COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS. Board of Registration in Medicine

Adjudicatory Case No. 2021-009

In the Matter of)
)
NAIYER IMAM, M.D.)

STATEMENT OF ALLEGATIONS

The Board of Registration in Medicine (the "Board") has determined that good cause exists to believe the following acts occurred and constitute a violation for which a licensee may be sanctioned by the Board. The Board therefore alleges that Naiyer Imam, M.D. (the "Respondent") has practiced medicine in violation of law, regulations, or good and accepted medical practice as set forth herein. The investigative docket number associated with this order to show cause is Docket No. 20-012

Biographical Information

1. The Respondent was born on October 23, 1965. The Respondent graduated in 1990 from Brown University School of Medicine. He has been licensed to practice medicine in Massachusetts under license number 223609 since 2006.

Factual Allegations

2. The Respondent is Board certified in Diagnostic Radiology.

3. On November 9, 2019, the Minnesota Board of Medical Practice ("Minnesota Board") and the Respondent entered into a Stipulation and Order ("Minnesota Order") issuing a reprimand of Respondent's license to practice medicine based on the Respondent's care of Patient A.

4. With respect to the specific allegations regarding the care of Patient A:

a. Patient A was 82 years old. The Respondent reviewed a single x-ray to confirm the correct placement of Patient A's gastronomy tube and documented that contrast confirmed proper positioning of the tube.

b. After the Respondent's review, it was discovered that the tube was outside of Patient A's stomach. The image reviewed by the Respondent showed that contrast was in the wrong quadrant of Patient A's abdomen.

c. As a result, Patient A experienced a leakage of fluid into the peritoneal cavity, which created an abscess. Patient A also experienced other complications, including respiratory failure, and ultimately died.

d. The Minnesota Board determined that the Respondent's conduct departed from or failed to conform to the minimal standards of acceptable and prevailing medical practice.

5. A true and accurate copy of the Minnesota Board Stipulation and Order is enclosed herewith as Attachment A and incorporated herein by reference.

6. On January 22, 2020, the Maryland State Board of Physicians ("Maryland Board") and the Respondent entered into a Consent Order issuing a reprimand of the Respondent's license to practice medicine based on the Minnesota Stipulation and Order.

7. A true and accurate copy of the Maryland Consent Order is enclosed herewith as Attachment B and incorporated herein by reference.

8. On February 20, 2020, the North Carolina Medical Board ("North Carolina Board") and the Respondent entered into a Consent Order issuing a reprimand of the Respondent's license to practice medicine based on his care of Patient A and the failure to conform to minimal standards of acceptable medical practice.

9. A true and accurate copy of the North Carolina Consent Order is enclosed herewith as

Attachment C and incorporated herein by reference.

10. On June 5, 2020, the Medical Board of California ("California Board") issued a Public Letter of Reprimand based on the Minnesota Stipulation and Order.

11. A true and accurate copy of the California Public Letter of Reprimand is enclosed herewith as Attachment D and incorporated herein by reference.

12. On July 10, 2020, the Arizona Medical Board ("Arizona Board") and the Respondent entered into a Consent Order issuing a reprimand of the Respondent's license to practice medicine based on the Minnesota Stipulation and Order and the Maryland Consent Order.

13. A true and accurate copy of the Arizona Order for a Letter of Reprimand and Consent is enclosed herewith as Attachment E and incorporated herein by reference.

14. On July 24, 2020, the Illinois Department of Financial and Professional Regulation ("Illinois Board") and the Respondent entered into a Consent Order issuing a reprimand of the Respondent's license to practice medicine based on the North Carolina Stipulation and Order.

15. A true and accurate copy of the Illinois Consent Order is enclosed herewith as Attachment F and incorporated herein by reference.

16. On July 29, 2020, the Mississippi State Board of Medical Licensure ("Mississippi Board") and the Respondent entered into a Consent Order issuing a reprimand of the Respondent's license to practice medicine based on the Minnesota Stipulation and Order and Maryland Consent Order.

17. A true and accurate copy of the Mississippi Consent Order is enclosed herewith as Attachment G and incorporated herein by reference.

18. On August 21, 2020, the Texas Medical Board ("Texas Board") and the Respondent entered into a Consent Order issuing a reprimand of the Respondent's license to practice medicine based on the Minnesota Stipulation and Order and North Carolina Consent Order.

19. A true and accurate copy of the Texas Consent Order is enclosed herewith as Attachment H and incorporated herein by reference.

20. On September 1, 2020, the Florida Board of Medicine ("Florida Board") and the Respondent entered into a Consent Order issuing a reprimand of the Respondent's license to practice medicine based on the Minnesota Stipulation and Order.

21. A true and accurate copy of the Florida Consent Order is enclosed herewith as Attachment I and incorporated herein by reference.

22. On October 16, 2020, the Michigan Board of Medicine ("Michigan Board") and the Respondent entered into a Consent Order issuing a reprimand of the Respondent's license to practice medicine based on the Minnesota Stipulation and Order.

23. A true and accurate copy of the Michigan Consent Order is enclosed herewith as Attachment J and incorporated herein by reference.

Conclusions of Law

A. The Respondent has violated 243 CMR 1.03(5)(a)(12), in that he has been disciplined in another jurisdiction in any way by the proper licensing authority for reasons substantially the same as those set forth in Mass. Gen. Laws c. 112, § 5 or 243 CMR 1.03(5), specifically:

i. Mass. Gen. Laws c. 112, § 5, ¶ 9(c) and 243 CMR 1.03(5)(a)(3) ("Conduct which places into question the physician's competence to practice medicine, including but not limited to gross misconduct in the practice of medicine or practicing medicine fraudulently, or beyond its authorized scope, or with gross incompetence, or with gross negligence on a particular occasion or negligence on repeated occasions.");

ii. 243 CMR 1.03(5)(a)17: Malpractice within the meaning of M.G.L.c.112, §61.

iii. 243 C.M.R. 1.03(5)(a)18: Misconduct in the practice of medicine

iv. *Levy v. Board of Registration in Medicine*, 378 Mass. 519 (1979) and *Raymond v. Board of Registration in Medicine*, 387 Mass. 708 (1982), which provide for discipline where, by proof satisfactory to a majority of the Board, a physician has engaged in conduct that undermines the public confidence in the integrity of the medical profession.

The Board has jurisdiction over this matter pursuant to G.L. c. 112, §§ 5, 61, and 62. This adjudicatory proceeding will be conducted in accordance with the provisions of G.L. c. 30A and 801 CMR 1.01.

Nature of Relief Sought

The Board is authorized and empowered to order appropriate disciplinary action, which may include revocation of the Respondent's inchoate right to renew his license to practice medicine in Massachusetts.

Order

Wherefore, it is hereby **ORDERED** that the Respondent show cause why the Board should not discipline the Respondent for the conduct described herein.

By the Board of Registration in Medicine,

George M. Abraham, M.D.
Board Chair

Date: March 11, 2021

Attachment A

BEFORE THE MINNESOTA

BOARD OF MEDICAL PRACTICE

In the Matter of the
Medical License of
Naiyer Imam, M.D.
Year of Birth: 1965
License Number: 48,149

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between Naiyer Imam, M.D. ("Respondent"), and the Complaint Review Committee ("Committee") of the Minnesota Board of Medical Practice ("Board") as follows:

1. During all times herein, Respondent has been and now is subject to the jurisdiction of the Board from which he holds a license to practice medicine and surgery in the State of Minnesota.

2. Respondent has been advised by Board representatives that he may choose to be represented by legal counsel in this matter. Although aware of this opportunity, Respondent has elected not to be represented by counsel. The Committee was represented by Kathleen M. Ghreichi, Assistant Attorney General, 445 Minnesota Street, Suite 1400, St. Paul, Minnesota 55101, (651) 757-1490.

FACTS

3. For the purpose of this Stipulation, the Board may consider the following facts as true:

a. Respondent was licensed by the Board to practice medicine and surgery in the State of Minnesota on November 12, 2005. Respondent is board certified in diagnostic radiology.

b. In May 2018, the Board received a report that a medical malpractice claim was filed against Respondent in August 2017.

c. Based on the report, the Board initiated an investigation into Respondent's care of the patient. The investigation revealed Respondent reviewed a single X-ray to confirm the correct placement of a patient's gastronomy tube and documented that contrast confirmed proper positioning of the gastronomy tube. The image reviewed by Respondent showed that contrast was in the wrong quadrant of the patient's abdomen. The malpractice claim was settled in March 2019.

d. On September 9, 2019, Respondent met with the Committee to discuss his care of the patient. Respondent stated he made a mistake and he should have asked for additional imaging to confirm the gastronomy tube placement.

STATUTES

4. The Committee views Respondent's practices as inappropriate in such a way as to require Board action under Minn. Stat. § 147.091, subd. 1(k) (conduct that departs from or fails to conform to the minimal standards of acceptable and prevailing medical practice) (2018), and Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action under this statute.

REMEDY

5. Upon this Stipulation and all of the files, records, and proceedings herein, and without any further notice or hearing herein, Respondent does hereby consent that the Board may make and enter an Order disciplining Respondent and conditioning Respondent's license to practice medicine and surgery in the State of Minnesota as follows:

a. Respondent is **REPRIMANDED**.

6. Within ten days of signing the Stipulation to this Order, Respondent shall provide the Board with a list of all hospitals and skilled nursing facilities at which Respondent currently has medical privileges, a list of all states in which Respondent is licensed or has applied for licensure, and the addresses and telephone numbers of Respondent's residences. The information shall be sent to the Executive Director, Minnesota Board of Medical Practice, University Park Plaza, 2829 University Avenue S.E., Suite 500, Minneapolis, Minnesota 55414-3246.

7. In the event the Board in its discretion does not approve this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any disciplinary action by either party hereto except that Respondent agrees that should the Board reject this Stipulation and if this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any records relating hereto.

8. Respondent waives any further hearings on this matter before the Board to which Respondent may be entitled by Minnesota or United States constitutions, statutes, or rules and agrees that the Order to be entered pursuant to the Stipulation shall be the final Order herein.

9. Respondent hereby acknowledges that he has read and understands this Stipulation and has voluntarily entered into the Stipulation without threat or promise by the Board or any of its members, employees, or agents. This Stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Stipulation.

Dated: 10/11/19

NAIYER IMAM, M.D.
Respondent

Dated: 11-9-19

FOR THE COMMITTEE

ORDER

Upon consideration of this Stipulation and all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the terms of this Stipulation are adopted and implemented by the Board this 9th day of November, 2019.

MINNESOTA BOARD OF
MEDICAL PRACTICE

By: [redacted]

#4568910-v1

AFFIDAVIT OF SERVICE BY U.S. MAIL

Re: In the Matter of the Medical License of Naiyer Imam, M.D.
License Number: 48,149

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

SANDRA D. HOWARD, being first duly sworn, deposes and says:

That at the City of St. Paul, County of Ramsey and State of Minnesota, on November 12, 2019, she caused to be served the attached **STIPULATION AND ORDER**, by depositing the same in the United States mail at said city and state, a true and correct copy thereof, properly enveloped with prepaid first class postage, and addressed to:

PERSONAL AND CONFIDENTIAL

Naiyer Imam, M.D.
[redacted]

[redacted]
SANDRA D. HOWARD

Subscribed and sworn to before me on
November 12, 2019.
[redacted]
NOTARY PUBLIC
[redacted]

Attachment B

IN THE MATTER OF	*	BEFORE THE MARYLAND
NAIYER IMAM, M.D.	*	STATE BOARD OF
Respondent	*	PHYSICIANS
License Number: D47148	*	Case Number: 2220-0156

* *

CONSENT ORDER

PROCEDURAL BACKGROUND

The Maryland Board of Physicians (the "Maryland Board") received information that Naiyer Imam, M.D., (the "Respondent") License Number D47148, was disciplined by the Minnesota Board of Medical Practice (the "Minnesota Board"). By Stipulation and Order dated November 9, 2019, the Respondent was reprimanded.

Based on the above referenced Minnesota Board sanction, the Maryland Board has grounds to charge the Respondent with violating the following provisions of the Maryland Medical Practice Act (the "Act"), under H. O. § 14-404(a):

> (a) Subject to the hearing provisions of § 14-405 of this subtitle, a disciplinary panel, on the affirmative vote of a majority of the quorum of the disciplinary panel, may reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the licensee:
>
> > (21) Is disciplined by a licensing or disciplinary authority or convicted or disciplined by a court of any state or country or disciplined by any branch of the United States uniformed services or the Veteran's Administration for an act that would be grounds for disciplinary action under this section,

The Maryland Board has determined that the acts for which the Respondent was disciplined in Minnesota would be grounds for disciplinary action under H.O. § 14-404(a) (22). The ground for disciplinary action under H.O. § 14-404(a) is as follows:

> (22) Fails to meet appropriate standards as determined by appropriate peer review for the delivery of quality medical care and surgical care performed in a outpatient surgical facility, office, hospital, or any other location in this State;

Based on the action taken by the Minnesota Board, the Respondent agrees to enter into this Consent Order with the Maryland Board of Physicians, consisting of Procedural Background, Findings of Fact, Conclusions of Law, and Order of reciprocal action.

I. FINDINGS OF FACT

The Board finds the following:

1. At all times relevant hereto, the Respondent was a physician licensed to practice medicine in the State of Maryland. The Respondent was initially licensed in Maryland on or about March 31, 1995.

2. By Stipulation and Order dated November 9, 2019, the Minnesota Board found that the Respondent departed from or failed to conform to the minimal standards of acceptable and prevailing medical practice and reprimanded the Respondent.

3. The Respondent reviewed a single x-ray to confirm the correct placement of a patient's gastronomy tube and documented that contrast confirmed proper positioning of the gastronomy tube. The image reviewed by the Respondent showed that contrast was in the wrong quadrant of the patient's abdomen.

A copy of the Minnesota Board Order is attached hereto.

II. CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Maryland Board concludes as a matter of law that the disciplinary action taken by the Minnesota Board against the Respondent was for an act or acts that would be grounds for disciplinary action under Health Occ. § 14-404(a)(22) had those offenses been committed in this state, and would thus subject him to discipline under Health Occ. §14-404(a)(21).

III. ORDER

It is hereby:

ORDERED that the Respondent is hereby REPRIMANDED; and be it further

ORDERED that this CONSENT ORDER is a PUBLIC DOCUMENT pursuant to Md. Code Ann., Gen. Prov. §§4-101 through 4-601 (2014).

Signature on File

01/22/2020
Date

Christine A. Farrelly
Executive Director
Maryland Board of Physicians

CONSENT

I, Naiyer Imam, M.D. assert that I am aware of my right to consult with and be represented by counsel in considering this Consent Order and in any proceedings that would otherwise result from the charges currently pending. I have chosen to proceed without counsel and I acknowledge that the decision to proceed without counsel is freely and voluntarily made.

By this Consent, I agree to be bound by this Consent Order and all its terms and conditions and understand that the disciplinary panel will not entertain any request for amendments or modifications to any condition.

I assert that I am aware of my right to a formal evidentiary hearing, pursuant to Md. Code Ann., Health Occ. § 14-405 and Md. Code Ann., State Gov't §§ 10-201 et seq. concerning the pending charges. I waive this right and have elected to sign this Consent Order instead.

I acknowledge the validity and enforceability of this Consent Order as if entered after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my behalf, and to all other substantive and procedural protections as provided by law. I waive those procedural and substantive protections. I acknowledge the legal authority and the jurisdiction of the disciplinary panel to initiate these proceedings and to issue and enforce this Consent Order.

I voluntarily enter into and agree to comply with the terms and conditions set forth in the Consent Order as a resolution of the charges. I waive any right to contest the Findings of Fact and Conclusions of Law and Order set out in the Consent Order. I waive all rights to appeal this Consent Order.

I sign this Consent Order, without reservation, and fully understand the language and meaning of its terms.

1/17/20
Date

Signature on File
Naiyer Imam, M.D.
Respondent

NOTARY

STATE OF VA

CITY/COUNTY OF Roanoke

I HEREBY CERTIFY that on this 17 day of January, 2020, before me, a Notary Public of the State and City/County aforesaid, personally appeared Naiyer Imam, M.D. and made oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

Notary Public

My Commission expires: 09/30/23

BRANDON M SPANGLER
NOTARY PUBLIC
REG. #7644147
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES SEPTEMBER 30, 2023

Minnesota Board Order

BEFORE THE MINNESOTA

BOARD OF MEDICAL PRACTICE

In the Matter of the
Medical License of
Naiyer Imam, M.D.
Year of Birth: 1965
License Number: 48,149

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between Naiyer Imam, M.D. ("Respondent"), and the Complaint Review Committee ("Committee") of the Minnesota Board of Medical Practice ("Board") as follows:

1. During all times herein, Respondent has been and now is subject to the jurisdiction of the Board from which he holds a license to practice medicine and surgery in the State of Minnesota.

2. Respondent has been advised by Board representatives that he may choose to be represented by legal counsel in this matter. Although aware of this opportunity, Respondent has elected not to be represented by counsel. The Committee was represented by Kathleen M. Ghreichi, Assistant Attorney General, 445 Minnesota Street, Suite 1400, St. Paul, Minnesota 55101, (651) 757-1490.

FACTS

3. For the purpose of this Stipulation, the Board may consider the following facts as true:

a. Respondent was licensed by the Board to practice medicine and surgery in the State of Minnesota on November 12, 2005. Respondent is board certified in diagnostic radiology.

b. In May 2018, the Board received a report that a medical malpractice claim was filed against Respondent in August 2017.

c. Based on the report, the Board initiated an investigation into Respondent's care of the patient. The investigation revealed Respondent reviewed a single X-ray to confirm the correct placement of a patient's gastronomy tube and documented that contrast confirmed proper positioning of the gastronomy tube. The image reviewed by Respondent showed that contrast was in the wrong quadrant of the patient's abdomen. The malpractice claim was settled in March 2019.

d. On September 9, 2019, Respondent met with the Committee to discuss his care of the patient. Respondent stated he made a mistake and he should have asked for additional imaging to confirm the gastronomy tube placement.

STATUTES

4. The Committee views Respondent's practices as inappropriate in such a way as to require Board action under Minn. Stat. § 147.091, subd. 1(k) (conduct that departs from or fails to conform to the minimal standards of acceptable and prevailing medical practice) (2018), and Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action under this statute.

REMEDY

5. Upon this Stipulation and all of the files, records, and proceedings herein, and without any further notice or hearing herein, Respondent does hereby consent that the Board may make and enter an Order disciplining Respondent and conditioning Respondent's license to practice medicine and surgery in the State of Minnesota as follows:

a. Respondent is **REPRIMANDED**.

6. Within ten days of signing the Stipulation to this Order, Respondent shall provide the Board with a list of all hospitals and skilled nursing facilities at which Respondent currently has medical privileges, a list of all states in which Respondent is licensed or has applied for licensure, and the addresses and telephone numbers of Respondent's residences. The information shall be sent to the Executive Director, Minnesota Board of Medical Practice, University Park Plaza, 2829 University Avenue S.E., Suite 500, Minneapolis, Minnesota 55414-3246.

7. In the event the Board in its discretion does not approve this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any disciplinary action by either party hereto except that Respondent agrees that should the Board reject this Stipulation and if this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any records relating hereto.

8. Respondent waives any further hearings on this matter before the Board to which Respondent may be entitled by Minnesota or United States constitutions, statutes, or rules and agrees that the Order to be entered pursuant to the Stipulation shall be the final Order herein.

9. Respondent hereby acknowledges that he has read and understands this Stipulation and has voluntarily entered into the Stipulation without threat or promise by the Board or any of its members, employees, or agents. This Stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Stipulation.

Dated: 10/1/19

Nayer Imam M.D.
NAIYER IMAM, M.D.
Respondent

Dated: 11-9-19

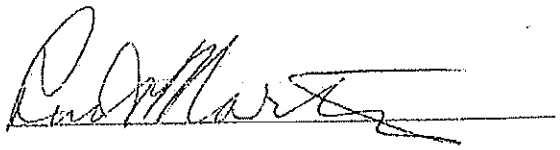
FOR THE COMMITTEE

ORDER

Upon consideration of this Stipulation and all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the terms of this Stipulation are adopted and implemented by the Board this 9th day of November, 2019.

MINNESOTA BOARD OF
MEDICAL PRACTICE

By: 

#4568910-v1

Attachment C

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:	)	
	)	
Naiyer Imam, M.D.,	)	CONSENT ORDER
	)	
Respondent.	)	

This matter is before the North Carolina Medical Board ("Board") regarding information provided to the Board concerning Naiyer Imam, M.D. ("Dr. Imam"). Dr. Imam makes the following admissions and the Board makes the following findings and conclusions:

STATUTORY AUTHORITY

The Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted to it in Article 1 of Chapter 90 of the North Carolina General Statutes and the rules and regulations promulgated thereto.

FINDINGS OF FACT

Dr. Imam was first issued a license to practice medicine by the Board on or about March 18, 2005, license number 2005-00428.

At all times relevant hereto, Dr. Imam practiced diagnostic teleradiology in New Jersey.

In 2016, an eighty-two-year-old woman ("Patient A") underwent a single view abdominal x-ray to verify proper

placement of a percutaneous endoscopic gastrostomy ("PEG") tube (feeding tube). As is standard procedure, a contrast agent was injected through the PEG tube to improve visualization for confirmation of correct placement.

Dr. Imam interpreted the x-ray and confirmed proper positioning of the PEG tube. Subsequent to Dr. Imam's review, it was discovered that the PEG tube was outside of Patient A's stomach. As a result, Patient A experienced leakage of fluid into the peritoneal cavity, which created an abscess. Patient A also experienced other complications, including respiratory failure, and ultimately died.

The Board obtained Patient A's medical records and sent them to an independent reviewing expert in the specialty area of radiology. The reviewing expert concluded that Dr. Imam's radiographic diagnosis of Patient A was below the standard of care in North Carolina. Specifically, the reviewing expert opined that there were sufficient indications that the PEG tube was improperly placed and the standard of care would have been to recommend further evaluation with a computerized tomography ("CT") scan. The reviewing expert noted that there are recognized limitations to single view x-rays under these circumstances, and the potential for complications, such as those experienced by Patient A, are difficult to identify without a CT scan.

The Board previously issued Dr. Imam a Public Letter of Concern in September 2009 addressing his misinterpretation of a CT scan.

CONCLUSIONS OF LAW

Dr. Imam's conduct, as described above, constitutes unprofessional conduct, including, but not limited to, a departure from, or the failure to conform to the standards of acceptable and prevailing medical practice, within the meaning of N.C. Gen. Stat. § 90-14(a)(6) which is grounds under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition, or limit Dr. Imam's license to practice medicine or to deny any application he may make in the future.

PROCEDURAL STIPULATIONS

Dr. Imam acknowledges and agrees that the Board has jurisdiction over him and over the subject matter of this case.

Dr. Imam knowingly waives his right to any hearing and to any judicial review or appeal in this case.

Dr. Imam acknowledges that he has read and understands this Consent Order and enters into it voluntarily.

Dr. Imam desires to resolve this matter without the need for more formal proceedings.

The Board has determined that it is in the public interest to resolve this case as set forth below.

ORDER

NOW, THEREFORE, with Dr. Imam's consent, it is ORDERED that:

1. Dr. Imam is hereby REPRIMANDED.

2. Dr. Imam shall obey all laws. Likewise, he shall obey all rules and regulations involving the practice of medicine.

3. Dr. Imam shall meet with the Board or members of the Board for an investigative interview at such times as requested by the Board.

4. Upon request, Dr. Imam shall provide the Board with any information the Board deems necessary to verify compliance with the terms and conditions of this Consent Order.

5. If Dr. Imam fails to comply with any of the terms of this Consent Order, that failure shall constitute unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and shall be grounds, after any required notice and hearing, for the Board to annul, suspend, or revoke his license to practice medicine and to deny any application he might make in the future or then have pending for a license to practice medicine.

6. This Consent Order shall take effect immediately upon its execution by both Dr. Imam and the Board, and it shall continue in effect until specifically ordered otherwise by the Board.

7. Dr. Imam hereby waives any requirement under any law or rule that this Consent Order be served on him.

8. Upon execution by Dr. Imam and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be reported to persons, entities, agencies, and clearinghouses as required and permitted by law including, but not limited to, the Federation of State Medical Boards and the National Practitioner Data Bank.

By Order of the North Carolina Medical Board this the 20th day of February, 2020.

NORTH CAROLINA MEDICAL BOARD

By: _____ MD

Bryant A. Murphy, M.D.
President

Consented to this the 13 day of February, 2020.

Naiyer Imam M.D

Naiyer Imam, M.D.

State of New Jersey

County of Middlesex

I, Kimberly Chemo, do hereby certify that Naiyer Imam, M.D. personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 13 day of February, 2020.

Notary Public

KIMBERLY CHEMO
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES MARCH 01, 2022

(Official Seal)

My Commission Expires: March 01, 2022

Attachment D

MEDICAL BOARD
OF CALIFORNIA
Protecting consumers by advancing high quality, safe medical care.

Enforcement Program
2005 Evergreen Street, Suite 1200
Sacramento, CA 95815-5401
Phone: (916) 263-2525
Fax: (916) 263-2473
www.mbc.ca.gov

Gavin Newsom, Governor, State of California | Business, Consumer Services and Housing Agency | Department of Consumer Affairs

June 5, 2020

Naiyer Imam, M.D.
Practical Healthcare
295 Kimball Street
Woodbridge, NJ 07095

RE: Physician's and Surgeon's Certificate No. G 87434
Case No. 800-2019-062504

Public Letter of Reprimand

On November 9, 2019, the Minnesota Board of Medical Practice issued a Reprimand against your license for failure to conform to minimal standards of acceptable medical practice.

These actions constitute a violation of California Business and Professions Code sections 141(a), 2234 and 2305.

Pursuant to the authority of the California Business and Professions Code section 2233, you are hereby issued this Public Letter of Reprimand by the Medical Board of California.

Christine J. Lally
Interim Executive Director

Attachment E

BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

NAIYER IMAM, M.D.

Holder of License No. 31992
For the Practice of Allopathic Medicine
In the State of Arizona.

Case No. MD-19-1160A

ORDER FOR LETTER OF REPRIMAND; AND CONSENT TO THE SAME

Naiyer Imam, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Order for a Letter of Reprimand; admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order by the Board.

FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.

2. Respondent is the holder of license number 31992 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-19-01160A after receiving notification of a malpractice settlement regarding Respondent's care and treatment of an 82 year-old female patient ("OG") alleging improper reading of x-ray to determine the proper location of gastrostomy tube.

4. On November 11, 2019, Respondent entered into a Stipulation and Order for Letter of Reprimand with the Minnesota Board of Medical Practice ("Minnesota Board") subsequent to the Minnesota Board's review or Respondent's care and treatment of patient OG.

5. On January 17, 2020, Respondent entered into a Consent Order for Letter of Reprimand with the Maryland State Board of Physicians ("Maryland Board") subsequent to the Maryland Board's review of the Minnesota Board's action.

6. On February 13, 2020 Respondent entered into a Consent Order for Letter of Reprimand with the North Carolina Medical Board ("North Carolina Board") subsequent to the North Carolina Board's review of Respondent's care and treatment of patient OG.

CONCLUSIONS OF LAW

a. The Board possesses jurisdiction over the subject matter hereof and over Respondent.

b. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-1401(27)(p)("Action that is taken against a doctor of medicine by another licensing or regulatory jurisdiction due to that doctor's mental or physical inability to engage safely in the practice of medicine, the doctor's medical incompetence or for unprofessional conduct as defined by that jurisdiction and that corresponds directly or indirectly to an act of unprofessional conduct prescribed by this paragraph. The action taken may include refusing, denying, revoking or suspending a license by that jurisdiction or a surrendering of a license to that jurisdiction, otherwise limiting, restricting or monitoring a licensee by that jurisdiction or placing a licensee on probation by that jurisdiction.").

ORDER

IT IS HEREBY ORDERED THAT:

1. Respondent is issued a Letter of Reprimand.

DATED AND EFFECTIVE this 10th day of July, 2020.

ARIZONA MEDICAL BOARD

By [redacted]
Executive Director

CONSENT TO ENTRY OF ORDER

1. Respondent has read and understands this Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent acknowledges she has the right to consult with legal counsel regarding this matter.

2. Respondent acknowledges and agrees that this Order is entered into freely and voluntarily and that no promise was made or coercion used to induce such entry.

3. By consenting to this Order, Respondent voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged, or to challenge this Order in its entirety as issued by the Board, and waives any other cause of action related thereto or arising from said Order.

4. The Order is not effective until approved by the Board and signed by its Executive Director.

5. All admissions made by Respondent are solely for final disposition of this matter and any subsequent related administrative proceedings or civil litigation involving the Board and Respondent. Therefore, said admissions by Respondent are not intended or made for any other use, such as in the context of another state or federal government regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or any other state or federal court.

6. Upon signing this agreement, and returning this document (or a copy thereof) to the Board's Executive Director, Respondent may not revoke the consent to the entry of the Order. Respondent may not make any modifications to the document. Any modifications to this original document are ineffective and void unless mutually approved by the parties.

7. This Order is a public record that will be publicly disseminated as a formal disciplinary action of the Board and will be reported to the National Practitioner's Data Bank and on the Board's web site as a disciplinary action.

8. If the Board does not adopt this Order, Respondent will not assert as a defense that the Board's consideration of the Order constitutes bias, prejudice, prejudgment or other similar defense.

9. ***Respondent has read and understands the terms of this agreement.***

DATED: 06/03/2020

NAIYER IMAM, M.D.

EXECUTED COPY of the foregoing mailed this 10th day of July, 2020 to:

Naiyer Imam, M.D.
Address of Record

ORIGINAL of the foregoing filed this 10th day of July, 2020 with:

Arizona Medical Board
1740 West Adams, Suite 4000
Phoenix, Arizona 85007

Board staff

Attachment F

STATE OF ILLINOIS
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF PROFESSIONAL REGULATION

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION of the State of Illinois,	Complainant,	)	No. 2020-04525
v.		)	
NAIYER IMAM, MD, License No. 036-110490,	Respondent.	)	

CONSENT ORDER

The Department of Financial and Professional Regulation, Division of Professional Regulation, of the State of Illinois, by Vladimir Lozovskiy, one of its attorneys, (hereinafter the "Department") and Naiyer Imam, M.D., (hereinafter the "Respondent"), hereby agree to the following:

STIPULATIONS

Naiyer Imam, M.D. is licensed as a Physician and Surgeon in the State of Illinois, holding License No. 036-110490. Said Illinois Physician and Surgeon License is currently in active status. At all times material to the matter(s) set forth in this Consent Order, the Department of Financial and Professional Regulation, Division of Professional Regulation, of the State of Illinois had jurisdiction over the subject matter and parties herein.

Information has come to the attention of the Department that in February 2020, North Carolina Board of Medicine reprimanded Respondent for failure to properly confirm placement of PEG tube on X-ray. See Department's Exhibit A, attached hereto and made a part of this Consent Order. The allegations set, if proven to be true, would constitute grounds for suspending or revoking and other discipline of Respondent's Illinois Physician and Surgeon license on authority of 225 ILCS 60/22(A)(12).

As a result of the foregoing information, the Department and Respondent engaged in negotiations for an amicable resolution of this matter. During the negotiations, Respondent acknowledges that should this matter proceed to a contested hearing, the Illinois Medical Disciplinary Board (the "Board") could find a violation of the Medical Practice Act. In the event that this Consent Order is not approved by the Board or is not approved by the Director of the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation ("Director"), this acknowledgement shall not be admissible in any proceeding and the matter will be set for an evidentiary hearing on the merits as if this Consent Order had not been submitted.

Respondent has been advised of the right to contest charges in the Department's Complaint as well as the right to administrative review of this Consent Order. Respondent knowingly waives each of these rights. Such waiver ceases if this Consent Order is rejected by either the Medical Disciplinary Board or the Director of the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation.

Respondent and the Department have agreed, in order to resolve this matter, that Respondent, Naiyer Imam, M.D., be permitted to enter into a Consent Order with the Department, providing for the imposition of disciplinary measures which are fair and equitable under the circumstances and which are consistent with the best interests of the people of the State of Illinois.

CONDITIONS

WHEREFORE, the Department, through Vladimir Lozovskiy, its attorney, and Naiyer Imam M.D., Respondent, agree to the following:

A. Upon effective date of this Consent Order, Illinois Physician and Surgeon License of

Naiyer Imam, M.D., License No. 036-110490, is hereby reprimanded;

B. Respondent agrees that this Order is formal public disciplinary action of his Illinois Physician and Surgeon License which is reportable to all relevant authorities and entities responsible for licensing and regulation of healthcare providers;

C. This Consent Order shall become effective immediately after it is approved by the Director of the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation.

7/6/2020
DATE

Vladimir Lozovskiy, Attorney for the Department

July 06, 2020
DATE

Naiyer Imam, M.D., Respondent

7-15-2020
DATE

Member, Medical Disciplinary Board

The foregoing Consent Order is approved in full.

DATED THIS 24th day of July, 2020.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION of the State of Illinois, Deborah Hagan, Secretary
Division of Professional Regulations

Cecilia Abundis
Acting Director

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:	)	
	)	
Naiyer Imam, M.D.,	)	CONSENT ORDER
	)	
Respondent.	)	

This matter is before the North Carolina Medical Board ("Board") regarding information provided to the Board concerning Naiyer Imam, M.D. ("Dr. Imam"). Dr. Imam makes the following admissions and the Board makes the following findings and conclusions:

STATUTORY AUTHORITY

The Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted to it in Article 1 of Chapter 90 of the North Carolina General Statutes and the rules and regulations promulgated thereto.

FINDINGS OF FACT

Dr. Imam was first issued a license to practice medicine by the Board on or about March 18, 2005, license number 2005-00428.

At all times relevant hereto, Dr. Imam practiced diagnostic teleradiology in New Jersey.

In 2016, an eighty-two-year-old woman ("Patient A") underwent a single view abdominal x-ray to verify proper

placement of a percutaneous endoscopic gastrostomy ("PEG") tube (feeding tube). As is standard procedure, a contrast agent was injected through the PEG tube to improve visualization for confirmation of correct placement.

Dr. Imam interpreted the x-ray and confirmed proper positioning of the PEG tube. Subsequent to Dr. Imam's review, it was discovered that the PEG tube was outside of Patient A's stomach. As a result, Patient A experienced leakage of fluid into the peritoneal cavity, which created an abscess. Patient A also experienced other complications, including respiratory failure, and ultimately died.

The Board obtained Patient A's medical records and sent them to an independent reviewing expert in the specialty area of radiology. The reviewing expert concluded that Dr. Imam's radiographic diagnosis of Patient A was below the standard of care in North Carolina. Specifically, the reviewing expert opined that there were sufficient indications that the PEG tube was improperly placed and the standard of care would have been to recommend further evaluation with a computerized tomography ("CT") scan. The reviewing expert noted that there are recognized limitations to single view x-rays under these circumstances, and the potential for complications, such as those experienced by Patient A, are difficult to identify without a CT scan.

The Board previously issued Dr. Imam a Public Letter of Concern in September 2009 addressing his misinterpretation of a CT scan.

CONCLUSIONS OF LAW

Dr. Imam's conduct, as described above, constitutes unprofessional conduct, including, but not limited to, a departure from, or the failure to conform to the standards of acceptable and prevailing medical practice, within the meaning of N.C. Gen. Stat. § 90-14(a)(6) which is grounds under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition, or limit Dr. Imam's license to practice medicine or to deny any application he may make in the future.

PROCEDURAL STIPULATIONS

Dr. Imam acknowledges and agrees that the Board has jurisdiction over him and over the subject matter of this case.

Dr. Imam knowingly waives his right to any hearing and to any judicial review or appeal in this case.

Dr. Imam acknowledges that he has read and understands this Consent Order and enters into it voluntarily.

Dr. Imam desires to resolve this matter without the need for more formal proceedings.

The Board has determined that it is in the public interest to resolve this case as set forth below.

ORDER

NOW, THEREFORE, with Dr. Imam's consent, it is ORDERED that:

1. Dr. Imam is hereby REPRIMANDED.

2. Dr. Imam shall obey all laws. Likewise, he shall obey all rules and regulations involving the practice of medicine.

3. Dr. Imam shall meet with the Board or members of the Board for an investigative interview at such times as requested by the Board.

4. Upon request, Dr. Imam shall provide the Board with any information the Board deems necessary to verify compliance with the terms and conditions of this Consent Order.

5. If Dr. Imam fails to comply with any of the terms of this Consent Order, that failure shall constitute unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and shall be grounds, after any required notice and hearing, for the Board to annul, suspend, or revoke his license to practice medicine and to deny any application he might make in the future or then have pending for a license to practice medicine.

6. This Consent Order shall take effect immediately upon its execution by both Dr. Imam and the Board, and it shall continue in effect until specifically ordered otherwise by the Board.

7. Dr. Imam hereby waives any requirement under any law or rule that this Consent Order be served on him.

8. Upon execution by Dr. Imam and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be reported to persons, entities, agencies, and clearinghouses as required and permitted by law including, but not limited to, the Federation of State Medical Boards and the National Practitioner Data Bank.

By Order of the North Carolina Medical Board this the 20th day of February, 2020.

NORTH CAROLINA MEDICAL BOARD

By: [redacted]
Bryant A. Murphy, M.D.
President

Consented to this the 13 day of February, 2020.

[redacted]

Naiyer Imam, M.D.

State of New Jersey

County of Middlesex

I, Kimberly Clemo, do hereby certify that Naiyer Imam, M.D. personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 13 day of February, 2020.

[redacted]

Notary Public

[redacted]

My Commission Expires: [redacted]

Attachment G

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF PHYSICIAN'S LICENSE

OF

NAIYER IMAM, M.D.

CONSENT ORDER

WHEREAS, Naiyer Imam, M.D., hereinafter referred to as "Licensee," is the current holder of License No. 19043, issued August 8, 2005, for the practice of medicine in the State of Mississippi;

WHEREAS, in May of 2018 the Minnesota Board of Medical Practice, hereinafter referred to as "Minnesota Board," received a report that a medical malpractice claim was filed against Licensee in August of 2017. The malpractice claim was settled in March of 2019. Based on the report, the Minnesota Board conducted an investigation of Licensee's care of the patient. On September 9, 2019, the Committee found Licensee's practices as inappropriate in such a way to require, Minnesota Board action under Minn. Stat. § 147.091, subd. 1(k) (conduct that departs from or fails to conform to the minimal standards of acceptable and prevailing medical practice) (2018). On November 9, 2019, based on the findings of the Minnesota Board, the Licensee was reprimanded by and through a Consent Order.

WHEREAS, on January 17, 2020, the Maryland Board of Physicians hereinafter referred to as the "Maryland Board," concluded as a matter of law that the disciplinary action taken by the Minnesota Board against Licensee was for an act or acts that would be grounds for disciplinary action under Health Occ. § 14-404(a)(22) had those offenses been committed in Maryland, and would thus subject him to discipline under Health Occ. § 14-404(a)(21). Based on the findings of the Maryland Board, Licensee was Reprimanded through a signed a Consent Order.

WHEREAS, pursuant to Subsection (9) of Section 73-25-29, Mississippi Code (1972), Annotated, the aforementioned actions by the Minnesota Board and the Maryland Board

constitute restrictions placed on his license in another jurisdiction, grounds for which the Mississippi State Board of Medical Licensure may revoke the Mississippi medical license of Licensee, suspend his right to practice for a time deemed proper by the Board, place his license on probation, the terms of which may be set by the Board, or take any other action in relation to his license as the Board may deem proper under the circumstances;

WHEREAS, Licensee wishes to avoid a hearing before the Mississippi State Board of Medical Licensure and, in lieu thereof, has consented to certain restrictions on his license to practice medicine in the State of Mississippi;

NOW, THEREFORE, the Mississippi State Board of Medical Licensure with consent of Licensee as signified by his joinder herein, does hereby formally reprimand Licensee.

This Consent Order shall be subject to approval by the Board. If the Board fails to approve this Consent Order, in whole or in part, it shall have no force or effect on the parties. It is further understood and agreed that the purpose of this Consent Order is to avoid a hearing before the Board. In this regard, Licensee authorizes the Board to review and examine any documentary evidence or material concerning the Licensee prior to or in conjunction with its consideration of this Consent Order. Should this Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of this Consent Order and other documents and matters pertaining thereto by the Board shall not unfairly or illegally prejudice the Board or any of its members from participation in any further proceedings.

Licensee understands and expressly acknowledges that this Consent Order, if approved and executed by the Mississippi State Board of Medical Licensure, shall constitute a public record of the State of Mississippi. Licensee further acknowledges that the Board shall provide a copy of this Order to, among others, the U.S. Drug Enforcement Administration, and the Board makes no representation as to action, if any, which the U.S. Drug Enforcement Administration may take in response to this Order.

Recognizing his right to notice of charges specified against him, to have such charges adjudicated pursuant to Miss. Code Ann. Section 73-25-27 (1972), to be represented therein by legal counsel of his choice, and to a final decision rendered upon written findings of fact and conclusions of law, Nalyer Imam, M.D., nonetheless, hereby waives his right to notice and a formal adjudication of charges and authorizes the Board to enter an order accepting this Consent Order.

Executed, this the 12, day of March, 2020.

[redacted]

Nalyer Imam, M.D.

ACCEPTED AND APPROVED this the 29th, day of July, 2020, by the Mississippi State Board of Medical Licensure.

[redacted]

/Jeanne Ann Rea, M.D.
Board President

Attachment H

LICENSE NO. M1782

IN THE MATTER OF	
	BEFORE THE
THE LICENSE OF	
NAIYER IMAM, M.D.	TEXAS MEDICAL BOARD

AGREED ORDER

On the 21 day of August, 2020, came on to be heard before the Texas Medical Board (the Board), duly in session, the matter of the license of Naiyer Imam, M.D. (Respondent).

By Respondent's signature on this Order, Respondent waives the right to appear at an Informal Show Compliance Proceeding and Settlement Conference pursuant to Section 164.004, Medical Practice Act, Title 3, Subtitle B, Texas Occupations Code and Board Rule 187.18 and all rights pursuant to Sections 2001.051 and 2001.054, Texas Government Code, including but not limited to, the right to notice and hearing, and instead agrees to the entry of this Order to resolve matters addressed herein. Doug Bryant prepared this Agreed Order.

BOARD CHARGES

Board Staff charged that Respondent was issued a Stipulation and Order on November 9, 2019, by the Minnesota Board of Medical Practice; and on February 20, 2020, the North Carolina Medical Board issued a Consent Order against Respondent.

BOARD HISTORY

Respondent had previously been the subject of disciplinary action by the Board.

On April 11, 2008, the Board entered an Agreed Order with an administrative penalty of $2,000.00 and ten hours of CME. This action by the Board was the result of Respondent answering "no" on his Texas license application in regards to academic programs placing him on academic or disciplinary probation.

On August 26, 2011, the Board entered an Agreed Order with an administrative penalty of $2,000.00 and eight hours of CME. This action by the Board was the result of Respondent

failing to properly interpret a computerized tomography (CT) scan resulting in failure to correctly diagnose the patient's thoracic aortic dissection.

Upon the recommendation of the Board's representatives and with the consent of Respondent, the Board makes the following Findings and Conclusions of Law and enters this Agreed Order.

FINDINGS

The Board finds the following:

1. General Findings:
   a. Respondent received all notice required by law. All jurisdictional requirements have been satisfied. Respondent waives any defect in notice and any further right to notice or hearing under the Medical Practice Act, Title 3, Subtitle B, Texas Occupations Code (the Act) or the Rules of the Board.
   b. Respondent currently holds Texas Medical License No. M1782. Respondent was originally issued this license to practice medicine in Texas on August 26, 2005. Respondent is also licensed to practice medicine in multiple states.
   c. Respondent is primarily engaged in the practice of radiology and neuro-radiology. Respondent is board certified by the American Board of Radiology, a member of the American Board of Medical Specialties.
   d. Respondent is 55 years of age.

2. Specific Findings:
   a. Respondent was disciplined by the by the Minnesota Board of Medical Practice with a Stipulation and Order on November 9, 2019.
   b. The Minnesota Order imposed a reprimand of his license.
   c. Respondent was disciplined by the North Carolina Medical Board with a Consent Order on February 20, 2020.
   d. The North Carolina Order also imposed a reprimand on Respondent's license.

3. Mitigating Factor:

Respondent has cooperated in the investigation of the allegations related to this Agreed Order. Respondent neither admits nor denies the information given above. To avoid further investigation, hearings, and the expense and inconvenience of litigation, Respondent agrees to the entry of this Agreed Order and to comply with its terms and conditions.

CONCLUSIONS OF LAW

Based on the above Findings, the Board concludes that:

1. The Board has jurisdiction over the subject matter and Respondent pursuant to the Act.

2. Section 164.051(a)(9) of the Act authorizes the Board to take disciplinary action against Respondent based on disciplinary action against Respondent by another state or the uniformed services of the United States, as further defined by Board Rule 190.8(3), disciplinary action by another state board.

3. Section 164.001 of the Act authorizes the Board to impose a range of disciplinary actions against a person for violation of the Act or a Board rule.

4. Section 164.002(a) of the Act authorizes the Board to resolve and make a disposition of this matter through an Agreed Order.

ORDER

Based on the above Findings and Conclusions of Law, the Board ORDERS that Respondent shall be subject to the following terms and conditions:

1. This Agreed Order shall constitute a PUBLIC REPRIMAND of Respondent, and Respondent is hereby reprimanded.

2. At all times while Respondent is under the terms of this Order, Respondent shall give a copy of this Order to all hospitals, nursing homes, treatment facilities, and other health care entities in Texas where Respondent has privileges, has pending an application for privileges, applies for privileges, or otherwise practices. Within 30 days of being first contacted by the Compliance Division of the Board following entry of this Order, Respondent shall provide to the

Compliance Division of the Board documentation, including proof of delivery that the Order was delivered to all such facilities.

3. Respondent shall comply with all the provisions of the Act and other statutes regulating Respondent's practice.

4. Respondent shall fully cooperate with the Board and the Board staff, including Board attorneys, investigators, compliance officers, consultants, and other employees or agents of the Board in any way involved in investigation, review, or monitoring associated with Respondent's compliance with this Order. Failure to fully cooperate shall constitute a violation of this order and a basis for disciplinary action against Respondent pursuant to the Act.

5. Respondent shall inform the Board in writing of any change of Respondent's office or mailing address within 10 days of the address change. This information shall be submitted to the Registration Department and the Compliance Department of the Board. Failure to provide such information in a timely manner shall constitute a basis for disciplinary action by the Board against Respondent pursuant to the Act. Respondent agrees that 10 day notice of a Probationer Show Compliance Proceeding to address any allegation of non-compliance of this Agreed Order is adequate and reasonable notice prior to the initiation of formal disciplinary action. Respondent waives the 45 day notice requirement provided by §164.003(b)(2) of the Medical Practice Act and agrees to 10 day notice, as provided in 22 Texas Administrative Code §187.44(4).

6. Any violation of the terms, conditions, or requirements of this Order by Respondent shall constitute unprofessional conduct likely to deceive or defraud the public, or to injure the public, and shall constitute a basis for disciplinary action by the Board against Respondent pursuant to the Act.

7. Respondent shall be permitted to supervise and delegate prescriptive authority to physician assistants and advanced practice nurses.

8. This Order shall automatically terminate upon Respondent's submission of sufficient evidence to the Compliance Division of the Board that Respondent successfully completed the requirements ordered in Ordering Paragraph No. 2.

RESPONDENT WAIVES ANY FURTHER HEARINGS OR APPEALS TO THE BOARD OR TO ANY COURT IN REGARD TO ALL TERMS AND CONDITIONS OF THIS AGREED ORDER. RESPONDENT AGREES THAT THIS IS A FINAL ORDER.
THIS ORDER IS A PUBLIC RECORD.

SIGNATURE PAGES FOLLOW.

I, NAIYER IMAM, M.D., HAVE READ AND UNDERSTAND THE FOREGOING AGREED ORDER. I UNDERSTAND THAT BY SIGNING, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THIS AGREED ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

DATED: July 6th, 2020.

Naiyer Imam

NAIYER IMAM, M.D.
Respondent

STATE OF New Jersey §
§
COUNTY OF Middlesex §

KIMBERLY CHEMO
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES MARCH 01, 2022

SWORN TO AND ACKNOWLEDGED BEFORE ME, the undersigned Notary Public, on this 6 day of July, 2020.

Signature of Notary Public

(Notary Seal)

SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this 21 day of August, 2020.

Sherif Z. Zaafran, M.D., President
Texas Medical Board

Attachment I

STATE OF FLORIDA
BOARD OF MEDICINE

DEPARTMENT OF HEALTH,

Petitioner,

vs.

DOH CASE NO.: 2019-51874
LICENSE NO.: ME0064121

NAIYER IMAM, M.D.,

Respondent.
_____/

FINAL ORDER

THIS CAUSE came before the BOARD OF MEDICINE (Board) pursuant to Sections 120.569 and 120.57(2), Florida Statutes, on August 7, 2020, via a duly noticed telephone conference call meeting, for consideration of the Administrative Complaint (attached hereto as Exhibit A) in the above-styled cause pursuant to Respondent's Election of Rights. At the hearing, Petitioner was represented by Jeremy A. Trimble, Assistant General Counsel. Respondent was present but was not represented by counsel. The facts are not in dispute.

Upon consideration, it is ORDERED:

1. The allegations of fact set forth in the Administrative Complaint are approved and adopted and incorporated herein by reference as the findings of fact by the Board.

2. The conclusions of law alleged and set forth in the Administrative Complaint are approved and adopted and

incorporated herein by reference as the conclusions of law by the Board.

3. The violations set forth warrant disciplinary action by the Board.

THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:

1. Respondent shall pay an administrative fine in the amount of $2,000.00 to the Board within 30 days from the date the Final Order is filed. Said fine shall be paid by money order or cashier's check.

2. Respondent shall be and is hereby issued a letter of concern by the Board.

RULING ON MOTION TO ASSESS COSTS

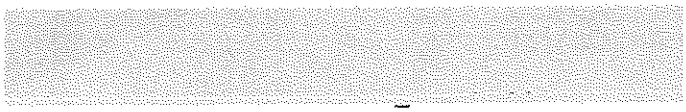
The Board reviewed the Petitioner's Motion to Assess Costs and imposes the costs associated with this case in the amount of $109.84. Said costs are to be paid within 30 days from the date this Final Order is filed.

(NOTE: SEE RULE 64B8-8.0011, FLORIDA ADMINISTRATIVE CODE. UNLESS OTHERWISE SPECIFIED BY FINAL ORDER, THE RULE SETS FORTH THE REQUIREMENTS FOR PERFORMANCE OF ALL PENALTIES CONTAINED IN THIS FINAL ORDER.)

This Final Order shall take effect upon being filed with the Clerk of the Department of Health.

DONE AND ORDERED this 13 day of August, 2020.

BOARD OF MEDICINE



Claudia Kemp, J.D., Executive Director
For Hector Vila, M.D., Vice-Chair

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF HEALTH AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to NAIYER IMAM, M.D., 295 Kimball Street, Woodbridge, New Jersey 07095; and 6185 Steeplechase Drive, Roanoke, Virginia 24018; by email to Allison Dudley, Assistant General Counsel, Department of Health, at Allison.Dudley@flhealth.gov; and by email to Edward A. Tellechea, Chief Assistant Attorney General, at

E.S.Tellechea@myfloridalegal.com this 13 day of

September, 2020.

[redacted]

Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF MEDICINE

DEPARTMENT OF HEALTH,

Petitioner,

v. **CASE NO. 2019-51874**

NAIYER IMAM, M.D.,

Respondent.

_____/

ADMINISTRATIVE COMPLAINT

COMES NOW the Petitioner, Department of Health, by and through its undersigned counsel, and files this Administrative Complaint before the Board of Medicine ("Board") against Respondent, Naiyer Imam, M.D., and alleges:

1. Petitioner is the state agency charged with regulating the practice of medicine pursuant to section 20.43, Florida Statutes; chapter 456, Florida Statutes; and chapter 458, Florida Statutes.

2. At all times material to this complaint, Respondent was a licensed physician within the state of Florida, having been issued license number ME 64121.

3. Respondent's address of record is 295 Kimball Street, Woodridge, New Jersey 07095.

4. An alternate address for Respondent is 6185 Steeplechase Drive, Roanoke, Virginia 24018.

5. At all times material to this complaint, Respondent was a licensed physician within the state of Minnesota, having been issued Minnesota license number 48,149.

6. The Minnesota Board of Medical Practice ("MBOMP") is the licensing authority charged with regulating the practice of medicine in Minnesota.

7. In May of 2018, the MBOMP received a report that a medical malpractice claim was filed against Respondent in August 2017.

8. Based on this report, the MBOMP initiated an investigation into Respondent's care of the patient.

9. This Investigation revealed Respondent reviewed a single X-ray to confirm the correct placement of a patient's gastronomy tube and documented that contrast confirmed proper positioning of the gastronomy tube.

10. The MBOMP found that the image reviewed by Respondent showed that contrast was in the wrong quadrant of the patient's abdomen.

11. The malpractice claim was settled in March of 2019.

12. On or about November 9, 2019, Respondent entered into a Stipulation and Order with the MBOMP due to this medical malpractice case.

13. Under the terms of this Stipulation and Order, Respondent was reprimanded.

14. Section 458.331(1)(b), Florida Statutes (2019), subjects licensed medical doctors to discipline for having a license or the authority to practice medicine revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of any jurisdiction, including its agencies or subdivisions. The licensing authority's acceptance of a physician's relinquishment of a license, stipulation, consent order, or other settlement, offered in response to or in anticipation of the filing of administrative charges against the physician's license, shall be construed as action against the physician's license.

15. By entering into a Stipulation and Order with the MBOMP on or about November 9, 2019, Respondent had his license acted against or disciplined by the licensing authority of another jurisdiction.

16. Based on the foregoing, Respondent has violated section 458.331(1)(b), Florida Statutes (2019).

WHEREFORE, the Petitioner respectfully requests that the Board enter an order imposing one or more of the following penalties: permanent revocation or suspension of Respondent's license, restriction of practice, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, corrective action, refund of fees billed or collected, remedial education and/or any other relief that the Board deems appropriate.

SIGNED this 20 day of April, 2020.

Scott A. Rivkees, M.D.
State Surgeon General

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK
DATE: APR 21 2020

Jeremy A. Trimble
Assistant General Counsel
DOH Prosecution Services Unit
4052 Bald Cypress Way, Bin C-65
Tallahassee, FL 32399-3265
Florida Bar # 1018994
Telephone: (850) 558-9911
Fax: (850) 245-4684 fax
Jeremy.Trimble@flhealth.gov

PCP Date: April 17,2020
PCP Members: Mark Avila, M.D, Zachariah Zachariah, M.D. & Nicholas Romanello

NOTICE OF RIGHTS

Respondent has the right to request a hearing to be conducted in accordance with Section 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoena and subpoena duces tecum issued on his or her behalf if a hearing is requested.

A request or petition for an administrative hearing must be in writing and must be received by the Department within 21 days from the day Respondent received the Administrative Complaint, pursuant to Rule 28-106.111(2), Florida Administrative Code. If Respondent fails to request a hearing within 21 days of receipt of this Administrative Complaint, Respondent waives the right to request a hearing on the facts alleged in this Administrative Complaint pursuant to Rule 28-106.111(4), Florida Administrative Code. Any request for an administrative proceeding to challenge or contest the material facts or charges contained in the Administrative Complaint must conform to Rule 28-106.2015(5), Florida Administrative Code.

Please be advised that mediation under Section 120.573, Florida Statutes, is not available for administrative disputes involving this agency action.

NOTICE REGARDING ASSESSMENT OF COSTS

Respondent is placed on notice that Petitioner has incurred costs related to the investigation and prosecution of this matter. Pursuant to Section 456.072(4), Florida Statutes, the Board shall assess costs related to the investigation and prosecution of a disciplinary matter, which may include attorney hours and costs, on the Respondent in addition to any other discipline imposed.

Attachment J

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

In the Matter of

NAIYER IMAM, M.D.
License No. 43-01-083234,
Respondent.

File No. 43-19-002411

CONSENT ORDER

On February 3, 2020, the Department of Licensing and Regulatory Affairs executed an Administrative Complaint charging Respondent with violating the Public Health Code, MCL 333.1101 *et seq*.

Respondent has admitted that the facts alleged in the Complaint are true and constitute violation(s) of the Public Health Code. The Michigan Board of Medicine Disciplinary Subcommittee (DSC) has reviewed this Consent Order and Stipulation and agrees that the public interest is best served by resolution of the outstanding Complaint.

Therefore, IT IS FOUND that the facts alleged in the Complaint, except Count II, are true and constitute violation(s) of MCL 333.16221(b)(x).

Accordingly, IT IS ORDERED that pursuant to the attached Stipulation, Count II of the Complaint, which charged Respondent with violating MCL 333.16221(f), is DISMISSED.

IT IS FURTHER ORDERED that for the cited violation(s) of the Public Health Code:

Respondent is FINED $500.00, to be paid to the State of Michigan within 60 days of the effective date of this Order. Respondent shall **direct payment** to the **Department of Licensing and Regulatory Affairs, Enforcement Division, Compliance Section, P.O. Box 30189, Lansing, MI 48909**. The fine shall be paid by check or money order, made payable to the State of Michigan, and shall clearly display **File Number 43-19-002411**.

If Respondent fails to comply with the terms and conditions of this Order, Respondent's license shall be automatically SUSPENDED for a minimum of one (1) day. If, within six (6) months of the suspension of the license, Respondent complies with the terms of this Order, the license shall be automatically reinstated.

If Respondent's license remains suspended for more than six (6) months, Respondent must apply for reinstatement of the license. If Respondent applies for reinstatement of the license, application for reinstatement shall be in accordance with sections MCL 333.16245 and 333.16247.

This Order shall be effective 30 days from the date signed by the DSC, as set forth below.

MICHIGAN BOARD OF MEDICINE

By: _____ for
Chairperson, Disciplinary Subcommittee

Dated: September 16, 2020

STIPULATION

1. Respondent and the Department agree that Count II of the Complaint, which charged Respondent with violating MCL 333.16221(f), shall be DISMISSED.

2. The facts alleged in the Complaint, except Count II, are true and constitute violation(s) of MCL 333.16221(b)(x).

3. Respondent understands and intends that by signing this Stipulation Respondent is waiving the right, pursuant to the Public Health Code, the rules promulgated thereunder, and the Administrative Procedures Act, MCL 24.201 *et seq.*, to require the Department to prove the charges set forth in the Complaint by presentation of evidence and legal authority, and Respondent is waiving the right to appear with an attorney and such witnesses as Respondent may desire to present a defense to the charges.

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

5. A factor considered in the formulation of this Order is as follows:

   a. Respondent submitted documentation that he submitted notice to the Department of the Minnesota Board's disciplinary action by certified mail and that the Department received delivery on December 6, 2019.

6. Michael D. Chafty, M.D., a member of the Board who supports this proposal, and the Department's representative are free to discuss this matter with the DSC and recommend acceptance of the resolution set forth in this Order.

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

8. This proposal is conditioned upon acceptance by the DSC. Respondent and the Department expressly reserve the right to further proceedings without prejudice should this Order be rejected.

AGREED TO BY:

Forrest Pasanski, Director
Enforcement Division
Bureau of Professional Licensing

Dated: 7-24-2020

AGREED TO BY:

Naiyer Imam, M.D.
Respondent

Dated: July 06, 2020

sde

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

In the Matter of

NAIYER IMAM, M.D.
License No. 43-01-083234,
Respondent.

File No. 43-19-002411

ADMINISTRATIVE COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs, by Forrest Pasanski, Enforcement Division Director, Bureau of Professional Licensing, complains against Respondent as follows:

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

2. Respondent is currently licensed to practice medicine in the state of Michigan. Respondent's address of record with the Department is Woodbridge, New Jersey.

3. For historical purposes, the following events occurred:

a. On May 19, 2006, the Department executed an Administrative Complaint against Respondent based on a November 16, 2005 decision by the Alabama State Board

of Medical Examiners. The Alabama Board denied Respondent's license application for providing false information on the application. On September 13, 2006, in resolution of the matter, the DSC executed a Consent Order whereby Respondent was fined $1,000.00.

b. On January 21, 2010, the Department executed an Administrative Complaint against Respondent based on a September 8, 2009 public letter of concern issued by the North Carolina Board. The North Carolina action was based on Respondent misinterpreting a patient's CT scan and failing to make an appropriate diagnosis. On May 18, 2011, in resolution of the matter, the DSC executed a Consent Order whereby Respondent was fined $500.00.

4. On November 9, 2019, the Minnesota Board of Medical Practice (Minnesota Board) issued a Stipulation and Order (Order) that reprimanded Respondent. The Order was based on Respondent's review of a single X-ray to confirm placement of a patient's gastronomy tube. Respondent documented that contrast confirmed proper positioning of the gastronomy tube. The image reviewed by Respondent showed that contrast was in the wrong quadrant of the patient's abdomen. A copy of the Minnesota Order, marked Exhibit A, is attached and incorporated.

5. Respondent failed to notify the Department of the action taken by the Minnesota Board within 30 days from the date of the action.

COUNT I

The action by the Minnesota Board, as set forth above, constitutes a final adverse administrative action by a licensure, registration, disciplinary, or certification board involving the holder of, or an applicant for, a license or registration regulated by another state or a territory of the United States, in violation of MCL 333.16221(b)(x).

COUNT II

Respondent's conduct, as set forth above, evidences a failure to notify the Department of the disciplinary action by the Minnesota Board within 30 days from the date of the action, as required by MCL 333.16222(4), in violation of MCL 333.16221(f).

RESPONDENT IS NOTIFIED that, pursuant to MCL 333.16231(8), Respondent has 30 days from the date of receipt of this Complaint to answer this Complaint in writing and to show compliance with all lawful requirements for licensure. Respondent shall submit the response to the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, MI 48909.

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

Dated: 2-3-2020

Forrest Pasanski, Director
Enforcement Division
Bureau of Professional Licensing

Attachment

sde