

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BEFORE THE STATE BOARD OF MEDICINE**

**Commonwealth of Pennsylvania  
Bureau of Professional and  
Occupational Affairs**

**v.**

**Altaf Suleman Kasmani, M.D.  
Respondent**

**Case No.: 19-49-016738**

**ORDER OF TEMPORARY SUSPENSION AND NOTICE OF HEARING**

AND NOW, this 22<sup>nd</sup> day of September, 2020, upon review of the Petition for Temporary Suspension of the license to practice as a medical physician and surgeon held by Altaf Suleman Kasmani, M.D. (*hereinafter* "Respondent"), license number MD445992, filed by the Prosecuting Attorney for the Commonwealth of Pennsylvania, State Board of Medicine (*hereinafter* "Board") makes the following findings and enters the following Order:

**SUSPENSION ORDER**

The Board finds the Prosecuting Attorney has alleged facts in the Petition, which, if taken as true, establish at each and every count that the Respondent's continued practice as a medical physician and surgeon within the Commonwealth of Pennsylvania, along with the exercise of any other licenses, registrations, certificates, approvals, authorizations, or permits (*hereinafter referred to collectively as* "authorizations to practice the profession") issued by the Board, makes Respondent an immediate and clear danger to the public health and safety. Therefore in accordance with Section 40(a) of the Medical Practice Act, Act of December 20, 1985, P.L. 457, No. 112, ("Act"), 63 P.S. § 422.40(a), the Board **ORDERS** that the licenses to practice as a medical physician and surgeon issued to the Respondent, license number MD445992, along

Prothonotary Filed On: Sep 22 2020 11:13 AM Department of State
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authorizations to practice the profession issued by the Board to Respondent, are **TEMPORARILY SUSPENDED** upon the service of this Order. Respondent shall surrender his wall certificate(s), biennial renewal certificate(s) and wallet card(s) (or notarized affidavit of their loss or destruction) to representatives of the Bureau of Enforcement and Investigation or the Bureau of Professional and Occupational Affairs, immediately upon service of this Order in accordance with the Act at 63 P.S. § 422.44.

### **PRELIMINARY HEARING**

A preliminary hearing shall be scheduled and conducted by the Board or Office of Hearing Examiners to be convened within thirty (30) days from the date of issuance of this Order. The preliminary hearing shall be limited to evidence on the issue of whether there is a *prima facie* case to support the temporary suspension of the Respondent's license and other authorizations to practice the profession issued by the Board. The preliminary hearing will be held at a location designated by the Board or a hearing examiner for the Board.

The Respondent is entitled to be present at the preliminary hearing and may be represented by an attorney, cross-examine witnesses, inspect physical evidence, call witnesses, offer evidence and testimony and make a record of the proceedings.

If the Board or hearing examiner finds a *prima facie* case is not established, Respondent's license and other authorizations to practice the profession issued by the Board will be immediately restored. If a *prima facie* case is established, the temporary suspension shall remain in effect until vacated by the Board, but in no event longer than 180 days, unless otherwise ordered or agreed to by the participants.



### **ADDITIONAL FORMAL ACTION**

In addition to this temporary suspension proceeding, the prosecuting attorney will commence a separate action to suspend, revoke or otherwise restrict Respondent's license and other authorizations to practice the profession issued by the Board through the filing of a charging document, an Order to Show Cause. The Order to Show Cause may include, but not be limited to, the facts which were alleged in the Petition for Immediate Temporary Suspension. Any Order to Show Cause filed by the prosecuting attorney will be served upon the Respondent and the Order will direct Respondent to reply to the charges in a written answer within twenty (20) days of the issuance of the Order to Show Cause. A formal hearing on that Order to Show Cause will then be scheduled and conducted by the Board or the Hearing Examiner for the Board.

### **PROCEDURES**

Continuances will be granted for good cause only. A request for a continuance must be filed with the Prothonotary, in writing, at least one (1) week prior to the date of the hearing. The requirement of the one (1) week advance filing of a request for continuance will be waived only upon a showing of good cause. The failure to have an attorney present and a request for continuance to retain an attorney will not be considered a valid reason for the granting of a continuance on the day of the hearing. **A request by the Respondent for an extension of time or a continuance which will delay the preliminary hearing or the formal hearing must be accompanied by the agreement of the Respondent that the 180-day temporary suspension will continue during whatever additional time is necessary to conclude the proceedings.**

All proceedings are conducted in accordance with the Administrative Agency Law, 2 Pa.C.S. §§ 501-508, 701-704; 63 Pa.C.S. §§ 3101, *et seq.*; and the General Rules of Administrative Practice and Procedure, 1 Pa. Code §§ 31.1-35.251. A record of the hearing will be stenographically prepared by an official reporting service. A copy of the transcript may be secured by personally making arrangements with the reporting service at the time of the hearing.

Any document submitted in this matter must be filed with the Prothonotary via one of the following methods:

**By Mail:**

Prothonotary  
Department of State  
2601 N Third St  
PO Box 2649  
Harrisburg, PA 17105-2649

**By Facsimile:**

(717)772-1892

**By E-mail:**

ra-prothonotary@pa.gov

Also, you must send a separate copy of any documents submitted in this matter to the prosecuting attorney named below at:

Mark R. Zogby  
Prosecuting Attorney  
Commonwealth of Pennsylvania  
Department of State  
P.O. Box 69521  
Harrisburg, PA 17106-9521  
mzogby@pa.gov

**BY ORDER:  
BEFORE THE STATE BOARD OF  
MEDICINE PROBABLE CAUSE  
SCREENING PANEL**

**Paul Joseph  
Valigorsky, II, MD**  
Committee Member



APPROVE

DENY

RECUSE FROM DECISION

**Ronald Domen, MD**  
Committee Member

APPROVE

DENY

RECUSE FROM DECISION

**Mary Pat Howard,**  
Alternate Committee  
Member

APPROVE

DENY

RECUSE FROM DECISION

Board Counsel:

Shana Walter, Dana Wucinski

For the Commonwealth:

Mark R. Zogby  
Prosecuting Attorney  
Commonwealth of Pennsylvania  
Bureau of Professional and Occupational Affairs  
P.O. Box 69521  
Harrisburg, PA 17106-9521

Respondent:

Altaf Suleman Kasmani, M.D.  
692 Patrick Henry Circle  
West Chester, PA 19382

File No.:

19-49-016738

Date of Issuance:

09/22/20

mzogby@pa.gov

**BY ORDER:  
BEFORE THE STATE BOARD OF  
MEDICINE PROBABLE CAUSE  
SCREENING PANEL**

**Paul Joseph  
Valigorsky, II, MD**  
Committee Member

\_\_\_\_\_  
*APPROVE*

\_\_\_\_\_  
*DENY*

\_\_\_\_\_  
*RECUSE FROM DECISION*

**Ronald Domen, MD**  
Committee Member

*R. Domen, MD*  
\_\_\_\_\_  
*APPROVE*

\_\_\_\_\_  
*DENY*

\_\_\_\_\_  
*RECUSE FROM DECISION*

**Mary Pat Howard,  
MD**  
Alternate Committee  
Member

\_\_\_\_\_  
*APPROVE*

\_\_\_\_\_  
*DENY*

\_\_\_\_\_  
*RECUSE FROM DECISION*

Board Counsel:

Shana Walter, Dana Wucinski

For the Commonwealth:

Mark R. Zogby  
Prosecuting Attorney  
Commonwealth of Pennsylvania  
Bureau of Professional and Occupational Affairs  
P.O. Box 69521  
Harrisburg, PA 17106-9521

Respondent:

Altaf Suleman Kasmani, M.D.  
692 Patrick Henry Circle  
West Chester, PA 19382

File No.:

19-49-016738

Date of Issuance:

*09/22/20*  
\_\_\_\_\_

**BY ORDER:  
BEFORE THE STATE BOARD OF  
MEDICINE PROBABLE CAUSE  
SCREENING PANEL**

**Paul Joseph  
Valigorsky, II, MD**  
Committee Member

                      
*APPROVE*

                      
*DENY*

                      
*RECUSE FROM DECISION*

**Ronald Domen, MD**  
Committee Member

                      
*APPROVE*

                      
*DENY*

                      
*RECUSE FROM DECISION*

**Mary Pat Howard**  
Alternate Committee  
Member

*Mary Patricia Howard*  
                      
*APPROVE*

                      
*DENY*

                      
*RECUSE FROM DECISION*

Board Counsel:

Shana Walter, Dana Wucinski

For the Commonwealth:

Mark R. Zogby  
Prosecuting Attorney  
Commonwealth of Pennsylvania  
Bureau of Professional and Occupational Affairs  
P.O. Box 69521  
Harrisburg, PA 17106-9521

Respondent:

Altaf Suleman Kasmani, M.D.  
692 Patrick Henry Circle  
West Chester, PA 19382

File No.:

19-49-016738

Date of Issuance:

09/24/20

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BEFORE THE STATE BOARD OF MEDICINE**

**Commonwealth of Pennsylvania  
Bureau of Professional and  
Occupational Affairs**

**v.**

**Altaf Suleman Kasmani, M.D.  
Respondent**

**Case No.: 19-49-016738**

**PETITION FOR IMMEDIATE TEMPORARY SUSPENSION**

**AND NOW**, the Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs, by and through its Prosecuting Attorney, Mark R. Zogby, petitions the State Board of Medicine (*hereinafter* "Board") for the immediate temporary suspension of the license to practice as a medical physician and surgeon issued to **Altaf Suleman Kasmani, M.D.** (*hereinafter* "Respondent"), along with any other licenses, registrations, certificates, approvals, authorizations, or permits (*hereinafter referred to collectively as* "authorizations to practice the profession") issued by the Board to Respondent at the time this Petition is Granted, pursuant to Section 40(a) of the Medical Practice Act, Act of December 20, 1985, P.L. 457, No. 112, ("Act") as amended, (*hereinafter* "Act"), 63 P.S. § 422.40(a), and in support thereof alleges as follows:

1. Petitioner is the Bureau of Professional and Occupational Affairs, a departmental administrative agency within the Pennsylvania Department of State.
2. Respondent holds a license to practice as a medical physician and surgeon in the Commonwealth of Pennsylvania, license no. MD445992.

3. Respondent's license was originally issued on June 11, 2012, is current through December 31, 2020, and, absent further Board action, may be renewed, reactivated or reinstated thereafter upon the filing of the appropriate documentation and payment of the necessary fees.

4. At all times pertinent to the Factual Allegations, Respondent held a license to practice as a medical physician and surgeon in the Commonwealth of Pennsylvania.

5. Respondent's last known address on file with the Board is 692 Patrick Henry Circle, West Chester, PA 19382.

6. On or about September 1, 2020, a Criminal Complaint was filed against the Respondent in Magisterial District Court No. MDJ-38-1-19 at docket no. MJ-38119-CR-0000306-2020 (*hereinafter* "Criminal Complaint").

7. The Criminal Complaint charged the Respondent with the following:

- a. 35 P.S. §780-113(a)(12) (24 counts) – The acquisition or obtaining of a controlled substance by misrepresentation, fraud, forgery, deception or subterfuge (Ungraded Felony);
- b. 35 P.S. §780-113(a)(16) (1 count) – Knowingly or intentionally possessing a controlled or counterfeit substance by a person not registered under this act, or a practitioner not registered or licensed by the appropriate State Board, unless the substance was obtained directly from, or pursuant to, a valid prescription order or order of a practitioner, or except as otherwise authorized by this act (Ungraded Misdemeanor);
- c. 35 P.S. §780-113(a)(21) (2 counts) – The refusal or failure to make, keep or furnish any record, notification, order form, statement, invoice or information required under this act (Ungraded Misdemeanor);

- d. 18 Pa.C.S.A. §4120(a) (14 counts) – Identity Theft (Third Degree Felony);
- e. 18 Pa.C.S.A. §4120(a) (10 counts) – Identity Theft (First Degree Misdemeanor); and
- f. 18 Pa.C.S.A. §4101(a)(3) (24 counts) – Forgery (First Degree Misdemeanor).

8. The Affidavit of Probable Cause supporting the Criminal Complaint set forth the following facts:

- a. Respondent is a partner at Advanced Behavioral Treatment Center located in Royersford, Pennsylvania (*hereinafter* “Practice”);
- b. Agata Kaminska is a certified registered nurse practitioner (*hereinafter* “CRNP Kaminska”) at the Practice;
- c. Neither Respondent, his wife nor his minor son are patients of CRNP Kaminska;
- d. Investigators showed CRNP Kaminska ten (10) prescriptions using her DEA Number; the prescriptions were written for Respondent, his wife and his minor son between October 30, 2018 and September 3, 2019;
- e. CRNP Kaminska reviewed the prescriptions and confirmed that she neither wrote nor authorized any of them;



f. All ten (10) prescriptions were for controlled substances, consisting of the following: two (2) prescriptions for Phentermine (Schedule IV); five (5) prescriptions for Vyvanse (Schedule II); two (2) prescriptions for Adderall (Schedule II); and one (1) prescription for Adzenys XR ODT (Schedule II);

g. Onilda Herran, M.D. (*hereinafter* "Dr. Herran") is a physician at the Practice;

h. Respondent's wife and Respondent's minor son are not patients of Dr. Herran;

i. Dr. Herran never wrote nor authorized a prescription for Respondent's wife;

j. Dr. Herran wrote one emergency Vyvanse prescription for Respondent's minor son, but never wrote nor authorized another prescription for Respondent's minor son;

k. Dr. Herran never gave Respondent permission to use her name and/or DEA Number on any prescriptions;

l. Investigators showed Dr. Herran fifteen (15) prescriptions using her DEA Number; the prescriptions were written for Respondent's wife and minor son between November 11, 2016 and August 26, 2018;

m. Dr. Herran reviewed the prescriptions and confirmed that she wrote and authorized one (1) prescription, the aforementioned emergency prescription, but neither wrote nor authorized the remaining fourteen (14) prescriptions;

n. All fourteen (14) unauthorized prescriptions were for controlled substances, consisting of the following: three (3) prescription for Phentermine (Schedule IV) and eleven (11) prescriptions for Vyvanse (Schedule II);

o. When interviewed Respondent admitted that Dr. Herran moved to Florida and, after she moved, he used her DEA Number to write prescriptions for his son;

p. Respondent reviewed the fourteen (14) unauthorized prescriptions and admitted that all fourteen (14) were in his handwriting and contained his signature;

q. Respondent admitted that his minor son did not attend a doctor's visit for any of the prescriptions and Respondent did not keep any medical records when he wrote the prescriptions;

r. Respondent admitted that his wife is not a patient of Dr. Herran or CRNP Kaminska;

s. Respondent admitted that the Phentermine prescriptions for his wife, using both Dr. Herran's and CRNP Kaminska's DEA Numbers, were written and signed by him without either Dr. Herran's or CRNP Kaminska's permission and no medical records exist for these prescriptions;

t. Respondent admitted that his minor son is not a patient of CRNP Kaminska;

u. Respondent admitted that the Adderall and Vyvanse prescriptions for his minor son, using CRNP Kaminska's DEA Number, were written and signed by him without CRNP Kaminska's permission and no medical records exist for these prescriptions; and

v. Respondent admitted that he wrote the prescriptions because he wanted to save time and money by not having doctor visits and because he believed that he could not use his own DEA number on prescriptions for family members.

(A true and correct copy of the Criminal Complaint with the Affidavit of Probable Cause is attached hereto as Exhibit "A.")

9. Following his arrest, Respondent's bail was set at \$50,000.00 unsecured.

10. Presently Respondent is free and able to resume his medical practice.

11. Based upon the foregoing factual allegations, the Respondent's continued practice as a medical physician and surgeon within the Commonwealth of Pennsylvania, along with the exercise of any other authorizations to practice the profession issued by the Board, makes Respondent an immediate and clear danger to the public health and safety.

**WHEREFORE**, the Petitioner respectfully requests that the Board issue an Order immediately suspending all of Respondent's authorizations to practice the profession issued by the Board, pursuant to Section 40(a) of the Medical Practice Act, Act of December 20, 1985, P.L. 457, No. 112, ("Act"), 63 P.S. § 422.40(a).

Respectfully submitted,

/s/ Mark R. Zogby

Mark R. Zogby  
Prosecuting Attorney  
Commonwealth of Pennsylvania  
Department of State  
P.O. Box 69521  
Harrisburg, PA 17106-9521  
(717) 783-7200

DATE: 09/18/20

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF MONTGOMERY



**Arrest Warrant**

Mag. Dist. No. : MDJ-38-1-19  
MDJ Name : Honorable Richard H. Welsh  
Address : 497 West Ridge Pike  
Limerick, PA 19468  
Telephone : 610-495-8440

Commonwealth of Pennsylvania  
v.  
Altat Suleman Kasmani

Complaint No:	BN2049119	Issued For:	Altat Suleman Kasmani
Charging Officer:	Semach, Robert R	Docket No:	MJ-38119-CR-0000306-2020
Arresting Agency:	Office of Attorney General	NCIC OFF:	
Case Filed:	09/01/2020	OOC:	
OTN:	U 909573-0	WARRANT ID:	DIS709747357
Reason For Warrant:	Felony	Warrant Control No:	38119-AW-0000184-2020
Offense Date:	11/30/2016		
Lead Offense:	35 § 780-113 §§ A12 Acq Or Obt Poss Of Contr Subs Mlsre		

**TO THE OFFICER: Robert R Semach**

In the name of the Commonwealth of Pennsylvania, you are commanded to take the defendant, Altat Suleman Kasmani, into custody. When the defendant is taken into custody, bring the defendant before me at the Court address shown above to answer the complaint charging the defendant with the offense(s) set forth above and further to be dealt with according to law.

Witness the hand and official seal of the issuing authority on this 1st day of September, 2020.

September 01, 2020

Date

Magisterial District Judge Welsh



**EXHIBIT  
A**



MJ-38119-CR-0000306-2020



38119-AW-0000184-2020



Altat Suleman Kasmani

MDJS 417

Printed: 09/01/2020 3:30:02PM

1



**FREE INTERPRETER**  
[www.pacourts.us/language-rights](http://www.pacourts.us/language-rights)  
610-495-8440

DOS Prothonotary  
Sep 22 2020

Commonwealth of Pennsylvania  
v.  
Altat Suleman Kasmani

**Warrant Control No: 38119-AW-0000184-2020**  
Docket No: MJ-38119-CR-0000306-2020  
OTN: U 909573-0

**RETURN WHERE DEFENDANT FOUND**

By authority of this warrant, on \_\_\_\_\_, 20 \_\_\_\_\_

I took into custody the within named \_\_\_\_\_, and he/she is

☐ before you for disposition.

☐ In the \_\_\_\_\_ Prison.

**RETURN WHERE DEFENDANT IS NOT FOUND**

☐ After careful search, I cannot find the within named defendant.

\_\_\_\_\_  
(Signature of Police Officer - Name and Title)

Service Costs:		Additional Statutorily Authorized Service Costs:	
Warrant	_____	_____	_____
Miles @	_____	_____	_____
Commitments	_____	_____	_____
Miles @	_____	_____	_____
Convey/Transport	_____	_____	_____
Miles @	_____	_____	_____
		Total	_____



Commonwealth of Pennsylvania  
v.  
Altat Suleman Kasmani

Warrant Control No: 38119-AW-0000184-2020  
Docket No: MJ-38119-CR-0000306-2020  
OTN: U 909573-0

### DEFENDANT IDENTIFICATION INFORMATION

LiveScan Tracking Number		Social Security Number		SID (State Identification Number)		FBI Number		
Age 58	Race White	Ethnicity	Gender Male	Eye Color	Hair Color Black	Date of Birth	Weight (lbs) 162	Height(Ft/In) 5' 11"
NCIC Extradition Code / Description: Felony - Extradition Surrounding States Only Distance: Comments:								
Alias				Participant Local No				
Prosecution Commonwealth of Pennsylvania								
Distinguishing Features/Special Considerations								
<b>DEFENDANT LICENSE / VEHICLE INFORMATION</b>								
License Number				State		Expiration Date		
Plate Number	State	Hazmat	Registration Sticker (MM/YYYY)		Comm'l Veh. Ind.	School Veh.	Oth. Veh. Cd	

### DEFENDANT CONTACT INFORMATION

#### DEFENDANT ADDRESS



COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF MONTGOMERY

Magisterial District Number: 38-1-19  
MDJ: Hon. Richard H. Welsh  
Address: 497 West Ridge Pike, Limerick, PA  
19468-1415

Telephone: (610)495-8440



POLICE CRIMINAL COMPLAINT  
COMMONWEALTH OF PENNSYLVANIA  
VS.

DEFENDANT:

(NAME and ADDRESS):

ALTAF

SULEMAN

KASMANI

First Name

Middle Name

Last Name

Gen

692 Patrick Henry Circle, West Chester, PA 19382

COPY

NCIC Extradition Code Type

- |   |   |  |  |
|---|---|--|--|
| <input type="checkbox"/> 1-Felony Full                          | <input type="checkbox"/> 5-Felony Pending Extradition         | <input type="checkbox"/> C-Misdemeanor Surrounding States  | <input type="checkbox"/> Distance: _____ |
| <input type="checkbox"/> 2-Felony Limited                       | <input type="checkbox"/> 6-Felony Pending Extradition Determ. | <input type="checkbox"/> D-Misdemeanor No Extradition      |  |
| <input checked="" type="checkbox"/> 3-Felony Surrounding States | <input type="checkbox"/> A-Misdemeanor Full                   | <input type="checkbox"/> E-Misdemeanor Pending Extradition |  |
| <input type="checkbox"/> 4-Felony No Extradition                | <input type="checkbox"/> B-Misdemeanor Limited                | <input type="checkbox"/> F-Misdemeanor Pending Extradition |  |

DEFENDANT IDENTIFICATION INFORMATION

Docket Number DE-306-20	Date Filed 9/11/2020	OTN/LiveScan Number 4 909573-0	Complaint/Incident Number BN20491-19	Request Lab Services? <input type="checkbox"/> YES <input type="checkbox"/> NO
GENDER <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	DOB [REDACTED]	POB [REDACTED]	Add'l DOB / /	Co-Defendant(s) <input type="checkbox"/>
First Name		Middle Name	Last Name	
Gen.				
AKA				
RACE <input checked="" type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Native American <input type="checkbox"/> Unknown				
ETHNICITY <input type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic <input type="checkbox"/> Unknown				
Hair Color <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> RED (Red/Aubn.) <input type="checkbox"/> SDY (Sandy) <input type="checkbox"/> BLU (Blue) <input type="checkbox"/> PLE (Purple) <input type="checkbox"/> BRO (Brown)				
<input checked="" type="checkbox"/> BLK (Black) <input type="checkbox"/> ONG (Orange) <input type="checkbox"/> WHI (White) <input type="checkbox"/> XXX (Unk/Bald) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> PNK (Pink)				
<input type="checkbox"/> BLN (Blonde / Strawberry)				
Eye Color <input type="checkbox"/> BLK (Black) <input type="checkbox"/> BLU (Blue) <input type="checkbox"/> BRO (Brown) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> GRY (Gray)				
<input type="checkbox"/> HAZ (Hazel) <input type="checkbox"/> MAR (Maroon) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> MUL (Multicolored) <input checked="" type="checkbox"/> XXX (Unknown)				
DNA <input type="checkbox"/> YES <input type="checkbox"/> NO	DNA Location			WEIGHT (lbs.) 162
FBI Number	MNU Number			Ft. HEIGHT In. 5 11
Defendant Fingerprinted <input type="checkbox"/> YES <input type="checkbox"/> NO				
Fingerprint Classification:				

DEFENDANT VEHICLE INFORMATION

Plate #	State	Haz mat <input type="checkbox"/>	Registration Sticker (MM/YY) /	Comm'l Veh. Ind. <input type="checkbox"/>	School Veh. <input type="checkbox"/>	Oth. NCIC Veh. Code	Reg. same as Def. <input type="checkbox"/>
VIN	Year	Make	Model	Style	Color		

Office of the attorney for the Commonwealth ☐ Approved ☐ Disapproved because: \_\_\_\_\_

(The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. See Pa.R.Crim.P. 507).

ADA Samantha Thompson

(Name of the attorney for the Commonwealth)

V.A. Email

(Signature of the attorney for the Commonwealth)

8/25/20

(Date)

I. AGT. ROBERT SEMACH / DET. JAMES VINTER

396 / 1348

(Name of the Affiant)

(PSP/MP/ETC -Assigned Affiant ID Number & Badge #)

of Pennsylvania Office of Attorney General

PA0222400

(Identify Department or Agency Represented and Political Subdivision)

(Police Agency ORI Number)

do hereby state: (check appropriate box)

1. ☒ I accuse the above named defendant who lives at the address set forth above  
☐ I accuse the defendant whose name is unknown to me but who is described as \_\_\_\_\_

☐ I accuse the defendant whose name and popular designation or nickname are unknown to me and whom I have therefore designated as John Doe or Jane Doe with violating the penal laws of the Commonwealth of Pennsylvania at [419] Royersford Borough  
(Subdivision Code) (Place-Political Subdivision)

In MONTGOMERY County [46]  
(County Code)

on or about 11/30/16 - 9/3/19





# POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: / /	OTN/LiveScan Number	Complaint/Incident Number BN20491-19
Defendant Name:	First: ALTAF	Middle: SULEMAN	Last: KASMANI

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically.  
 (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§ 213.1 - 213.7.)

<input checked="" type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____				
<input checked="" type="checkbox"/>	1	780-113	(a)(12)	on the	35	24	F	
Lead?	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (If applicable)	Accident Number			<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone		
Statute Description (include the name of statute or ordinance): <b>CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT, 35 P.S. §780-113(A)(12)</b>								
Acts of the accused associated with this Offense: See Affidavit.								

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____				
<input type="checkbox"/>	2	780-113	(a)(16)	on the	35	1	M	
Lead?	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (If applicable)	Accident Number			<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone		
Statute Description (include the name of statute or ordinance): <b>CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT, 35 P.S. §780-113(A)(16)</b>								
Acts of the accused associated with this Offense: See Affidavit.								

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____				
<input type="checkbox"/>	3	4120	(a)	on the	18	10	M1	
Lead?	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (If applicable)	Accident Number			<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone		
Statute Description (include the name of statute or ordinance): <b>IDENTITY THEFT, 18PA.C.S.A. §4120(A)</b>								
Acts of the accused associated with this Offense: See Affidavit								

**POLICE CRIMINAL COMPLAINT**

<b>Docket Number:</b>	<b>Date Filed:</b> / /	<b>OTN/LiveScan Number</b>	<b>Complaint/Incident Number</b> BN20491-19
<b>Defendant Name:</b>	<b>First:</b> ALTAF	<b>Middle:</b> SULEMAN	<b>Last:</b> KASMANI

<input type="checkbox"/> <b>Inchoate Offense</b>	<input type="checkbox"/> <b>Attempt</b> 18 901 A	<input type="checkbox"/> <b>Solicitation</b> 18 902 A	<input type="checkbox"/> <b>Conspiracy</b> 18 903	<b>Number of Victims Age 60 or Older</b> _____
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<input type="checkbox"/> <b>Lead?</b>	<b>Offense#</b> 4	<b>Section</b> 4101	<b>Subsection</b> (a)(3)	<b>of the</b> 18	<b>Counts</b> 24	<b>Grade</b> M1	<b>NCIC Offense Code</b>	<b>UCR/NIBRS Code</b>
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<b>PennDOT Data</b> (If applicable)	<b>Accident Number</b>	<input type="checkbox"/> <b>Interstate</b>	<input type="checkbox"/> <b>Safety Zone</b>	<input type="checkbox"/> <b>Work Zone</b>
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**Statute Description (include the name of statute or ordinance):** FORGERY, 18PA.C.S.A. §4101(A)(3).

**Acts of the accused associated with this Offense:** See affidavit.

<input type="checkbox"/> <b>Inchoate Offense</b>	<input type="checkbox"/> <b>Attempt</b> 18 901 A	<input type="checkbox"/> <b>Solicitation</b> 18 902 A	<input type="checkbox"/> <b>Conspiracy</b> 18 903	<b>Number of Victims Age 60 or Older</b> _____
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<input type="checkbox"/> <b>Lead?</b>	<b>Offense#</b> 5	<b>Section</b> 780-113	<b>Subsection</b> (a)(21)	<b>of the</b> 35	<b>Counts</b> 2	<b>Grade</b> M	<b>NCIC Offense Code</b>	<b>UCR/NIBRS Code</b>
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<b>PennDOT Data</b> (If applicable)	<b>Accident Number</b>	<input type="checkbox"/> <b>Interstate</b>	<input type="checkbox"/> <b>Safety Zone</b>	<input type="checkbox"/> <b>Work Zone</b>
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**Statute Description (include the name of statute or ordinance):** 35 PA P.S. 780-113(A) (21) THE REFUSAL OR FAILURE TO MAKE, KEEP OR FURNISH ANY RECORD, NOTIFICATION, ORDER FORM, STATEMENT, INVOICE OR INFORMATION REQUIRED UNDER THIS ACT.

**Acts of the accused associated with this Offense:** See affidavit.

<input type="checkbox"/> <b>Inchoate Offense</b>	<input type="checkbox"/> <b>Attempt</b> 18 901 A	<input type="checkbox"/> <b>Solicitation</b> 18 902 A	<input type="checkbox"/> <b>Conspiracy</b> 18 903	<b>Number of Victims Age 60 or Older</b> <u>1</u>
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<input type="checkbox"/> <b>Lead?</b>	<b>Offense#</b> 6	<b>Section</b> 4120	<b>Subsection</b> (a)	<b>of the</b> 18	<b>Counts</b> 14	<b>Grade</b> F3	<b>NCIC Offense Code</b>	<b>UCR/NIBRS Code</b>
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<b>PennDOT Data</b> (If applicable)	<b>Accident Number</b>	<input type="checkbox"/> <b>Interstate</b>	<input type="checkbox"/> <b>Safety Zone</b>	<input type="checkbox"/> <b>Work Zone</b>
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**Statute Description (include the name of statute or ordinance):** IDENTITY THEFT, 18PA.C.S.A. §4120(A)

**Acts of the accused associated with this Offense:** See affidavit.



# POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: / /	OTN/LiveScan Number	Complaint/Incident Number BN20491-19
Defendant Name:	First: ALTAF	Middle: SULEMAN	Last: KASMANI

- I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
- I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S. § 4904) relating to unsworn falsification to authorities.
- This complaint consists of the preceding page(s) numbered 1 through 4.
- I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited.

(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

AGT. R. SEMACH / DET. J. VINTER

(Date)

(Year)

(Signature of Affiant)

AND NOW, on this date

9/1/20

I certify that the complaint has been properly completed and verified.

An affidavit of probable cause must be completed before a warrant can be issued.

38-1-19  
(Magisterial District Court Number)

(Issuing Authority)

SEAL

**AFFIDAVIT OF PROBABLE CAUSE**

**AFFIANTS' BACKGROUND**

**Narcotics Agent Robert Semach**

Your Affiant is Narcotics Agent Robert Semach of the Pennsylvania Office of Attorney General (OAG), Bureau of Narcotics Investigations and Drug Control (BNI) located at 7801 Essington Avenue, Philadelphia, PA. Your Affiant was been an agent with the OAG since 1999.

Your Affiant is authorized to conduct investigations into violations of numerous laws of the Commonwealth, including Act #64, "The Controlled Substance, Drug, Device and Cosmetic Act" (Drug Act) and 18 Pa.C.S.A. §5111, Dealing in the Proceeds of Unlawful Activity; and is empowered to apply for, obtain, and serve warrants to make seizures and/or arrests.

Your Affiant has conducted and participated in numerous criminal investigations, which involve searching for and the seizure of illegal drugs, weapons, documents and the proceeds gained from illegal activity. Your Affiant has made numerous arrests for violations of Drug Act and the Pennsylvania Crimes Code.

Your Affiant has received specific training from the OAG and other organizations in the methods of enforcing drug and money laundering statutes.

**Detective James Vinter**

Your Co-Affiant is Detective James Vinter with the Montgomery County District Attorney's Office and assigned to the Narcotics Enforcement Team (NET).

Your Co-Affiant's career began in 1988 as a part-time police officer in New Hope Borough, Bucks County, Pennsylvania. In 1989, Your Co-Affiant

was hired as a full-time police officer by the Ambler Borough police department, Montgomery County, Pennsylvania. In 1995, Your Co-Affiant, left the Ambler Borough Police Department and was hired by the Whitpain Township Police Department as a police officer. In December 2000, Your Co-Affiant was assigned to the Detective Division with Whitpain Township Police Department. From June 2001 - June 2002, Your Co-Affiant was temporarily assigned to the Montgomery County District Attorney's Narcotic Enforcement Team, which involved the investigation of illegal drug trafficking. During that year, your Affiant made numerous undercover purchases of controlled substances, conducted surveillance of drug law violators, participated in the application and execution of drug-related search and seizure warrants, interviewed drug law violators, cultivated and utilized confidential informants, and conducted preliminary field tests of suspected controlled substances.

In 2008, Your Co-Affiant was hired full-time by the Montgomery County District Attorney and assigned to the Narcotic Enforcement Team (NET). In that capacity, Your Co-Affiant conducted surveillance of drug law violators, participated in the application and execution of drug-related search and seizure warrants, interviewed drug law violators, cultivated and utilized confidential informants, and conducted preliminary field tests of suspected controlled substances, and participated in Court Ordered electronic surveillance of suspects engaged in drug and other crimes.

As an "investigative or law enforcement officer" within the meaning of 18 Pa.C.S.A. §5702, the Wiretapping and Electronic Surveillance Act, Your Co-Affiant has successfully completed wiretapping and electronic surveillance training as mandated in 18 Pa.C.S.A. §5724. As a result, Your Co-Affiant has received the class "A" certification (Certification Number A-1987) enabling him to monitor, utilize, maintain and possess electronic surveillance equipment. Your Co-Affiant is familiar with the use of wiretaps in drug investigations targeting drug dealers and other criminals.

Your Co-Affiant has been the affiant on ten (10) wiretap investigations in drug and illegal gambling cases. Additionally, Your Co-Affiant monitored and conducted surveillance in approximately forty (60) wiretap investigations conducted by the Montgomery County District Attorney's Office.

As an affiant, monitor and/or surveillance officer in investigations involving the use of electronic surveillance, Your Co-Affiant is familiar with how the interception of communications of targeted suspects leads to identification of conspirators, reveals the roles of persons in criminal organizations, leads to the identification of locations where evidence will be found, directs investigators to the most opportune time to execute search warrants, and provides facts necessary to fully prosecute persons for the crimes they commit. These investigations resulted in the seizures of large quantities of marijuana, cocaine, heroin, methamphetamine, prescription pills, paraphernalia and United States Currency proceeds of criminal activities. These searches for evidence included locations in the Pennsylvania counties of Montgomery, Chester, Berks, Delaware and Philadelphia, and in the State of Florida.

Your Co-Affiant attended numerous courses of instruction relating to drug investigations. Said courses provided me with hundreds of hours of in-service training concerning illegal drug investigations. This instruction was provided by the Montgomery County Municipal Police Academy, the Pennsylvania Attorney General's Office, the Pennsylvania State Police, the Montgomery County (PA) District Attorney's Office, the Montgomery County Detective Bureau (NET), the Multi-Jurisdictional Counterdrug Task Force, the United States Department of Transportation, the Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLN), the Drug Enforcement Education Program, the Drug Enforcement Administration (DEA), the Pennsylvania Narcotics Officers Association, the Philadelphia Police Department, the Philadelphia District Attorney's Office, the Supreme Court Justice (NY), and the New York District Attorney's Office. Your Co-Affiant also

received training and certification sponsored by Becton Dickinson Public Safety for the Narcotic Identification System (NIK), Ferguson Test Kits, and ODV, Inc. for NarcoPouch and Narcotest. In October of 2003, Your Co-Affiant attended and graduated from the Top Gun training seminar. This seminar is exclusively centered on the investigation and prosecution of drug law violators within the Commonwealth of Pennsylvania

Your Co-Affiant has been the affiant in excess of one thousand (1,000) drug-related arrests. In addition, Your Co-Affiant has been present as an officer/detective providing direct assistance and support to other law enforcement officers for additional drug-related arrests that exceed two thousand (2,000) in number. Your Co-Affiant has been qualified as an expert witness in drug trafficking in U.S. Federal Court, the Court of Common Pleas and District Court level.

Additionally, Your Co-Affiant has been the affiant resulting in the arrest and convictions of two separate doctors involved in the overprescribing of prescription medication, as well as, assisted other agencies with investigations involving the overprescribing of prescription medication. Some of these doctors are currently incarcerated in a state correctional facility, while others are awaiting trial.

Your Affiant and Your Co-Affiant are aware of the circumstances of this case and are personally involved in the investigation of the facts contained in this affidavit.

### **SUBJECT OF INVESTIGATION**

Dr. Altaf Suleman Kasmani (DOB [REDACTED]) is the subject of this investigation. Dr. Kasmani has a current Maryland driver's license (DLN1) with an expiration date of 7/28/20 and shows an address of 7510 Haystack Drive, 25-62, Windsor Mill, Maryland. However, Dr. Kasmani has told Your Affiant on 1/14/20 that he lives on the weekends at 692 Patrick Henry Circle, West Chester, Pennsylvania and lives during the weekdays at 7300 Marion Terrance, Bldg. A, Apartment 8201, Upper Darby, Pennsylvania.

According to an internet search, Dr. Altaf Kasmani (MD) has a medical office named Advance Behavioral Health Treatment Center located at 830 Chestnut Street, Royersford, Montgomery County, Pennsylvania.

On 11/19/19, Your Affiant checked the Pennsylvania Department of State, Bureau of Professional and Occupational Affairs website and found that Altaf Suleman Kasmani is licensed by the PA Medical Board as a medical physician with a current license (MD445992), which was issued on 6/11/12 and expires on 12/31/20.

During the course of the investigation, it was discovered that Dr. Kasmani had used the prescription pads of the following prescribers (who worked in the same offices with Dr. Kasmani) without their permission to obtain controlled substances for Dr. Kasmani's wife and son:

- Agata Kaminska, CRNP (Certified Registered Nurse Practitioner)
- Onilda Herran, MD (Medical Doctor)



### **PROBABLE CAUSE**

On 11/2/19, Agata Kaminska, a Certified Registered Nurse Practitioner (CRNP) submitted a complaint to the Pennsylvania Office of Attorney General, which Your Affiant began to investigate. She alleged that Dr. Altaf Kasmani had used her prescriptions to obtain controlled substances for Dr. Kasmani's son. CRNP Kaminska noted that she also contacted the Royersford Police Department regarding this matter.

On 11/19/19, Your Affiant queried the Pennsylvania Prescription Drug Monitoring Program (PDMP) for Schedule II Controlled Substances showing CRNP Kaminska as the prescriber. Your Affiant found eight (8) CRNP Kaminska Schedule II Controlled Substance (Vyvanse or Dextroamp-Amphetamine) prescriptions for [REDACTED]. One of the prescriptions was dispensed at Wegmans in Glen Mills on 11/10/18 and the other seven (7) prescriptions were dispensed at Einstein Livewell Pharmacy in Philadelphia. The last one was filled on 8/2/19. Your Affiant later found during the investigation that [REDACTED] is Dr. Altaf Kasmani's son.

On 11/19/19, Your Affiant stopped at Royersford Police Department and obtained a copy of the police report regarding Dr. Kasmani using CRNP Kaminska's prescriptions. Your Affiant was informed by Detective David Taylor that he contacted Montgomery County Detectives Narcotics Enforcement Team regarding the diversion.

On 11/20/19, Your Affiant spoke via phone to CRNP Agata Kaminska, who stated that for the past two (2) years she has only worked on Sundays at Advance Behavioral Health Treatment Center in Royersford. She said Dr. Kasmani is a partner of the practice. CRNP Kaminska stated the following:

- Her prescriptions were locked in a desk at the practice and the secretary would unlock and give Kaminska her pad(s) to use.

- She was informed by the office secretary that one of her prescriptions was faxed to the office on 10/24/19. The pharmacy refused to fill the prescription because all controlled substance prescriptions from PA physicians need to be e-scribed. The faxed prescription was for Dr. Kasmani's minor son, [REDACTED]
- [REDACTED] was not one of CRNP Kaminska's patients and she never wrote or authorized this prescription.
- She found the handwriting on the prescription was Dr. Kasmani's handwriting because she is familiar with Dr. Kasmani's handwriting.
- She had contacted the DEA and Royersford Police about the diversion.

On 11/21/19, Your Affiant went to Wegmans #126 pharmacy located at 100 Applied Bank Boulevard, Glen Mills, PA. Your Affiant obtained one (1) CRNP Agata Kaminska Vyvanse 10 mg prescription #2003964 for

Additionally, your affiant found three (3) prescriptions from the pad of Dr. Onilda Herran 10 mg Vyvanse prescriptions #2003442, 2002778 and 2003692 for [REDACTED] In addition, Your Affiant obtained notes showing who picked up the medication; signature logs and drug profiles on both [REDACTED] and [REDACTED] mother of [REDACTED] and wife of Dr. Kasmani).

While Your Affiant was at Wegmans #126, Drug Enforcement Administration (DEA) Tactical Diversion Squad/PA Department of State, Bureau of Enforcement and Investigation (PA DOS/BEI) Investigator Sherilyn Gillespie arrived at this Wegmans pharmacy seeking the same prescriptions regarding a DEA / PA DOS investigation of Dr. Altaf Kasmani.

On 11/25/19, Your Affiant met with DEA/PA DOS Investigator Gillespie, DEA Diversion Investigator Gabrielle Stern and Your Co-Affiant regarding the

fraudulent controlled substance prescriptions that are tied to Dr. Altaf Kasmani. Your Affiant agreed to work the case with Investigators Gillespie and Stern and Your Co-Affiant.

On 11/27/19, Your Affiant and Investigator Gillespie obtained a statement from CRNP Agata Kaminska. She stated that

[REDACTED] are not her patients and the following prescriptions were not written or authorized by her:

- Wegmans #126 (Glen Mills), Vyvanse prescription #2003964 for [REDACTED] note pharmacy's database showed name as [REDACTED]
- Giant #6442 (Havertown), Phentermine prescription #4011786 for Altaf Kasmani;
- Sav-On #7735 (Glen Mills), Phentermine prescription #4356150 for [REDACTED]
- Einstein Livewell Pharmacy (1321 W. Tabor Road), Vyvanse prescription #556093 for [REDACTED]
- Einstein Livewell Pharmacy (1321 W. Tabor Road), Adzenys XR ODT (Oral Dissolving Tablet) prescription #552812 for [REDACTED]
- Einstein Livewell Pharmacy (1321 W. Tabor Road), Vyvanse prescription #551300 for [REDACTED]
- Einstein Livewell Pharmacy (1321 W. Tabor Road), Adderall prescription #551301 for [REDACTED]
- Einstein Livewell Pharmacy (1321 W. Tabor Road), Vyvanse prescription #544784 for [REDACTED]
- Einstein Livewell Pharmacy (1321 W. Tabor Road), Adderall prescription #532711 for [REDACTED] and [REDACTED]
- Einstein Livewell Pharmacy (1321 W. Tabor Road), Vyvanse prescription #532710 for [REDACTED]

The above fraudulent CRNP Agata Kaminska prescriptions were presented/filled from 10/30/18 to 9/3/19.

On 12/3/19, Your Affiant received an email from Investigator Gillespie with copies of controlled substance prescriptions for [REDACTED] and Altaf Kasmani that were from Einstein Livewell, Sav-On (Acme) #7735 (Glen Mills), ShopRite #597 (West Chester) and Giant #6442 (Havertown) pharmacies and are listed above. Investigator Gillespie had obtained these copies through a PDMP query.

On 12/4/19, Your Affiant obtained statements from Sav-On #7735 (Glen Mills) pharmacist Christine Betzala, pharmacy technician Colleen Wahn and pharmacist Teresa Peterson, who all identified [REDACTED] as the person presenting the fraudulent controlled substance prescriptions showing Onilda Herran (MD) and Agata Kaminska (CRNP) as the prescribers. Pharmacist Christine Betzala identified [REDACTED] the person who presented three (3) prescriptions (#4356150, 4355185) for herself and one (1) prescription (#7343835) for [REDACTED]. Pharmacist Teresa Peterson identified [REDACTED] the person who presented one (1) prescription (#7346112) for herself and one (1) prescription (#7349041) for [REDACTED]. Pharmacy technician Colleen Wahn identified [REDACTED] as the person who presented and picked up one (1) prescription (#4355796) for herself and one (1) prescription (#7349041) for [REDACTED].

Note Your Affiant was informed by the above pharmacy staff that Sav-On #7735 pharmacy (Glen Mills) uses to be known as Sav-On #3735 pharmacy.

### INTERVIEW OF DOCTOR ONILDA HERRAN

During the course of the investigation Your Affiant received an email from Dr. Onilda Herran, who verified that [REDACTED] as not one of her patients and that she did not write or authorize the prescriptions from Wegmans #126 (Glen Mills) that Your Affiant provided to her.

On 12/9/19, Your Affiant received an email from Dr. Onilda Herran, who stated the following: [REDACTED] as never my patient. I never wrote or authorized any controlled substance prescriptions (including Phentermine) for [REDACTED]

On 12/16/19, Your Affiant spoke (via phone) to Dr. Onilda Herran, who stated the following after, reviewing Vyvanse prescription #427124 dated 10/17/16 for [REDACTED]

- That she did sign one emergency Vyvanse prescription for Dr. Altaf Kasmani's son at the request of Dr. Kasmani, but no more than one prescription.
- That she never gave Dr. Altaf Kasmani permission to use her name/DEA Number on any prescription before or after Dr. Herran moved to Florida.

On 7/25/20, Agent Semach received an emailed PDF file with a spreadsheet listing of scripts and a short statement of Dr. Onilda Herran (MD), who stated that [REDACTED] were never her patients; and after reviewing fifteen (15) controlled substance prescription for [REDACTED] showing Dr. Herran's name/DEA number as the prescriber, Dr. Herran stated that these prescriptions were not authorized by her except for one prescription (script #427124):

- Wegmans #126 (Glen Mills), Vyvanse prescription #2003692 for [REDACTED]
- Wegmans #126 (Glen Mills), Phentermine prescription #4355796 for [REDACTED]
- Wegmans #126 (Glen Mills), Vyvanse prescription #2003442 for [REDACTED]  
[REDACTED] note pharmacy's database showed name as [REDACTED]
- Einstein Livewell Pharmacy (1321 W. Tabor Road), Vyvanse prescription #494091 for [REDACTED]
- Einstein Livewell Pharmacy (1321 W. Tabor Road), Vyvanse prescription #494092 for [REDACTED]
- Einstein Livewell Pharmacy (1321 W. Tabor Road), Vyvanse prescription #488032 for [REDACTED]
- Sav-On #7735 (Glen Mills), Phentermine prescription #4355185 for [REDACTED]
- Wegmans #126 (Glen Mills), Vyvanse prescription #2002778 for [REDACTED]
- Sav-On #7735 (Glen Mills), Vyvanse prescription #7351430 for [REDACTED]  
[REDACTED] note pharmacy's database showed name as [REDACTED]
- Sav-On #7735 (Glen Mills), Vyvanse prescription #7349041 for [REDACTED]
- Einstein Livewell Pharmacy (1321 W. Tabor Road), Vyvanse prescription #440687 for [REDACTED]

- Sav-On #7735 (Glen Mills), Phentermine prescription #7346112 for [REDACTED]
- Sav-On #7735 (Glen Mills), Vyvanse prescription #7343835 for [REDACTED]
- CVS #1074 (Kennett Square), Vyvanse prescription #933647 for [REDACTED] and [REDACTED]
- Einstein Livewell Pharmacy (1321 W. Tabor Road), Vyvanse prescription #427124 for [REDACTED] script that was authorized by Herran)

The above fraudulent Dr. Onilda Herran scripts were presented/filled from 11/30/16 to 8/26/18.

Note that Dr. Onilda Herran is also know as Onilda Lilia HERRAN DE ESTEVEZ and was born in 1956.

#### **INTERVIEW OF OFFICE MANAGER KELLY LEATHERMAN**

On 12/11/19, Your Affiant and Investigator Gillespie interviewed former Advance Behavioral Health Treatment Center (ABHTC) office manager Kelly Leatherman, who stated:

- On either a Monday or Tuesday in October, she received a fax from pharmacy which had two (2) CRNP Agata Kaminska prescriptions for [REDACTED] dated 10/24/19. One prescription was for Adderall and the other was Vyvanse.
- Hand printing and signature on the two (2) prescriptions belongs to Dr. Altaf Kasmani.
- That Vyvanse is misspelled on the prescription as "Vyvance."

**INITIAL STATEMENT OF DOCTOR ALTAF KASMANI**

On 12/16/19, Your Affiant and Investigator Gillespie obtained a statement from Dr. Altaf Kasmani at Advance Behavioral Health Treatment Center (ABHTC) located at 830 Chestnut Street, Royersford, PA. Dr. Altaf Kasmani stated the following:

- Dr. Kasmani's son, [REDACTED] was treated by a psychiatrist (Kasmani could not recall the provider's name) 3-4 years ago, who prescribed Vyvanse for ADHD and ODD. However, this previous psychiatrist closed his practice, so Dr. Kasmani asked his colleague, Dr. Onilda Herran, at Cognitive Behavioral Health Services (CBHS) to renew [REDACTED] medication (Vyvanse). Dr. Herran wrote 2-3 prescriptions before moving to Florida.
- He said after Dr. Herran moved to Florida, he wrote the prescriptions to [REDACTED] using Dr. Herran's DEA Number because she initially wrote the prescriptions for [REDACTED] and we both were covering patients for each other.
- After reviewing the Dr. Herran Vyvanse prescriptions and one Adderall prescription for [REDACTED] Kasmani admitted "the handwriting and signature(s) are all mine except for script #427124 that Dr. Herran had signed. My son was not present [with Dr. Herran]. I just requested she provide the prescriptions."
- He stated, "No doctor's visits, whenever [REDACTED] as low I asked Herran [for another prescription]."
- On October 31, 2019, Dr. Kasmani prescribed Adderall and Vyvanse to [REDACTED] because he was running out. He stated, "No, no prescription record or medical file because I was not sure it was legal to prescribe to a family member, so I did not keep a medical record."
- "My wife, [REDACTED] I picked up and dropped off the [Dr. Herran] prescriptions [for [REDACTED]]"



## **SECOND STATEMENT OF DOCTOR ALTAF KASMAINI**

On 1/14/20, Your Affiant and Investigator Gillespie obtained a statement from Dr. Altaf Kasmani at Upper Darby Free Library located at 501 Bywood Avenue, Upper Darby, Pa. Dr. Altaf Kasmani stated the following:

- His wife, [REDACTED] is not a patient of Dr. Herran. The Dr. Herran Phentermine prescriptions in his wife's name were written and signed by him without Dr. Herran's permission. No medical record exists regarding these prescriptions.
- His wife, [REDACTED] not a patient of CRNP Agata Kaminska. The CRNP Kaminska Phentermine prescriptions in his wife's name were written and signed by him without CRNP Kaminska's permission and that no medical record exists regarding these prescriptions.
- His son, [REDACTED] is not a patient of CRNP Kaminska. The Kaminska Adderall and Vyvanse prescriptions in his son's name were written and signed by him without CRNP Kaminska's permission and that no medical record exists regarding these prescriptions.
- He wrote the prescriptions because he wanted to save money and time by not having doctor visits. He hesitated to put his name on controlled substance prescriptions for family members.
- Kasmani stated that Dr. John Thomas was his son's actual physician and Dr. Natalie Tussey took over for a short time after, so prescriptions under those prescriber names are not fraudulent.
- He stated the phentermine prescription in his own name was a mistake. He said he meant to write his wife's name on the prescription.
- Kasmani said all Adderall and Vyvanse were taken by [REDACTED]. However, he is no longer taking any more for the past two or three months.

### **PENNSYLVANIA STATUTES THAT APPLY TO MEDICAL PHYSICIANS**

Your Affiants aver that the following statutes apply to medical physicians who practice in Pennsylvania regarding the prescribing of controlled substances and the records to be kept by physicians:

49 PA §16.92 (b) When prescribing, administering or dispensing drugs regulated under this section, a person licensed to practice medicine and surgery in this Commonwealth or otherwise licensed or regulated by the Board shall carry out, or cause to be carried out, the following minimum standards:

- (1) *Initial medical history and physical examination.* An initial medical history shall be taken and an initial physical examination shall be conducted unless emergency circumstances justify otherwise. Medical history and physical examination information recorded by another licensed health care provider may be considered if the medical history was taken and the physical examination was conducted within the immediately preceding 30 days. The physical examination shall include an objective evaluation of the heart, lungs, blood pressure and body functions that relate to the patient's specific complaint.
- (4) *Medical records.* Accurate and complete medical records must document the evaluation and care received by patients.
  - (i) On the initial occasion when a drug is prescribed, administered or dispensed to a patient, the medical record must include the following:
    - (A) A specification of the symptoms observed by the licensed health care provider and reported by the patient.
    - (B) The diagnosis of the condition for which the drug is being given.
    - (C) The directions given to the patient for the use of the drug.
    - (D) The name, strength and quantity of the drug and the date on which the drug was prescribed, administered or dispensed.

(ii) After the initial occasion when a drug is prescribed, administered or dispensed, the medical record must include the information required in subsection (b)(4)(i)(D) and changes or additions to the information recorded under subsection (b)(4)(i)(A)—(C).

35 P.S. §780-112(b) - Every practitioner licensed by law to administer, dispense or distribute controlled substances shall keep a record of all such substances administered, dispensed or distributed by him, showing the amount administered, dispensed or distributed, the date, the name and address of the patient. Such record shall be kept for two years from the date of administering, dispensing or distributing such substance and shall be open for inspection by the proper authorities.

35 P.S. §780-111(a) Except when dispensed or administered directly to the patient by a practitioner or his authorized agent, other than a pharmacist, to an ultimate user, no controlled substance in Schedule II, may be dispensed without the written prescription of a practitioner, except in emergency situations, as prescribed by the secretary by regulation. No prescription for a controlled substance in Schedule II may be refilled.

35 P.S. §780-111(d) A practitioner may prescribe, administer, or dispense a controlled substance or other drug or device only (i) in good faith in the course of his professional practice, (ii) within the scope of the patient relationship, and (iii) in accordance with treatment principles accepted by a responsible segment of the medical profession. A practitioner may cause a controlled substance, other drug or device or drug to be administered by a professional assistant under his direction and supervision.

49 Pa. Code §16.95 (e) A patient's medical record shall be retained by a physician for at least 7 years from the date of the last medical service for which a medical record entry is required. The medical record for a minor patient shall

be retained until 1 year after the minor patient reaches majority, even if this means that the physician retains the record for a period of more than 7 years.

### **CONCLUSION**

Based on the above information and Your Affiants' training and experience, Your Affiants aver that Dr. Altaf Kasmani used the prescription pads and DEA numbers of CRNP Agata Kaminska and Dr. Olinda Herran (MD) without their permission to obtain controlled substances for his son, his wife and himself.

Your Affiants request that an arrest warrant be issued for Dr. Altaf Kasmani for the following charges:

- 35 PA P.S. 780-113(a)(12) Acquisition by Misrepresentation [F], 24 counts;
- 35 PA P.S. 780-113(a)(16) Possession of a Controlled Substance [M], 1 count;
- 35 PA P.S. 780-113(a)(21) The refusal or failure to make, keep or furnish any record, ... or information required under this act [M], 2 counts.
- 18 Pa. C.S.A. 4120 (a) Identity Theft [M1], 10 counts.
- 18 Pa. C.S.A. 4120 (a) Identity Theft [F3], 14 counts.
- 18 Pa. C.S.A. 4101 (a)(3) Forgery [M1], 24 counts.

  
Agent Robert Semach, (POAG)

9-1-20

DATE

Detective James Vinter, (MCDB)

DATE

SWORN TO AND SUBSCRIBED BEFORE ME THIS 1<sup>st</sup> September DAY OF SEPTEMBER, 2020.

  
Magisterial District Judge

**CONFIDENTIAL**



**Confidential Information Form  
Criminal Complaint**

Complete the defendant's SSN Information if known. If this form is submitted as part of a Police Criminal Complaint, the NCIC Cautions/Medical Conditions and Scars/Marks/Tattoos sections should also be completed if known:

Docket Number:	Date Filed: / /	OTN/LiveScan Number (LiveScan number preferred)	Complaint/Incident Number BN20491-19
Defendant Name	First: ALTAF	Middle: SULEMAN	Last: KASMANI

**NCIC Cautions and Medical Conditions (check up to 9)**

<input type="checkbox"/> 00	<input type="checkbox"/> 20	<input type="checkbox"/> 50	<input type="checkbox"/> 70	<input type="checkbox"/> 01
<input type="checkbox"/> 05	<input type="checkbox"/> 25	<input type="checkbox"/> 55	<input type="checkbox"/> 80	
<input type="checkbox"/> 10	<input type="checkbox"/> 30	<input type="checkbox"/> 60	<input type="checkbox"/> 85	
<input type="checkbox"/> 15	<input type="checkbox"/> 40	<input type="checkbox"/> 65	<input type="checkbox"/> 90	

Scars, Marks, Tattoos  
(NCIC Codes)

**Confidential Information**

Name: <u>Altaf S. Kasami</u>	Social Security Number: <u>[REDACTED]</u>
<input checked="" type="checkbox"/> Defendant	Financial Information:
<input type="checkbox"/> Other: _____	
Name: _____	Social Security Number: _____
<input type="checkbox"/> Defendant	Financial Information: _____
<input type="checkbox"/> Other: _____	
Name: _____	Social Security Number: _____
<input type="checkbox"/> Defendant	Financial Information: _____
<input type="checkbox"/> Other: _____	
Name: _____	Social Security Number: _____
<input type="checkbox"/> Defendant	Financial Information: _____
<input type="checkbox"/> Other: _____	
Name: _____	Social Security Number: _____
<input type="checkbox"/> Defendant	Financial Information: _____
<input type="checkbox"/> Other: _____	

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BEFORE THE STATE BOARD OF MEDICINE**

**Commonwealth of Pennsylvania  
Bureau of Professional and  
Occupational Affairs**

v.

**Altaf Suleman Kasmani, M.D.  
Respondent**

**Case No.: 19-49-016738**

**CERTIFICATE OF SERVICE**

I, Mark R. Zogby, hereby certify that I have this 22<sup>nd</sup> day of September 2020 caused a true and correct copy of the foregoing Petition and Order of Immediate Temporary Suspension to be served upon all parties of record in this proceeding in accordance with the requirements of Section 33.31 of the General Rules of Administrative Practice and Procedure, 1 Pa. Code § 33.31 (relating to service by the agency).

**PERSONAL SERVICE AND CERTIFIED MAIL, ELECTRONIC RETURN RECEIPT:**

Altaf Suleman Kasmani, M.D.  
692 Patrick Henry Circle  
West Chester, PA 19382

9171 9690 0935 0226 5668 06

/s/ Mark R. Zogby

Mark R. Zogby  
Prosecuting Attorney  
Commonwealth of Pennsylvania  
Department of State  
P.O. Box 69521  
Harrisburg, PA 17106-9521  
(717) 783-7200