

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST
EMMANUEL PACKIANATHAN, M.D., RESPONDENT

FILE No. 02-11-587

STATEMENT OF CHARGES AND SETTLEMENT AGREEMENT
(Combined)

COMES NOW the Iowa Board of Medicine (Board) and Emmanuel Packianathan, M.D., (Respondent), on June 28, 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.

1. Respondent was issued Iowa medical license no. 29749 on February 22, 1994.
2. Respondent's Iowa medical license went inactive due to nonrenewal on April 1, 1998.
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 MATTERS ASSERTED

5. Respondent is an Iowa-licensed physician who practices general medicine in Grand Island, New York.

6. **New York Disciplinary Action:** On or about July 23, 2008, Respondent entered into a Consent Agreement and Order with the New York State Board for Professional Medical Conduct (New York Board). Under the terms of the Consent Agreement and Order, Respondent admitted engaging in misconduct when he performed one or more inadequate examinations of a female patient's breasts in 2005. The New York Board suspended Respondent's New York medical license for a period of twelve months and stayed the suspension. The New York Board placed Respondent on probation for a period of three years subject to the following terms and conditions:

- A. Respondent was ordered to maintain complete and legible medical records that accurately reflect the evaluation and treatment of patients and contain all information required by state rules and regulations concerning controlled substances:
- B. Respondent was ordered to have a Board-approved health care professional chaperone present at all times while examining and treating female patients;
and
- C. Respondent was ordered to complete a Board-approved continuing education program in the area of boundary issues.

SETTLEMENT AGREEMENT

7. **CITATION AND WARNING:** Respondent is hereby **CITED** for being disciplined by the New York Board for engaging in engaging in misconduct when he performed one or more inadequate examinations of a female patient's breasts in 2005. 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 Iowa in the future may result in further formal disciplinary action against his Iowa medical license.

8. **VOLUNTRTY SURRENDER:** Respondent voluntarily surrenders his Iowa medical license to resolve this matter.

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

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

11. 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.

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 to report this Order to the National Practitioner Data Bank and Healthcare Integrity and Protection Data Bank.

14. The 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.



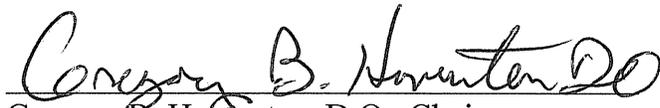
Emmanuel Packianathan, M.D., Respondent

Subscribed and sworn to before me on May 10th, 2013.

Notary Public, State of New York Mallory E Mangas

MALLORY E MANGAS
Notary Public - State of New York
No. 01-MA6202720
Qualified in Erie County
My Commission Expires 03/23/2017

This Order is approved by the Board on June 28, 2013.



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