

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

SUKHDARSHAN S. BEDI, M.D., RESPONDENT

FILE NO. 02-09-488

SETTLEMENT AGREEMENT

COMES NOW the Iowa Board of Medicine (Board), and Sukhdarshan S. Bedi, M.D., (Respondent), and on January 13, 2013, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4) enter into this Settlement Agreement to resolve this matter.

1. Respondent was issued Iowa license No. 23413 on February 7, 1983.
2. Respondent's Iowa license went inactive due to non-renewal on June 1, 2010.
3. The Board has jurisdiction pursuant to Iowa Code chapters 147, 148 and 272C.

STATEMENT OF THE MATTERS ASSERTED

4. Respondent is an Iowa-licensed physician who formerly practiced medicine in Burlington, Iowa.

5. On December 6, 1990, the Board filed formal disciplinary charges against Respondent alleging that he inappropriately falsified a patient medical record in violation of the laws and rules governing the practice of medicine in Iowa. On April 2, 1991, following a formal disciplinary hearing the Board issued Respondent a Citation and Letter of Warning.

6. On October 18, 2001, the Board charged Respondent with engaging in unethical or unprofessional conduct, knowingly making misleading, deceptive untrue or fraudulent representations in the practice of medicine and being unable to practice medicine with reasonable skill and safety. On March 15, 2002, Respondent entered into a Settlement Agreement with the Board. Respondent was issued a Citation and Warning and ordered to pay a \$2,500 Civil Penalty. Respondent was also required to complete a Board-approved psychiatric evaluation, a Board-approved competency evaluation, the Medical Knowledge Self-Assessment Program and a Board-approved Practice Monitoring Plan.

7. On September 9, 2009, a Superseding Indictment was filed against Respondent in the United States District Court, for the Southern District of Illinois, including the following charges:

Count 1: Obstruction of justice in violation of 18 U.S.C. § 1512(c)(2);

Count 2: Obstruction of justice in violation of 18 U.S.C. § 1512(c)(2);

Count 3: Tampering with a witness in violation of 18 U.S.C. § 1512(b)(3);

Count 4: Tampering with a witness in violation of 18 U.S.C. § 1512(b)(3);

Count 5: Making false statements in violation of 18 U.S.C. § 1001;

Count 6: Illegal Dispensation of a controlled substance (Methadone) in violation of
18 U.S.C. §§ 841(a)(1) and 841(b)(1)(C);

Count 7: Conspiracy to illegally dispense controlled substance in violation of 21
U.S.C. § 846;

Count 8: Illegal Dispensation of a controlled substance (Oxycodone) in violation of 18 U.S.C. §§ 841(a)(1) and 841(b)(1)(C);

Count 9: Illegal Dispensation of a controlled substance (Methadone) in violation of 18 U.S.C. §§ 841(a)(1) and 841(b)(1)(C);

Count 10: Illegal Dispensation of a controlled substance (Methylphenidate) in violation of 18 U.S.C. §§ 841(a)(1) and 841(b)(1)(C);

Count 11: Illegal Dispensation of a controlled substance (Methylphenidate) in violation of 18 U.S.C. §§ 841(a)(1) and 841(b)(1)(C); and

Count 12: Health care fraud against the Medicaid program in violation of 18 U.S.C. § 1347.

8. On April 6, 2010, a Judgment was filed in the United States District Court, for the Southern District of Illinois, and Respondent pleaded guilty to the following charges:

Count 1: Obstruction of justice in violation of 18 U.S.C. § 1512(c)(2);

Count 2: Obstruction of justice in violation of 18 U.S.C. § 1512(c)(2);

Count 3: Tampering with a witness in violation of 18 U.S.C. § 1512(b)(3); and

Count 6: Illegal Dispensation of a controlled substance (Methadone) in violation of 18 U.S.C. §§ 841(a)(1) and 841(b)(1)(C).

The remaining charges were dismissed.

9. Respondent was sentenced to sixteen (16) months in prison and ordered to pay \$49,414.82 in restitution and penalties.

10. On January 5, 2010, Respondent entered into a Consent Order with the Illinois Department of Financial and Professional Regulation, Division of Professional Regulation and Respondent's Illinois medical license was indefinitely suspended.

SETTLEMENT AGREEMENT

11. **CITATION AND WARNING:** Respondent is hereby **CITED** for engaging in unethical or unprofessional conduct, being convicted of a felony related to the practice of medicine, and violating the laws and rules governing the practice of medicine. Respondent is hereby **WARNED** to avoid engaging in such conduct in the future.

12. **VOLUNTARY SURRENDER:** Respondent voluntarily surrenders his Iowa medical license to resolve this matter.

13. Respondent shall obey all federal, state and local laws, and all rules governing the practice of medicine in Iowa.

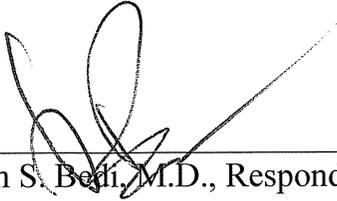
14. Respondent voluntarily submits this Order to the Board for consideration.

15. This Order constitutes the resolution of a contested case proceeding.

16. By entering into this Order Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Charges and waives any objections to the terms of this Settlement Agreement.

17. This Order is subject to approval by the Board. If the Board fails to approve this Order, it shall be of no force or effect to either party.

18. The Board's approval of this Order shall constitute a **Final Order** of the Board.



Sukhdarshan S. Bedi, M.D., Respondent

This Order is approved by the Board on January 13, 201~~1~~².



Siroos S. Shirazi, M.D., Chairman
Iowa Board of Medicine
400 SW 8th Street, Suite C
Des Moines, Iowa 50309-4686

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

SUKHDARSHAN S. BEDI, M.D., RESPONDENT

FILE NO. 02-09-488

STATEMENT OF CHARGES

COMES NOW the Iowa Board of Medicine (Board) on July 28, 2011, and files this Statement of Charges pursuant to Iowa Code Section 17A.12(2). Respondent was issued Iowa medical license no. 23413 on February 7, 1983. Respondent's Iowa medical license went inactive due to non-renewal on June 1, 2010.

A. TIME, PLACE AND NATURE OF HEARING

1. Hearing. A disciplinary contested case hearing shall be held on October 20, 2011, before the Iowa Board of Medicine. The hearing shall begin at 8:30 a.m. and shall be located in the conference room at the Iowa Board of Medicine office at 400 SW 8th Street, Suite C, Des Moines, Iowa.

2. Answer. Within twenty (20) days of the date you are served this Notice of Hearing you are required by 653 Iowa Administrative Code 25.10 to file an Answer. In that Answer, you should also state whether you will require a continuance of the date and time of the hearing.

3. Presiding Officer. The Board shall serve as presiding officer, but the Board may request an Administrative Law Judge make initial rulings on prehearing matters, and be present to assist and advise the board at hearing.

4. Prehearing Conference. A prehearing conference will be held by telephone on August 31, 2011 at 9:00 a.m., before an Administrative Law Judge from the Iowa Department of Inspections and Appeals (ALJ). Please contact Kent M. Nebel, J.D., Legal Director, Iowa Board of Medicine, at 515-281-7088 with the telephone number at which you or your legal counsel can be reached. Board rules on prehearing conferences may be found at 653 Iowa Administrative Code 25.15.

5. Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 653 Iowa Administrative Code Chapter 25. At hearing, you will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf, cross-examine witnesses, and examine any documents introduced at hearing. You may appear personally or be represented by counsel at your own expense. If you need to request an alternative time or date for hearing, you must review the requirements in 653 Iowa Administrative Code 25.16. The hearing may be open to the public or closed to the public at the discretion of the Respondent.

6. Prosecution. The office of the Attorney General is responsible for representing the public interest (the State) in this proceeding. Pleadings shall be filed with the Board and copies should be provided to counsel for the State at the following address: Theresa O'Connell Weeg, Assistant Attorney General, Iowa Attorney General's Office, 2nd Floor, Hoover State Office Building, Des Moines, Iowa 50319.

7. Communications. You may not contact board members by phone, letter, facsimile, e-mail, or in person about this Notice of Hearing. Board members may only receive information about the case when all parties have notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve upon all parties in the case. You may contact Kent M. Nebel, J.D., Legal Director, at 515-281-7088 or to Assistant Attorney General Theresa O'Connell Weeg at 515-281-6858.

B. LEGAL AUTHORITY AND JURISDICTION

8. Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 17A, 147, 148, and 272C (2005).

9. Legal Authority: If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code Chapters 17A, 147, 148, and 272C (2005) and 653 Iowa Administrative Code Chapter 25.25.

10. Default. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code Section 17A.12(3) and 653 Iowa Administrative Code 25.20.

C. SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

11. Respondent is charged pursuant to Iowa Code section 147.55(5) and 272C.5 with being convicted of a felony related to the profession or occupation of the licensee or the conviction of any felony that would affect the licensee's ability to practice within a profession. A copy of the record of conviction or plea of guilty shall be conclusive evidence.

COUNT II

12. Respondent is charged pursuant to Iowa Code section 148.6(2)(c) and 653 IAC 23.1(10) for violating a statute or law of this state, another state or the United States without regard to its designation as a felony or misdemeanor, which statute or law relates to the practice of medicine.

COUNT III

13. Respondent is charged pursuant to Iowa Code sections 147.55(3) and 272C.10(3) and 653 IAC 23.1(4) with engaging in unethical or unprofessional conduct. Engaging in unethical or unprofessional conduct includes, but is not limited to, the committing by a licensee of an act contrary to honesty, justice or good morals, whether the same is committed in the course of the licensee's practice or otherwise, and whether committed within this state or elsewhere; or a violation of the standards and principles of medical ethics or 653 IAC 13.7 or 13.20 as interpreted by the board.

COUNT IV

14. Respondent is charged pursuant to Iowa Code section 148.6(2)(d) for having a license to practice medicine revoked or suspended, or having other disciplinary action taken by a licensing authority of another state, territory, or country. A certified copy of the record or order of suspension, revocation, or disciplinary action is prima facie evidence.

STATEMENT OF THE MATTERS ASSERTED

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16. On December 6, 1990, the Board filed formal disciplinary charges against Respondent alleging that he inappropriately falsified a patient medical record in violation of the laws and rules governing the practice of medicine in Iowa. On April 2, 1991, following a formal disciplinary hearing the Board issued Respondent a Citation and Letter of Warning.

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20. Respondent was sentenced to sixteen (16) months in prison and ordered to pay \$49,414.82 in restitution and penalties.

21. On January 5, 2010, Respondent entered into a Consent Order with the Illinois Department of Financial and Professional Regulation, Division of Professional Regulation and Respondent's Illinois medical license was indefinitely suspended.

E. SETTLEMENT

22. Settlement. This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 653 Iowa Administrative Code 12.25. If you are interested in pursuing settlement of this matter, please contact Kent M. Nebel, J.D., Legal Director at 515-281-7088.

F. PROBABLE CAUSE FINDING

23. On July 28, 2011, the Iowa Board of Medicine found probable cause to file this Statement of Charges.

A handwritten signature in black ink, appearing to read "Siroos S. Shirazi". The signature is written in a cursive style and is positioned above a horizontal line.

Siroos S. Shirazi, M.D., Chairman
Iowa Board of Medicine
400 SW 8th Street, Suite C
Des Moines, Iowa 50309-4686