

IN THE MATTER OF	*	BEFORE THE MARYLAND
KAMAKSHI NEELKANTAN, M.D.	*	STATE BOARD OF
Respondent	*	PHYSICIANS
License Number: D24744	*	Case Number: 2219-0173

* * * * *

ORDER OF DEFAULT

BACKGROUND

The Maryland Board of Physicians (the “Maryland Board”) received information that Kamakshi Neelkantan, M.D., (the “Respondent”), License Number D24744, was disciplined by the Delaware Board of Medical Licensure and Discipline (the “Delaware Board”). In an Order dated April 2, 2019, the Delaware Board reprimanded the Respondent.

Based on the above referenced Delaware Board sanction, the Maryland Board notified the Respondent at her address of record that it had grounds to charge her 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 determined that the acts for which the Respondent was disciplined in Delaware would be grounds for disciplinary action under H.O. § 14-404(a).

The grounds for disciplinary action under H.O. § 14-404(a) are as follows:

- (27) Sells, prescribes, gives away, or administers drugs for illegal or illegitimate medical purposes;
- (40) Fails to keep adequate medical records as determined by appropriate peer review;

Specifically, on April 23, 2019, the Maryland Board notified the Respondent at her address of record by regular mail of the Board's investigation of this matter, and offered a Consent Order imposing reciprocal discipline. The Respondent was further advised that if she did not respond to the letter within ten days of receipt, the Maryland Board would enter a Default Order making the same findings and imposing the same discipline as in the Delaware Order. On May 7, 2019, this was returned marked "moved, left no address, unable to forward." The Respondent failed to respond to the Maryland Board's notification sent on April 23, 2019.

A second request was sent to the Respondent on May 13, 2019 by electronic mail advising the Respondent that the Maryland Board had not received her response and that the case would be forwarded for consideration of a Default Order if the Maryland Board did not receive a response. The Respondent failed to respond to the Maryland Board's second request sent on May 13, 2019.

The Maryland Board located a potential alternate address for the Respondent. A third request was sent to the Respondent at this alternate address by regular mail, advising the Respondent that the Maryland Board had not received her response and that the case would be forwarded for consideration of a Default Order if the Maryland Board

did not receive a response. The Respondent failed to respond to the Maryland Board's third request sent on May 13, 2019.

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 February 11, 1980.

2. By Order dated April 2, 2019, the Delaware Board reprimanded the Respondent. The Delaware Board found that between at least September 2014 and January 2017, the Respondent wrote multiple prescriptions for N.N., a family member, for Vyvanse (amphetamine salts) and Xanax (alprazolam), both of which are controlled substances. The Delaware Board further found that the Respondent did not keep or maintain any patient records for N.N. during this time period, and did not document any personal assessment or evaluation of N.N. prior to writing these prescriptions.

3. The Delaware Board also found that between at least April 2015 and January 2017, the Respondent wrote multiple prescriptions for N.K.N., a family member, for Vyvanse (amphetamine salts), which is a controlled substance. The Delaware Board further found that the Respondent did not keep or maintain any patient records for N.K.N. during this time period, and did not document any personal assessment or evaluation of N.K.N. prior to writing these prescriptions.

4. The Delaware Board also found that in November of 2016 and February of 2017, the Respondent wrote three prescriptions for S.N., a family member, for Adderall (dextro-amphetamine), which is a controlled substance. The Delaware Board further

found that the Respondent did not keep or maintain any patient records for S.N. during this time period, and did not document any personal assessment or evaluation of S.N. prior to writing these prescriptions.

5. The Respondent also told the Delaware Board investigator that she had been regularly prescribing the above-referenced medications for her family members in another State since they turned 18 years of age. A copy of the Delaware Board Order is attached hereto.

6. The Respondent was duly notified of the Board's determination that there were grounds to charge her with violations of §§ 14-404(a)(21), (27) and (40) of the Act, but she failed to respond to any of the Board's notifications.

7. The Board's factual findings are unrefuted due to the Respondent's default.

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 Delaware Board against the Respondent was for an act or acts that would be grounds for disciplinary action under Health Occ. §§14-404(a)(27) and (40) had those offenses been committed in this state. The Board further concludes that the Respondent was in default with respect to answering the charges, and thus has lost the right to contest them.

III. ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby:

ORDERED that the Respondent be and is hereby **REPRIMANDED**, subject to the following terms and conditions:

a. The Respondent shall remain in compliance with the terms and conditions of the April 2, 2019 Delaware Board Order; and

b. If the Respondent fails to comply with any of the terms of this Default Order, that failure may constitute a violation and, after any required notice and hearing, the Maryland Board may suspend or revoke the Respondent's license; and be it further

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

08/08/2019
Date

Signature on File

Christine A. Farrelly
Executive Director
Maryland Board of Physicians

NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW

Pursuant to Health Occ. § 14-408, the Respondent has the right to seek judicial review of this Final Decision and Order. Any petition for judicial review shall be filed within thirty (30) days from the date of mailing of this Final Decision and Order. The cover letter accompanying this final decision and order indicates the date the decision is mailed. Any petition for judicial review shall be made as provided for in the Administrative Procedure Act, Md. Code Ann., State Gov't § 10-222 and Title 7, Chapter 200 of the Maryland Rules of Procedure.

If the Respondent files a petition for judicial review, the Board is a party and should be served with the court's process at the following address:

Christine A. Farrelly, Executive Director
Maryland State Board of Physicians
4201 Patterson Avenue, 4th Floor
Baltimore, Maryland 21215

Notice of any petition should also be sent to the Board's counsel at the following address:

Norren M. Rubin, Assistant Attorney General
Maryland Office of the Attorney General
Maryland Department of Health
300 West Preston Street, Suite 302
Baltimore, Maryland 21201

Certified True Copy

Korubee Singh
Delaware Division of Professional Regulation

BEFORE THE DELAWARE BOARD OF MEDICAL LICENSURE AND DISCIPLINE

IN RE: KAMAKSHI NEELKANTAN, M.D.)

) Case No.: 10-38-17

LICENSE NO.: C1-0002048)

ORDER

WHEREAS, the Board of Medical Licensure and Discipline has reviewed this matter;

and

WHEREAS, the Board of Medical Licensure and Discipline approves the Consent

Agreement of the parties and intends to enter it as an Order of the Board;

IT IS HEREBY ORDERED this 2nd day of April, 2019

Shana Williams-Mayer

Mary C. Lappas

John J. [Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

IN RE: KAMAKSHI NEELKANTAN, M.D.)
) Case No.: 10-38-17
 LICENSE NO.: C1-0002048)

A written Complaint was filed with the Delaware Board of Medical Licensure and Discipline alleging that Karnakshi Neelkantan ("Respondent"), a licensed physician, engaged in conduct that constitutes grounds for discipline pursuant to Delaware's *Medical Practice Act* (24 Del. C. Ch. 17).

The State of Delaware, by the undersigned Deputy Attorney General, and Respondent submit this Consent Agreement for approval by the Board as a means of resolving the pending administrative prosecution against Respondent pursuant to 24 *Del. C.* Ch. 17 and 29 *Del. C.* Ch. 101.

1. Respondent is a licensed medical doctor in the State of Delaware. Her license, number C1-0002048, was issued on September 8, 1981 and expires on March 31, 2019. Her license is currently active.

2. Respondent is currently employed at the AMNA Medical Center located in Elkton, Maryland, providing Suboxone therapy for medication assisted treatment.

3. Between at least September 2014 and January of 2017, Respondent wrote multiple prescriptions for N.N., a family member, for Vyvanse (amphetamines salts) and Xanax (alprazolam), both of which are controlled substances.

4. Respondent did not keep or maintain any patient records for N.N. during this time period.

5. Respondent did not document any personal assessment or evaluation of N.N. prior

to writing prescriptions for N.N.

6. Between at least April of 2015 and January of 2017, Respondent wrote multiple prescriptions for N.K.N., a family member, for Vyvanse (amphetamine salts) which is controlled substances.

7. Respondent did not keep or maintain any patient records for N.K.N. during this time period.

8. Respondent did not document any personal assessment or evaluation of N.K.N. prior to writing prescriptions for N.K.N.

9. In November of 2016 and February of 2017, Respondent wrote three prescriptions for S.N., a family member, for Adderall (dextro-amphetamine), which is a controlled substance.

10. Respondent did not keep or maintain any patient records for S.N. during this time period.

11. Respondent did not document any personal assessment or evaluation of S.N. prior to writing prescriptions for S.N.

12. During a conversation with an investigator from the Division of Professional Regulation, Respondent admitted to the above-referenced conduct.

13. Respondent also told the investigator that she had been regularly prescribing the above-referenced medications for her family members in another State since they turned 18 years of age.

14. Respondent violated 24 *Del. C.* § 1731(b)(3) Regulation 8.1.13 as she failed to adequately maintain and properly document patient records.

15. Respondent violated 24 *Del. C.* § 1731(b)(11) as she engaged in misconduct or a pattern of negligence in the practice of medicine.

16. Respondent admits that the allegations set forth in paragraphs one through nine

above are true and correct.

17. The State and Respondent agree that the appropriate disciplinary sanction is as follows:

- a. Respondent shall be issued a letter of reprimand; and
- b. Within 90 days of the Board's acceptance of this Consent Agreement as a Final Order of the Board, Respondent shall complete nine (9) continuing medical education hours: three (3) hours in the area of medical record documentation and record keeping practices and six (6) hours in the area of prescription of controlled substances. These continuing education hours shall be in addition to the hours required for licensure renewal.

18. The parties to this Consent Agreement are the State of Delaware and Respondent. The parties agree and acknowledge that nothing contained in this Consent Agreement shall affect any rights or interests of any person not a party to this Agreement.

19. Respondent acknowledges that he is waiving his rights under 24 *Del. C.* Ch. 17 and 29 *Del. C.* Ch. 101 to a hearing before the Board prior to the imposition of disciplinary sanctions.

20. Respondent hereby acknowledges and agrees that he has carefully read and understands this Consent Agreement, and is entering into this Consent Agreement freely, knowingly, voluntarily, and after having received or having been afforded the opportunity to receive the advice of counsel.

21. Respondent acknowledges that this Consent Agreement is a public record within the meaning of 29 *Del. C.* § 10002 and will be available for public inspection and copying as provided for by 29 *Del. C.* § 10003.

22. The parties acknowledge and agree that this Consent Agreement is subject to approval by the Board.

23. The parties acknowledge and agree that if the Board does not accept this Consent Agreement, it shall have no force or effect, except as follows:

- a. Neither Respondent, nor anyone on his behalf, will in any way or in any forum challenge the ability of the Board or any of its members to conduct an evidentiary hearing relating to the allegations in the subject Complaint;
- b. The Consent Agreement, or conduct or statements made in negotiating the Consent Agreement, will be inadmissible at any administrative, civil or criminal legal proceeding; and
- c. No provision contained in the Agreement shall constitute or have the effect of an admission by Respondent as to any fact alleged in the Complaint in this matter or in this Agreement.

24. If the Board accepts the Consent Agreement and enters it as an Order, the Consent Agreement shall be admissible as evidence at any future proceedings before the Board.

25. Respondent acknowledges and agrees that the Board will report this Consent Agreement to the licensing authority of any other state in which he is licensed to practice.

26. The parties acknowledge and agree that this Consent Agreement, along with any exhibits, addendums, or amendments hereto, encompasses the entire agreement of the parties and supersedes all previous understandings and agreements between the parties, whether oral or written. There are no other terms, obligations, covenants, representations, statements or conditions, or otherwise, of any kind whatsoever concerning this agreement.

27. This Consent Agreement, and any disciplinary sanctions contained herein, shall be effective upon acceptance by the Board and entry of the Board's Order.

[signatures on the next page]

Kamakshi Neelkantam

Kamakshi Neelkantam, M.D.
Respondent

Dated: February 18th 2019

Zoe Pterhoples

Zoe Pterhoples (LD. No.: 5415)
Deputy Attorney General

Dated: 2/18/19

Devashree Singh

Devashree Singh
Executive Director
Delaware Board of Medical Licensure and Discipline

Dated: 3.21.2019