

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: MOHAMMED K. B. SOORI, M.D.
License No. 0101-237535

ORDER

In accordance with Sections 54.1-2400(10), 2.2-4019 and 2.2-4021 of the Code of Virginia (1950), as amended ("Code"), an informal conference was convened on July 17, 2013, in Henrico, Virginia. Members of the Virginia Board of Medicine ("Board") serving on the Special Conference Committee ("Committee") were: Valerie Lowe Hoffman, D.C., Chair, and Wayne Reynolds, D.O. Dr. Soori did not appear and was not represented by legal counsel. Dale P. Lutke, Adjudication Specialist, was present as a representative for the Administrative Proceedings Division of the Department of Health Professions.

The purpose of the informal conference was to receive and act upon Dr. Soori's Petition for Reinstatement of License to Practice Medicine and Surgery in the Commonwealth of Virginia, and in considering such petition, whether grounds exist to deny the reinstatement. These matters are set forth in the Board's Notice of Informal Conference dated May 15, 2013.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Now, having properly considered the evidence presented, the Board makes the following Findings of Fact and Conclusions of Law:

1. Mohammad K. B. Soori, M.D., was issued license number 0101-237535 by the Board to practice medicine and surgery in the Commonwealth of Virginia on December 29, 2004. Following the summary suspension of Dr. Soori's license by Order of the Board entered

January 29, 2009, he entered into a Consent Order with the Board effective June 22, 2009, which provided for the indefinite suspension of his license.

2. Dr. Soori did not appear in person or by counsel before the Committee in accordance with the Notice of Informal Conference. The Chair of the Committee ruled that proper notice had been provided to Dr. Soori at the address provided on Dr. Soori's Petition for Reinstatement, and the informal conference proceeded in his absence.

3. Dr. Soori violated Sections 54.1-2915.A(3), (13), (16), and (18); 54.1-111.A(1) and (4) of the Code; and 18 VAC 85-20-29(3) and 18 VAC 85-20-100 of the Board of Medicine General Regulations in that his treatment of Patient A, which began in 2007, was and has continued to be exploitative and dangerous to her health and welfare and his conduct has harmed her. Specifically:

a. Patient A has a history of attempted suicide by overdose at least twice and suffers from bipolar disorder, depression and attention deficit disorder. Around the time Dr. Soori's license to practice medicine was summarily suspended on January 29, 2009, she was prescribed Xanax, Abilify, Paxil, Depakote, Adderall and Vicodin for her medical conditions, and Dr. Soori was providing psychotherapy to her.

b. Despite the fact that his license to practice medicine was suspended by the Board, based in part on findings of sexual boundary violations, Dr. Soori admitted that he continued to treat Patient A from approximately February, 2009 until October, 2011 stating "I continued to see her because she wanted my services to deal with her anxiety."

- c. Despite the fact that he claimed Patient A had initiated sex with him or "came on" to him shortly after he began treating her in 2007, Dr. Soori ignored his duty to set professional boundaries and engaged in an improper and exploitative relationship with Patient A, which she reported was sexual in nature throughout the practitioner-patient relationship and throughout the unlicensed treatment of her.
- d. On February 2, 2011, Patient A was admitted to Virginia Beach Psychiatric Center ("VBPC") after she had attempted suicide by Xanax, Paxil and Restoril overdose, and she remained hospitalized there until February 8, 2011. On several occasions during her admission, Patient A believed and communicated to VBPC staff that Dr. Soori was her treating physician (psychotherapist) as evidenced by numerous notations in her chart.
- e. As referenced above, in an effort to deceive Patient A and her Social Worker, Dr. Soori allowed Patient A's Social Worker to confirm an appointment with him for Patient A to receive psychotherapy following her discharge from VBPC. Specifically, the note in Patient A's file reads: "2/8/11 Discharge/Aftercare Plan. . . Appointments with: Psychiatrist: Dr. Soori 757-878-8173 2-15-11 Tuesday 3:00 PM."
- f. Subsequently, Patient A was admitted to the Intensive Care Unit of Sentara Princess Anne Hospital after another intentional overdose and was hospitalized from May 3, 2012 through May 17, 2012 at VBPC.
- g. During treatment at VBPC, Patient A reported to the Medical Director for VBPC that Dr. Soori was her psychiatrist, that he had had sex with her multiple times

at his condominium, and that he had used cocaine and smoked marijuana with her.

h. Patient A reported to a Department of Health Professions' Investigator that, in 2011, Dr. Soori used cocaine with her and smoked marijuana with her during his unlicensed treatment of her at his condominium and that he shoved her up against a wall. Medical records from VBPC support this statement. Further, Patient A stated that she was afraid of Dr. Soori.

i. While Dr. Soori denied smoking marijuana and/or using cocaine with Patient A and denied having sexual intercourse with her, he admitted to hugging her and conducting psychotherapy sessions with her in his condominium after his license was suspended.

j. Dr. Soori exploited his relationship with Patient A for personal gain in that she reported giving him gifts of \$2000 on two occasions, including one \$2000 payment so he could travel to Africa. While he admitted to receiving cash payments from Patient A, Dr. Soori claimed that they were paid to settle her past due bill for treatment.

k. Patient A's ex-husband, from whom she was divorced in 2011, reported to a Department of Health Professions' Investigator that Dr. Soori continued to call Patient A on her cellular telephone in 2010 and/or 2011.

l. The Medical Director of VBPC reported that as a result of Dr. Soori's actions, Patient A was harmed and has been "psychologically worse; unstable; having a hard time with current treatment because of her previous relationship; and not trusting therapists."

4. Dr. Soori is in violation of Sections 54.1-2915.A(2), (4) and (14) of the Code in that he is unfit and unable to practice medicine with reasonable skill and safety due to mental illness and/or substance abuse in that he has been diagnosed with adjustment disorder and he has admitted to chemical abuse and /or dependence but his cooperation with treatment is intermittent and his progress is uncertain as evidenced by the following:

a. Despite his past and present boundary violations and chemical abuse/dependency, Dr. Soori did not seek treatment or therapy for any mental health condition until January 26, 2012, just 13 days before he filed an application for reinstatement of his license to practice medicine in Virginia, even though he described himself as "a mess" to a DHP Investigator for the first year that his license was suspended.

b. Dr. Soori's therapist reported to a Department of Health Professions' Investigator that Dr. Soori never told him that he had continued to treat a patient who had tried to initiate sex with him in 2007, to hug the patient, and to meet with her alone in his condominium throughout 2010 and 2011 after Dr. Soori's license was suspended by the Board.

c. Although Dr. Soori sought the help of a therapist to address the events causing his loss of license, Dr. Soori failed to tell the therapist that the person he was currently seeing had been hospitalized twice for attempted suicide during the time he continued to treat her as a patient and that he had accepted cash from her so he could travel to Africa. Further, Dr. Soori failed to tell his therapist that the Medical Director for VBPC had filed a complaint with the Department of Health Professions alleging that

Dr. Soori had a sexual relationship with Patient A and that he had smoked marijuana and used cocaine with her when he was treating her.

d. When asked by a DHP Investigator if he continued to smoke marijuana, Dr. Soori initially stated he did not remember when he had last smoked marijuana. Later, he stated "in my culture, we use marijuana to cook" and claimed that the positive urine screen for marijuana in 2008 was from ingesting the marijuana not from smoking it. Further, Dr. Soori claimed to have submitted to random urine drug screens while in treatment with the therapist, but has had only one and it was conducted using an expired urine analysis kit.

e. In the previous Board Order entered June 22, 2009, it was noted that on December 26, 2008, Dr. Soori signed a Participation Contract with the Virginia Health Practitioners' Intervention Program ("HPIP") admitting to "chemical abuse and/or dependence and/or mental illness" which may impair his ability to practice medicine safely, yet he failed to seek any treatment or consistently engage in any recovery program to address his abuse and/or dependency issues. Further, in 2008, he was dismissed from HPIP when he continued to practice medicine after being told not to do so.

f. By his own admission, between July, 2009 and September 2009, Dr. Soori voluntarily attended 60 Twelve Step meetings in New York, but he no longer attends Twelve Step meetings because he stated that he wishes to "maintain his privacy." Dr. Soori claims that he does not have a chemical abuse/dependency problem, but that he went to the meetings "to deal with how I lost the career and job I love."

5. Dr. Soori violated Section 54.1-2915.A(18) and 18 VAC 85-20-26(C) and (D) of the Board of Medicine General Regulations in that, while he admits she was his patient, he failed to maintain any record for Patient A from 2007 until January 29, 2009.

6. Dr. Soori violated Sections 54.1-2915.A(1), (16), and (18); 54.111.A(1) and (4); and Section 54.1-2956.9 of the Code in that he practiced acupuncture without holding a valid license. Specifically, Patient A reported that, in 2011, in his condominium, Dr. Soori treated her with acupuncture to relieve stress.

7. Dr. Soori violated Section 54.1-2915.A(4) of the Code in that he is not competent to practice medicine and surgery with safety to the public in that he has not legally practiced medicine since approximately January 29, 2009, when his license was suspended by the Board.

8. Dr. Soori violated the Consent Order of the Board entered June 22, 2009 in that, by his own admission, he failed to comply with certain terms. Specifically:

a. He failed to give notice, by certified mail, of the suspension of his license to practice to all of his patients and to provide a copy of this notice to the Board.

b. He failed to surrender his Drug Enforcement Administration ("DEA") certificate and all DEA 222 Schedule II order forms to the DEA and provide a copy of this surrender notification to the Board as required by the Consent Order. When asked about this by a Department of Health Professions' Investigator, Dr. Soori responded that he wanted to keep the DEA license until he knew the outcome of a Board of Medicine hearing in New York; however, Dr. Soori's license to practice medicine in New York was revoked on November 16, 2009.

9. Dr. Soori violated Sections 54.1-2915.A(1), (12), (15), (16), and (18); 54.1-111.A(2) and (3); and 54.1-2903 of the Code; and 18 VAC 85-20-30.E of the Board of Medicine General Regulations as evidenced by the following false, deceptive, and misleading statements/acts:

a. Despite the fact that his license to practice medicine was suspended by the Board in 2009, by his own admission, in 2010, Dr. Soori placed an advertisement in Tidewater Women Magazine regarding the practice of "Holistic Alternative Medicine" stating "Dr. Soori specializes in Western, Indian (Ayurveda) and Chinese Medicines Herbs, Hypnosis, NLP, Acupuncture, Bio-energy, Yoga, Meditation, Aromatherapy, ADHD, Mood, Stress, Anger, Addictions and Self Healing."

b. When asked by a Department of Health Professions' Investigator about the advertisement referenced in paragraph 10.a. above, Dr. Soori stated "I was advertising due to looking forward" and that he had opened an office in 2010, in preparation to go back into the practice of medicine.

c. On the business card that Dr. Soori gave to a Department of Health Professions' Investigator in 2011 and 2012, he held himself out as a licensed practitioner when he advertised as "Mohammad Soori, MD, Holistic Physician, Holistic Alternative Medicine."

d. As of July 27, 2012, the answering machine message at Dr. Soori's office stated: "Mohammad Soori, M.D. is not available to take your call..."

e. In 2011, Dr. Soori sought employment as a physician with the James Bentley Treatment Program even though his license to practice medicine in Virginia was suspended.

10. Dr. Soori violated Section 54.1-2915.A(5) of the Code in that, by Order of the New York Board for Professional Medical Conduct, which became effective November 23, 2009, the State of New York revoked his license to practice medicine.

ORDER

WHEREFORE, based on the above Findings of Fact and Conclusions of Law, it is hereby ORDERED that Dr. Soori's Petition for Reinstatement of License to Practice Medicine and Surgery in the Commonwealth of Virginia be, and hereby is, DENIED.

It is further ORDERED that Dr. Soori shall not petition the Board for reinstatement of his license for a period of not less than thirty-six (36) months from entry of this Order. Should he seek reinstatement of his license, Dr. Soori shall be noticed to appear before the Board, in accordance with the Administrative Process Act. As petitioner, Dr. Soori will have the burden of proving his competency and fitness to practice medicine in the Commonwealth of Virginia in a safe manner.

Pursuant to Sections 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Section 54.1-2400(10) of the Code, Dr. Soori may, not later than 5:00 p.m., on August 26, 2013, notify William L. Harp, M.D., Executive Director, Board of Medicine, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that he desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

Therefore, this Order shall become final on August 26, 2013; unless a request for a formal administrative hearing is received as described above.

FOR THE BOARD

For William L. Harp, M.D.
William L. Harp, M.D.
Executive Director
Virginia Board of Medicine

ENTERED: 7/23/2013