



June 14, 2023

Kanubhai Patel, M.D.
3745 Whipple Ave. N.W.
Canton, OH 44718

RE: Case No. 22-CRF-0185

Dear Dr. Patel:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of William C Greene Esq., Hearing Examiner, State Medical Board of Ohio; and an excerpt of draft Minutes of the State Medical Board, meeting in regular session on June 14, 2023, 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. Any such appeal must be filed in accordance with all requirements specified in Section 119.12, Ohio Revised Code, and must be filed with the State Medical Board of Ohio and the Franklin County Court of Common Pleas within (15) days after the date of mailing of this notice.

THE STATE MEDICAL BOARD OF OHIO

Kim G. Rothermel, M.D.
Secretary

KGR:jl
Enclosures

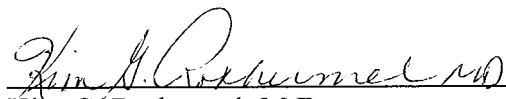
CERTIFIED MAIL NO. 9414 8149 0315 2968 0257 17
RETURN RECEIPT REQUESTED

Mailed 6/15/2023

CERTIFICATION

I hereby certify that the attached copy of the Entry of Order of the State Medical Board of Ohio; Report and Recommendation of William C. Greene, Esq., State Medical Board Hearing Examiner; and excerpt of draft Minutes of the State Medical Board, meeting in regular session on June 14, 2023, 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 Kanubhai Patel, M. D., Case No. 22-CRF-0185 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.



Kim G. Rothermel, M.D.
Secretary

(SEAL)

June 14, 2023

Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

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CASE NO. 22-CRF-0185

KANUBHAI PATEL, M.D.

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ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio on June 14, 2023


Upon the Report and Recommendation of William C. Greene, Esq., State Medical Board 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. **REPRIMAND:** Kanubhai Patel, M.D.'s license to practice medicine and surgery is reprimanded.

- B. **FINE:** Within thirty days of the effective date of this Order, Dr. Patel shall remit payment in full of a fine of four thousand dollars (\$4,000). Such payment shall be made via credit card in the manner specified by the Board through its online portal, or by other manner as specified by the Board.

This Order shall become effective immediately upon the mailing of the notification of approval by the Board.


Kim G. Rothermel, M.D.
Secretary

(SEAL)

June 14, 2023

Date



EXCERPT FROM THE DRAFT MINUTES OF JUNE 14, 2023 IN THE MATTER OF KANUBHAI PATEL, M.D.

REPORTS AND RECOMMENDATIONS

Dr. Johnson asked the Board to consider the Report and Recommendation appearing on the agenda: M. Barbara Burke, M.D.; Kanubhai Patel, M.D.; Sarah Ritchie; and Thomas Traikoff, D.O.

Dr. Johnson asked all Board members the following questions:

- 1.) Has each member of the Board received, read and considered the Hearing Record; the Findings of Fact, Conclusions and Proposed Orders; and any objections filed in each of the Reports and Recommendations?
- 2.) Does each member of the Board understand that the Board's 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 or Permanent Denial?
- 3.) Does each member of the Board understand that in each matter eligible for a fine, the Board's fining guidelines allow for imposition of the range of civil penalties, from no fine to the statutory maximum amount of \$20,000?

ROLL CALL:

Dr. Rothermel	- aye
Mr. Giacalone	- aye
Dr. Reddy	- aye
Dr. Lewis	- aye
Dr. Feibel	- aye
Mr. Gonidakis	- aye
Dr. Kakarala	- aye
Ms. Montgomery	- aye
Dr. Bechtel	- aye
Dr. Johnson	- aye

In accordance with the provision in Ohio Revised Code 4731.22(F)(2), 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 any disciplinary matters. In the disciplinary matters before the Board today, Dr. Rothermel served as Secretary and Mr. Giacalone served as Supervising Member. In addition, Dr. Bechtel served as Secretary and/or Supervising Member in the matter of Dr. Patel.

During these proceedings, no oral motions may be made by either party.

Kanubhai Patel, M.D.

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Dr. Kakarala moved to approve and confirm the Proposed Findings of Fact, Conclusions of Law, and Proposed Order in the matter of Dr. Patel. Mr. Gonidakis seconded the motion.

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A vote was taken on Dr. Kakarala's motion to approve and confirm:

ROLL CALL:	Dr. Rothermel	- abstain
	Mr. Giacalone	- abstain
	Dr. Reddy	- aye
	Dr. Lewis	- aye
	Dr. Feibel	- aye
	Mr. Gonidakis	- aye
	Dr. Kakarala	- aye
	Ms. Montgomery	- aye
	Dr. Bechtel	- abstain
	Dr. Johnson	- aye

The motion to approve carried.



October 12, 2022

Case number: 22-CRF- 0185

Kanubhai Patel, M.D.
3745 Whipple Ave. NW
Canton, OH 44718

Dear Doctor Patel:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio [Board] intends to determine whether or not to limit, revoke, permanently revoke or suspend your license or certificate, or refuse to grant or register or issue the license or certificate for which you have a pending application in accordance with Section 9.79 of the Ohio Revised Code, or refuse to renew or reinstate your license or certificate to practice medicine and surgery, or to reprimand you or place you on probation for one or more of the following reasons:

- 1) On or about May 13, 2022, an Information was filed against you in the Common Pleas Court, Franklin County, Ohio, alleging one count of Workers Compensation Fraud, a felony of the fifth degree. The facts underlying the Information are that, through the course of your practice of medicine, you overbilled for services that you rendered. You would use a billing code that would require that you treat the patients for 16-37 minutes when the actual treatment you provided was only a few minutes. This resulted in overpayments for treatment you did not provide. On or about May 13, 2022, you pled guilty to the charge, and you were sentenced to pay restitution in the amount of \$11,839.44 to the Ohio Bureau of Workers Compensation.

Your acts, conduct, and/or omissions as alleged in paragraph (1) above, individually and/or collectively, constitute the "obtaining of, or attempting to obtain, money or anything of value by fraudulent misrepresentations in the course of practice," as that clause is used in Section 4731.22(B)(8), Ohio Revised Code.

Further, the facts as alleged in paragraph (1) above, individually and/or collectively, constitute a "plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony," as that clause is used in Section 4731.22(B)(9), Ohio Revised Code.

Furthermore, for any violations that occurred on or after September 29, 2015, the Board may impose a civil penalty in an amount that shall not exceed twenty thousand dollars, pursuant to Section 4731.225, Ohio Revised Code. The civil penalty may be in addition to any other action the Board may take under section 4731.22, Ohio Revised Code.

Mailed 10-13-2022

Pursuant to Chapter 119., Ohio Revised Code, 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.

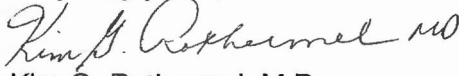
You are further advised that, if you timely request a hearing, you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at 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 or suspend your license or certificate, or refuse to grant or register or issue the license or certificate for which you have a pending application in accordance with Section 9.79 of the Ohio Revised Code, or refuse to renew or reinstate your license or certificate to practice medicine and surgery, or to reprimand you or place you on probation.

Please note that, whether or not you request a hearing, Section 4731.22(L), Ohio Revised Code, provides that "[w]hen the board refuses to grant or issue a license or certificate to practice to an applicant, revokes an individual's license or certificate to practice, refuses to renew an individual's license or certificate to practice, or refuses to reinstate an individual's license or 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 license or certificate to practice and the board shall not accept an application for reinstatement of the license or certificate or for issuance of a new license or certificate."

Copies of the applicable sections are enclosed for your information.

Very truly yours,


Kim G. Rothermel, M.D.
Secretary

KGR/PJH/lv
Enclosures

CERTIFIED MAIL # 9414 8149 0315 2968 0108 05
RETURN RECEIPT REQUESTED

cc:
Attorney Richard Parsons
65 E. State St. Suite 200
Columbus OH 43215

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