



July 20, 2016

**TO: Administrative Rules Review Committee, Iowa Legislature
Administrative Rules Coordinator, Office of the Governor of Iowa**

FR: Mark Bowden, Iowa Board of Medicine

RE: Report on waivers or variances granted or denied, January 1-June 30, 2016

Pursuant to Iowa Code § 17A.9A(5), the Iowa Board of Medicine provides the following report on waivers or variances from the requirements of a rule during the first six months of calendar year 2016. These actions were taken pursuant to Iowa Code § 17A.9A and have been dutifully reported to the Iowa Administrative Code Editor's Office and posted at <https://art.iowa.gov/art/index.php> for public access. In addition, these actions are recorded in the Board's minutes, which are available to the public at <http://www.medicalboard.iowa.gov/>

During the period of January 1 through June 30, 2016, the Board received three petitions for waiver of requirements of a rule. The Board found that its action to grant three waivers would not prejudice the substantial legal rights of others because any individual has the option under Board rules to request a waiver of these requirements. Further, the Board determined that any precedent was set only inasmuch that the Board would make the same determination for any and all applicants who meet the exact factors considered by the Board.

The Board, as a part of its ongoing review of administrative rules pursuant to Iowa Code § 17A7(2), will determine in the 2017 fiscal year if the licensure requirements waived should be amended.

The following actions were taken by the Board on the three petitions for a waiver or variance :

IAC-653 9.7(1)e(1) USMLE Exam – Applicants who took the United States Medical Licensure Exam (USMLE) must have passed all components of the exam within a ten-year period. Board certification by the American Board of Medical Specialties or the American Osteopathic Association is required if the applicant was not able to pass Steps 1, 2, and 3 within the required time.

Muhammad Sameer Yameen Arain, M.D.

Date of order: 06/02/2016

Actions: Granted waiver and issued medical license MD-43391

Basis: Applicant exceeded the 10-year limit by two months. He completed a total of 5 years of accredited postgraduate training. He holds active, unrestricted licenses in another state.

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IAC-653 9.3(1)c(3) Postgraduate Training – Applicants must have completed continuous, progressive postgraduate training in a program approved by the Board. The Board approves training programs accredited by Accreditation Council for Graduate Medical Education, American Osteopathic Association, Royal College of Physicians and Surgeons of Canada; and College of Family Physicians of Canada.

Jeff Zhang, M.D.

Date of order: 03/07/2016

Actions: Granted waiver and issued medical license MD-43177

Basis: Board considered his time on a temporary Iowa license. His employer voluntarily supplied a proctoring plan and quarterly reports while on the temporary license. He completed one year of accredited training. He completed two years of non-accredited clinical fellowship. The program indicated he received the same training as a physician in an accredited slot. He holds an unrestricted license to practice in Nebraska.

Manish Bajaj, M.D.

Date of order: 06/03/2016

Actions: Granted waiver and issued medical license MD-43499

Basis: He completed one year of accredited training followed by one year of non-accredited training and then an additional year of accredited training. All training was done at University of Iowa Hospitals and Clinics in the radiology department.