

IN THE MATTER OF
SHIVANGI AMIN, M.D.

Respondent

License Number: D80834

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BEFORE THE
MARYLAND STATE
BOARD OF PHYSICIANS
Case Number: 2217-0099B

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CONSENT ORDER

On April 25, 2019, Disciplinary Panel B (“Panel B”) of the Maryland State Board of Physicians (the “Board”) charged **SHIVANGI AMIN, M.D.**, (the “Respondent”), License Number D80834, under the Maryland Medical Practice Act (the “Act”), Md. Code Ann., Health Occ. II §§ 14-101 *et seq.* (2014 Repl. Vol. & 2017 Supp.).

The pertinent provisions of the Act under Health Occ. II § 14-404(a) provide as follows:

**§ 14-404. Denials, reprimands, probations, suspensions, and revocations
– Grounds.**

(a) *In general.* 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:

...

(22) Fails to meet appropriate standards as determined by appropriate peer review for the delivery of quality medical and surgical care performed in an outpatient surgical facility, office, hospital, or any other location in this State;

...

(40) Fails to keep adequate medical records as determined by appropriate peer review[.]

On June 26, 2019 Panel B was convened as a Disciplinary Committee for Case Resolution (“DCCR”) in this matter. Based on negotiations occurring as a result of this

DCCR, the Respondent agreed to enter into this Consent Order, consisting of Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. At all times relevant hereto, the Respondent was and is licensed to practice medicine in the State of Maryland. The Respondent was originally licensed to practice medicine in Maryland on December 31, 2012. Her license is scheduled to expire on September 30, 2020. The Respondent also holds a license in Virginia.
2. The Respondent is not board-certified in any medical specialty.
3. The Respondent was employed at a pain clinic in Frederick, Maryland, from September 2016 until the clinic closed in May 2017. The Respondent was the only physician employed by the clinic during this time.
4. On or about April 24, 2017, the Board received a complaint from a former patient of the Respondent regarding the Respondent's Controlled Dangerous Substances ("CDS") prescribing practices.
5. Thereafter, the Board initiated an investigation of the Respondent that included conducting an under-oath interview of the Respondent, subpoenaing ten patient records, and referring the records and related material to a peer review entity for review by two physicians board-certified in physical medicine and rehabilitation/pain.
6. When interviewed by Board staff, the Respondent stated that she had taken a pain management course offered by a private medical training organization. Review of

the courses offered by the organization revealed that the courses are one to three days in length.

7. As summarized below, upon review of the Respondent's records, the peer reviewers concurred that the Respondent had failed to meet the appropriate standards for the delivery of quality medical care in seven of the ten cases reviewed (Patients 1, 2, 3, 4, 6, 8, and 10) and failed to maintain adequate medical records in four of the ten records (Patients 1, 2, 3, and 6).
 - a. The Respondent consistently prescribed excessively high dosages of highly addictive short-acting opioids and long-acting opioids in the absence of clinical evidence to support the dosages prescribed (Patients 1, 2, 3, 4, 6, 8, and 10);
 - b. The Respondent prescribed high dosages of opioids that were in excess of the morphine equivalent recommended for chronic pain management (Patients 1, 2, 3, 4, 6, 8, and 10);
 - c. The Respondent prescribed benzodiazepines in conjunction with opioids (Patients 1 and 2);
 - d. The Respondent failed to modify treatment plans when patients demonstrated aberrant behavior including inconsistent urine drug tests ("UDTs"). Inconsistent UDT results include positive results for either drugs not prescribed or illicit drugs, or negative tests for drugs that were prescribed, which should raise concern for diversion (Patients 4, 6, and 10);

- e. The Respondent failed to obtain updated imaging studies or other objective clinical indications of a patient's pain (3, and 4);
 - f. The Respondent failed to taper or wean patients from excessive dosages of opioids in spite of the lack of functional improvement or pain control over extended periods of time (Patients 1, 2, and 10);
 - g. The Respondent failed to provide naloxone to reverse effects of opioid overdose (Patients 1, 3, 6, and 8);
8. The peer reviewers concurred that the Respondent failed to maintain adequate medical records for Patients 1, 2, 3 and 6. Specifically, the peer reviewers noted that the Respondent failed to provide adequate documentation of physical examinations, treatment rationale, and medical decision-making.

CONCLUSIONS OF LAW

Based on the Findings of Fact, Panel B concludes as a matter of law that the Respondent failed to meet the standard of care for the delivery of quality medical services, in violation of Health Occ. § 14-404(a)(22) and failed to keep adequate medical records, in violation of Health Occ. § 14-404(a)(40).

ORDER

It is thus by Panel B, hereby:

ORDERED that the Respondent is **REPRIMANDED**.

ORDERED that the Respondent is placed on **PROBATION** for a minimum of **TWO YEARS**.¹ During probation, the Respondent shall comply with the following terms and conditions of probation:

¹ If the Respondent's license expires during the period of probation, the probation and any

- (1) During probation, the Respondent is prohibited from prescribing or dispensing all Controlled Dangerous Substances (CDS).
- (2) During probation the Respondent is prohibited from certifying patients for the medical use of cannabis.
- (3) During probation, the Respondent's delegation agreements, if any, shall be modified to prohibit the respondent from supervising Physician Assistants in their prescribing all CDS or certifying for cannabis.
- (4) Within **SIX (6) MONTHS**, the Respondent is required to take and successfully complete a course in appropriate prescribing of CDS and a course in medical documentation. The following terms apply:
 - (a) it is the Respondent's responsibility to locate, enroll in and obtain the disciplinary panel's approval of the course before the course is begun;
 - (b) the disciplinary panel will not accept a course taken over the internet;
 - (c) the Respondent must provide documentation to the disciplinary panel that the Respondent has successfully completed the course;
 - (d) the course may not be used to fulfill the continuing medical education credits required for license renewal;
 - (e) the Respondent is responsible for the cost of the course.

AND IT IS FURTHER ORDERED that the Respondent shall not apply for early termination of probation; and it is further

ORDERED that, after the Respondent has complied with all terms and conditions of probation and the minimum period of probation imposed by the Consent Order has passed, the Respondent may submit a written petition for termination of probation. After consideration of the petition, the Respondent's probation may be administratively terminated through an order of the disciplinary panel if the Respondent has complied with all probationary terms and conditions and there are no pending complaints relating to the charges; and it is further

ORDERED that a violation of probation constitutes a violation of the Consent Order; and it is further

ORDERED that the effective date of the Consent Order is the date the Consent Order is signed by the Executive Director of the Board. The Executive Director signs the Consent Order

conditions will be tolled.

on behalf of the disciplinary panel which has imposed the terms and conditions of this Consent Order; and it is further

ORDERED that the Respondent is responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and it is further

ORDERED that, if the Respondent allegedly fails to comply with any term or condition imposed by this Consent Order, the Respondent shall be given notice and an opportunity for a hearing. If the disciplinary panel determines there is a genuine dispute as to a material fact, the hearing shall be before an Administrative Law Judge of the Office of Administrative Hearings followed by an exceptions process before a disciplinary panel; and if the disciplinary panel determines there is no genuine dispute as to a material fact, the Respondent shall be given a show cause hearing before a disciplinary panel; and it is further

ORDERED that after the appropriate hearing, if the disciplinary panel determines that the Respondent has failed to comply with any term or condition imposed by this Consent Order, the disciplinary panel may reprimand the Respondent, place the Respondent on probation with appropriate terms and conditions, or suspend with appropriate terms and conditions, or revoke the Respondent's license to practice medicine in Maryland. The disciplinary panel may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine on the Respondent; and it is further

ORDERED that this Consent Order is a public document. *See* Health Occ. §§ 1-607, 14-411.1(b)(2) and Gen. Prov. § 4-333(b)(6).

08/15/2019
Date

Signature on File

Christine A. Farrelly
Executive Director
Maryland State Board of Physicians

CONSENT

I, Shivangi Amin, M.D. acknowledge that I have consulted with counsel before signing this document.

I assert that I am aware of my right to a formal evidentiary hearing, pursuant to Md. Code Ann., Health Occ. § 14-405 and Md. Code Ann., State Gov't §§ 10-201 *et seq.* concerning the pending charges. I waive this right and have elected to sign this Consent Order instead.

I acknowledge the validity and enforceability of this Consent Order as if entered after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my behalf, and to all other substantive and procedural protections as provided by law. I waive those procedural and substantive protections. I acknowledge the legal authority and the jurisdiction of the disciplinary panel to initiate these proceedings and to issue and enforce this Consent Order.

I voluntarily enter into and agree to comply with the terms and conditions set forth in the Consent Order as a resolution of the charges. I waive any right to contest the Findings of Fact and Conclusions of Law and Order set out in the Consent Order. I waive all rights to appeal this Consent Order.

I sign this Consent Order, without reservation, and fully understand the language and meaning of its terms.

Signature on File

8/5/19

Date

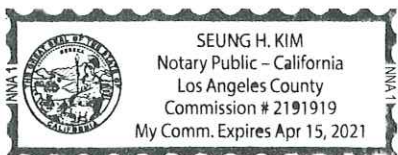
Shivangi Amin, M.D.
Respondent

NOTARY

STATE OF California
CITY/COUNTY OF Los Angeles

I HEREBY CERTIFY that on this 5th day of August 2019, before me,
a Notary Public of the foregoing State and City/County, personally appeared Shivangi
Amin, M.D., and made oath in due form of law that signing the foregoing Consent Order
was her voluntary act and deed.

AS WITNESSETH my hand and notarial seal.



[Signature]
Notary Public

My Commission expires: 04/15/2021