

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the matter of

MOHAN VISWA KAZA, M.D.
License Number: 43-01-075190

File Number: 43-15-136357

FINAL ORDER

On April 10, 2015, an Administrative Complaint (Complaint) was executed that charged Mohan Viswa Kaza, M.D. (Respondent) with violating sections 16221(b)(v), 16221(b)(xi) and 16221(f) of the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq.

Based upon Respondent's conviction as set forth in the Complaint, the Department of Licensing and Regulatory Affairs (Department) summarily suspended Respondent's license to practice medicine in the state of Michigan by Order of Summary Suspension dated April 10, 2015.

The Complaint notified Respondent that pursuant to section 16231 of the Public Health Code, supra, Respondent's failure to respond to the Complaint within 30 days from the date of receipt would be treated as an admission of the allegations contained in the Complaint and would result in the transmittal of the Complaint directly to the Disciplinary Subcommittee of the Michigan Board of Medicine (Disciplinary Subcommittee) for imposition of an appropriate sanction.

Contrary to section 16231 of the Public Health Code, supra, Respondent failed to provide a written response to the allegations set forth in the Complaint within 30 days from receipt.

The Disciplinary Subcommittee, having read the Order of Summary Suspension and the Complaint, considered this matter at a regularly scheduled meeting held in Lansing, Michigan on July 15, 2015 and imposed a sanction pursuant to section 16231(9) of the Public Health Code, supra. Therefore,

IT IS ORDERED that the Order of Summary Suspension dated April 10, 2015, is DISSOLVED, as of the effective date of this Order.

IT IS FURTHER ORDERED that for violating sections 16221(b)(v) 16221(b)(xi) and 16221(f) of the Public Health Code, supra, Respondent's license to practice medicine in the state of Michigan is SUSPENDED for a minimum of one day, commencing on the effective date of this Order.

IT IS FURTHER ORDERED that Respondent's license shall be automatically reinstated IF WITHIN SIX MONTHS FROM THE EFFECTIVE DATE OF THIS ORDER the Department receives satisfactory written evidence from the Health Professional Recovery Program (Contractor) verifying that Respondent has undergone a substance abuse/chemical dependency evaluation, has entered into a disciplinary, non-confidential monitoring agreement (monitoring agreement) with the Contractor AND that the Contractor has endorsed Respondent as safe to practice; OR that the Contractor has determined that Respondent does not require treatment monitoring. It shall be Respondent's responsibility

to contact the Contractor by telephone at 1-800-453-3784 and to comply with the requests of the Contractor regarding submission to an evaluation and entry into a monitoring agreement, if required. All costs associated with this process shall be Respondent's responsibility. If the Contractor determines that Respondent is in need of treatment monitoring, Respondent shall enter into and shall comply with all terms of a monitoring agreement with the Contractor.

Section 7311(6) of the Public Health Code, supra, provides that a controlled substance license is automatically void if a licensee's license to practice is suspended or revoked under Article 15 of the Public Health Code. Pursuant to section 7311(6) of the Public Health Code, supra, Respondent's controlled substance license is automatically void, commencing on the effective date that Respondent's license to practice medicine in the state of Michigan is suspended.

IT IS FURTHER ORDERED that Respondent shall submit a copy of the signed and fully executed monitoring agreement AND written confirmation that the Contractor has endorsed Respondent as safe to practice, or written confirmation from the Contractor that Respondent is not in need of treatment monitoring, to the **Department of Licensing and Regulatory Affairs, Regulatory and Compliance Division, Sanction Monitoring, P.O. Box 30670, Lansing, MI 48909.**

IT IS FURTHER ORDERED that in the event Respondent's license remains suspended for more than six months, Respondent must apply for reinstatement of the license. In the event Respondent applies for reinstatement of the license, application for

reinstatement shall be in accordance with sections 16245 and 16247 of the Public Health Code, supra.

IT IS FURTHER ORDERED that for the cited violations of the Public Health Code, in the event that Respondent's license to practice medicine is automatically reinstated, and only if Respondent has entered into a monitoring agreement with the Contractor, Respondent shall be placed on PROBATION for one year, commencing on the effective date of automatic reinstatement. The terms of probation shall be as follows:

1. MONITORING AGREEMENT: Respondent shall, if applicable, comply fully with the terms of a monitoring agreement entered into with the Contractor.

If it is confirmed by the Contractor that Respondent has failed to comply with the terms of a monitoring agreement, the Contractor shall **immediately** notify the Department in writing.

To the extent that the terms of a monitoring agreement call for reports, Respondent shall submit all reports in the manner specified by the monitoring agreement.

All information and documentation acquired by the Contractor in developing and implementing a monitoring agreement required herein, including but not limited to urinalyses, reports of AA/NA attendance, reports of mental and physical evaluations, controlled substance logs, therapist reports, chemical dependency/substance abuse treatment facility or recovery program records or reports, shall be made available to the Department to establish Respondent's compliance or noncompliance with the monitoring agreement and this Order.

Upon Respondent's successful completion of the monitoring agreement, the Contractor shall promptly notify the Department in writing.

2. REPORTING PROCEDURE: Respondent authorizes the Department or its authorized representative to

periodically contact the reporting individuals or agencies to inquire of Respondent's progress.

Respondent shall direct all communications, required by the terms of this Order to: Department of Licensing and Regulatory Affairs, Regulatory and Compliance Division, Sanction Monitoring, P.O. Box 30670, Lansing, MI 48909.

The timely filing of all information relating to this Order shall be Respondent's responsibility, and failure to file the required information within the time limitations herein provided shall be deemed a violation of an order of the Disciplinary Subcommittee.

3. COMPLIANCE WITH THE PUBLIC HEALTH CODE: Respondent shall comply with all applicable provisions of the Public Health Code and rules promulgated thereunder.
4. COSTS: Respondent shall be solely responsible for payment of all costs incurred in complying with the terms of this Order.

IT IS FURTHER ORDERED that Respondent shall be automatically discharged from probation at the end of the probationary period, PROVIDED Respondent has complied with the terms of this Order and has not violated the Public Health Code.

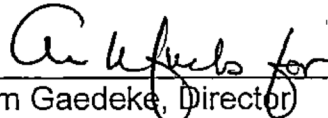
This Final Order is a public record required to be published and made available to the public pursuant to section 11(1)(a) of the Michigan Freedom of Information Act, 1976 PA 442, as amended; MCL 15.241(1)(a); and this action may be reported to the National Practitioner Data Bank, and any other entity as required by state or federal law, in accordance with 42 USC 11101-11152.

IT IS FURTHER ORDERED that in the event Respondent violates any provision of this Order, the Disciplinary Subcommittee may proceed to take disciplinary action pursuant to Mich Admin Code, R 338.1632 and section 16221(h) of the Public Health Code, supra.

IT IS FURTHER ORDERED that this Order shall be effective on the date signed by the Disciplinary Subcommittee's Chairperson or authorized representative, as set forth below.

Dated: 9/8/2015

**MICHIGAN BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE**

By 
Kim Gaedeke, Director
Bureau of Professional Licensing

This is the final page of a Final Order in the matter of Mohan Viswa Kaza, M.D., File Number 43-15-136357, before the Disciplinary Subcommittee of the Michigan Board of Medicine, consisting of six pages, this page included.

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