probation. The Parties acknowledge that Respondent will receive notice and an opportunity for a fair hearing consistent with the Alabama Administrative Procedures Act and Board rules prior to any action by the Board to revoke his probation.

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.

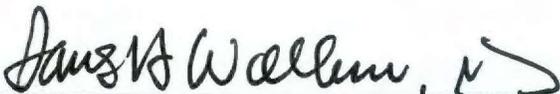
Wallace D. Mills, Esq., is hereby appointed to act as legal counsel for the Commission under the authority of Rule 545-X-3-.08 of the Rules and Regulations of the Medical Licensure Commission.

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