

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

ADRIAN D. FEINERMAN, M.D., RESPONDENT

FILE No. 02-12-479

**STATEMENT OF CHARGES and SETTLEMENT AGREEMENT
(Combined)**

COMES NOW the Iowa Board of Medicine (Board) and Adrian D. Feinerman, M.D., (Respondent), on December 20, 2013, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4) and 653 IAC 25.3, enter into this combined Statement of Charges and Settlement Agreement.

STATEMENT OF CHARGES

1. Respondent was issued Iowa medical license no. 22860 on March 15, 1982.
2. Respondent's Iowa medical license went inactive due to nonrenewal on January 1, 2006.
3. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 148 and 272C.

COUNT I

4. **Discipline by Another Licensing Authority:** Respondent is charged pursuant to Iowa Code section 148.6(2)(d) and 653 IAC 23.1(1) with having a license to practice medicine and surgery or osteopathic medicine and surgery revoked or suspended, or having other disciplinary action taken by a licensing authority of another state, territory, or country. A certified copy of the order of disciplinary action is prima facie evidence.

STATEMENT OF THE MATTERS ASSERTED

5. Respondent is an Iowa-licensed physician who formerly provided medical to inmates at the Menard Correctional Center in Chester, Illinois.

6. **Illinois Disciplinary Action:** On or about December 2, 2010, Respondent was disciplined by the Illinois Division of Professional Regulation (Illinois Board). The Illinois Board alleged that Respondent failed to provide appropriate treatment to a 36-year-old male inmate with ulcerative colitis at Menard Correctional Center in Chester, Illinois, between February 11, and April 2, 2009, when the inmate died. The Illinois Board issued Respondent a reprimand and ordered him to pay \$500 fine. See Attachment A.

SETTLEMENT AGREEMENT

7. **CITATION AND WARNING:** Respondent is hereby **CITED** for being disciplined by the Illinois Board for failing to provide appropriate treatment to a 36-year-old male inmate with ulcerative colitis at Menard Correctional Center in Chester, Illinois, between February 11, and April 2, 2009, when the inmate

died. Respondent is hereby **WARNED** that being disciplined by another state licensing board and/or violating the laws and rules governing the practice of medicine in the future may result in further formal disciplinary action against his Iowa medical license.

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

9. Respondent agrees that the State's counsel may present this Order to the Board for consideration.

10. By entering into this Order, Respondent understands that he has a right to be represented by legal counsel, voluntarily waives any rights to a contested case hearing on the allegations in the Statement of Charges, and waives any objections to the terms of this Order. This Order constitutes the resolution of a contested case proceeding.

11. Respondent understands that by entering into this combined Statement of Charges and Settlement Agreement, Respondent cannot obtain a copy of the investigative file. Pursuant to Iowa Code section 272C.6(4), a copy of the investigative file may only be provided to a licensee after a Statement of Charges is filed but before the final resolution of those charges.

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

13. Respondent understands that the Board is required by Federal law (45 C.F.R. 60.8) to report this Order to the National Practitioner Data Bank.

14. This Order becomes a public record available for inspection and copying upon execution in accordance with the requirements of Iowa Code Chapters 17A, 22 and 272C.

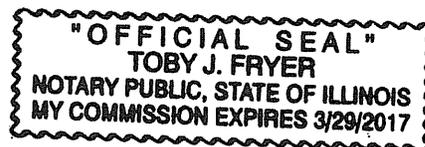
15. This Order is subject to approval of the Board. If the Board fails to approve this Order it shall be of no force or effect to either party.

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


Adrian D. Feinerman, M.D., Respondent

Subscribed and sworn to before me on September 26, 2013.

Notary Public, State of Illinois.



This Order is approved by the Board on December 20, 2013.


Gregory B. Hoversten, D.O., Chairman
Iowa Board of Medicine
400 SW 8th Street, Suite C
Des Moines, Iowa 50309-4686

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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,)
v.) No. 2009-04689
Adrian D. Feinerman, M.D.,)
License No. 036-039778	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 Adrian D. Feinerman, M.D., (hereinafter the "Respondent"), hereby agree to the following:

STIPULATIONS

Adrian D. Feinerman, M.D. is licensed as a Physician and Surgeon in the State of Illinois, holding License No. 036-039778. Said 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 alleges that Respondent failed to properly treat a patient with ulcerative colitis at Menard Correctional Center. The allegation(s) as set forth herein, if proven to be true, would constitute grounds for suspending, revoking or other discipline of Respondent's license as a Physician and Surgeon, on the authority 255 Illinois Compiled Statutes, Paragraph 60/22(A)(5).

An Informal Conference was held in this regard on October 6, 2010. Edward Rose, M.D. was present on behalf of the Medical Disciplinary Board and Vladimir Lozovskiy was present

for the Department. Respondent was present and represented to Craig Unrath, Esq. During the Informal Conference, Respondent provided specific information regarding his treatment and care of the patient-in-question. Respondent also provided information about the difficulties that he had to face in providing medical treatment and care to the patients at the Department of Correction. Finally, Respondent stated that he has retired from the position with the Department of Corrections after working there for over 20 years.

For purposes of this Consent Order only, 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. The Department and Respondent stipulate that the above acknowledgement is made only for the purposes of this Consent Order. 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. In addition, upon approval of this Consent Order, neither this acknowledgement nor this Consent Order may be utilized in any other proceeding, except one to enforce this Agreement.

Respondent has been advised of the right to have pending allegations reduced to written charges, the right to a hearing, the right to contest any charges brought, and the right to administrative review of this Consent Order. Respondent knowingly waives each of these rights, as well as the right to administrative review of this Consent Order. 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, Adrian D. Feinerman, 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 of Financial and Professional Regulations, Division of Professional Regulation, through Vladimir Lozovski, one of its attorneys, and Adrian D. Feinerman, M.D., Respondent, agree:

- A. Physician and Surgeon License of Adrian D. Feinerman, M.D., License No. 036-039778, is hereby Reprimanded;

- B. Respondent shall pay a Fine in the amount of \$500.00 (five hundred) dollars within 30 days from the final approval of this Consent Order. Respondent shall submit a check payable to the Illinois Department of Financial and Professional Regulation. Said fine shall be mailed to Illinois Dept. of Financial and Professional Regulation, Attention: CMU/Accounts Receivable - Fine Payments, 320 W. Washington St., 3rd Floor, Springfield, Illinois 62786. In the event that Respondent shall fail to pay the fine, and the Department is forced to initiate a collection effort to retrieve the fine, the Respondent will be responsible for all costs and fees incurred by the collection process;

- 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.

DEPARTMENT OF FINANCIAL AND
PROFESSIONAL REGULATION of the State of
Illinois

10/27/2010
DATE

Vladimir Lozovskiy
Vladimir Lozovskiy
Attorney for the Department

10/20/10
DATE

Adrian D. Feinerman
Adrian D. Feinerman, M.D.
Respondent

10/25/10
DATE

Craig L. Uhrath
Craig L. Uhrath, Esq.
Attorney for Respondent

11/10/10
DATE

[Signature]
Member, Medical Disciplinary Board

The foregoing Consent Order is approved in full.

DATED THIS 2nd day of December, 2010.

DEPARTMENT OF FINANCIAL AND PROFESSION
REGULATION the State of Illinois
Division of Professional Regulations

Donald W. Seasock
DONALD W. SEASOCK
ACTING DIRECTOR

REF: Case No. 2009-04689/ License No. 036-039778