



COMMONWEALTH of VIRGINIA

Robert A. Nebiker
Director

Department of Health Professions
6603 West Broad Street, 5th Floor
Richmond, Virginia 23230-1712

www.dhp.virginia.gov
TEL (804) 662-9900
FAX (804) 662-9943
TDD (804) 662-7197

February 8, 2006

Saifullah K. Niazi, M.D.
Commonwealth Physicians, Inc.
4906 Cutshaw Avenue, #105
P. O. Box 6479
Richmond, Virginia 23230

SERVICE BY HAND
&
FIRST CLASS MAIL

RE: License No.: 0101-024968

Dear Dr. Niazi:

I enclose a certified copy of the Virginia Board of Medicine's Order of Summary Suspension entered February 8, 2006, affecting your license to practice medicine in the Commonwealth of Virginia. Effective immediately, it shall be unlawful for you to treat patients, prescribe medications, or otherwise practice medicine, or hold yourself out as a licensed physician in the Commonwealth of Virginia.

Further, in accordance with Sections 54.1-105, 54.1-110, 54.1-2408.1, 54.1-2920, 2.2-4020 and 2.2-4021 of the Code of Virginia (1950), as amended ("Code"), you are hereby given notice that the Virginia Board of Medicine ("Board") will convene a formal administrative hearing to receive and act upon evidence that you may have violated certain laws governing the practice of medicine and surgery in Virginia, as set forth in the attached Statement of Particulars.

The formal administrative hearing will be held in accordance with the provisions of Sections 54.1-2400(11) and 2.2-4024F of the Code, before a panel of the Board, with a member of the Board presiding. You have been scheduled to appear before the Board on **Friday, March 24, 2006, at 9:00 a.m., in the offices of the Department of Health Professions, 6603 West Broad Street, Richmond, Virginia.** A map is enclosed for your convenience. Please register with the receptionist on the 5th floor, who will direct you to the exact location of the hearing.

You have the following rights, among others: to be accompanied by and represented by counsel, to submit oral and documentary evidence and rebuttal proofs, to conduct such cross-examination as may elicit a full and fair disclosure of the facts, and to have the proceedings completed and a decision made with dispatch. Should you wish to subpoena witnesses, requests for subpoenas must be made, in writing, in accordance with the enclosed Instructions for Requesting Subpoenas.

Please carefully read the following paragraphs, which contain date-sensitive and important information regarding this proceeding.

COMMONWEALTH'S EVIDENCE

You have the right to the information that will be used by the Board in reaching a decision regarding this matter; therefore, I enclose the Commonwealth's evidence. Please note that these documents have been hand delivered to you with the Order of Summary Suspension. A copy of these documents has been provided to your counsel, Christopher Malone, Esquire. If you have any questions or objections regarding the content of this package, you must contact Senior Assistant Attorney General Frank W. Pedrotty at (804) 786-7249. Should you wish to file any objections to the Commonwealth's evidence, you must file your objections in writing, addressed to me at the Board office, no later than **February 23, 2006**. If you have not filed any objections by February 23, 2006, the exhibits will be distributed to the Board members for their review prior to your hearing, and will be considered by the Board as evidence when it deliberates upon your case. If you do file objections, the Commonwealth has until **February 28, 2006**, to file a response to the objections, in writing and addressed to me at the Board office. The chairperson of the proceeding will rule on the motion.

RESPONDENT'S EVIDENCE

Should you wish for the Board to consider additional information relative to this proceeding, you must submit fifteen (15) copies of any such documents to Renee S. Dixon, Discipline Case Manager, Virginia Board of Medicine, 6603 West Broad Street, 5th Floor, Richmond, Virginia 23230, by **March 2, 2006**. You may not submit your documents by facsimile or e-mail. The Commonwealth must file any objections to your submissions in writing, addressed to me at the Board office, no later than **March 6, 2006**. If no objections have been received by **March 6, 2006**, the evidence will be distributed to the Board members for their review, and will be considered by the Board as evidence when it deliberates upon your case. If the Commonwealth raises objections, you have until **March 8, 2006**, to file your response to the objections, in writing and addressed to me at the Board office. The chairperson of the proceeding will rule on the motion.

OTHER PRE-HEARING MOTIONS

If you or Assistant Attorney General Frank W. Pedrotty wish to make any pre-hearing motions regarding matters other than the exhibits, including offers of settlement, each of you

is directed to file motions, in writing, addressed to me at the Board office by **March 1, 2006**. Responses to motions filed must be submitted by **March 6, 2006**. The chairperson of the proceeding will rule on the motion.

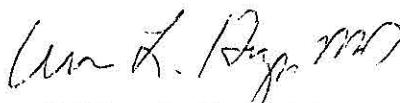
REQUEST FOR A CONTINUANCE

Absent exigent circumstances, such as personal or family illness, a request for a continuance after **February 22, 2006**, will not be considered. If you obtain counsel, you should do so as soon as possible, as a motion for a continuance due to the unavailability of counsel will not be considered unless received by **February 22, 2006**.

Relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of medicine and other healing arts in Virginia cited in this notice can be found at <http://leg1.state.va.us>. To access this information, please click on *Code of Virginia* for laws and *Virginia Administrative Code* for regulations.

Please indicate, by letter to this office, your intention to be present.

Sincerely,



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

sjr/Niazi95NSS.DOC

Enclosures:

Order of Summary Suspension entered February 8, 2006
Statement of Particulars
Attachment I
Instructions for Requesting Subpoenas
Map

cc: Thomas B. Leecost, D.P.M., President, Virginia Board of Medicine
Robert A. Nebiker, Director, Department of Health Professions
Emily O. Wingfield, Assistant Attorney General
Renee S. Dixon, Discipline Case Manager, Board of Medicine
Frank W. Pedrotty, Senior Assistant Attorney General [w/enclosures]
Sheon J. Rose, Adjudication Specialist, APD
Lorraine McGehee, Deputy Director, APD
Christopher M. Malone, Esquire [w/enclosures]
Pamela Twombly, R.N., Regional Enforcement Manager [104695]
Vicki Gwaltney Garrison, Pharmacist, Inspector [94738]

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: SAIFULLAH K. NIAZI, M.D.
License No.: 0101-024968

STATEMENT OF PARTICULARS

The Virginia Board of Medicine ("Board") alleges that:

1. During the course of his providing psychiatric services to Patient A, Dr. Niazi engaged in an inappropriate social relationship with Patient A, which included electronic mailings and telephone calls. Subsequently, Dr. Niazi engaged in sexual misconduct with Patient A. Specifically:

a. Dr. Niazi may have violated Sections 54.1-2915.A(3), (8), (13), (16), (17), (18) and (19) [*formerly Section 54.1-2915(4) and Sections 54.1-2914.A(3), (8), (11), (12), (13) and (14)*] and Section 54.1-3408.A of the Code and Section 18VAC85-20-100 [effective February 25, 2004] of the Board of Medicine Regulations, in that, on or about June 4, 2005, Dr. Niazi met with Patient A at a hotel. During that meeting, Dr. Niazi provided Patient A, an individual he knew to have a history of substance abuse and addiction, with liquor and Ativan (C-IV), and engaged in sexual activities with her.

b. Dr. Niazi may have violated Sections 54.1-2915.A(3), (8), (12), (13), (16), (17), (18) and (19) and Section 54.1-3408.A of the Code and Section 18VAC85-20-100 of the Board of Medicine Regulations [effective October 19, 2005], in that, on or about December 16, 2005, Dr. Niazi again met Patient A at a hotel with the understanding that they would engage in sexual relations. At that meeting, Dr. Niazi provided Patient A with liquor and Klonopin (C-IV) samples.

c. Dr. Niazi may have violated Sections 54.1-2915.A(3), (12), (13), (16), (18) and (19) [*formerly Section 54.1-2915(4) and Sections 54.1-2915.A(7), (8), (11), (13) and (14)*] of the Code and Section 18VAC85-20-100 of the Board of Medicine Regulations [effective February 25, 2004], in that, during his professional relationship with Patient A, between on or about June 16, 2004 and on or about October 19, 2005, he engaged in sexual contact with Patient A on several occasions when she visited his office for appointments.

2. Dr. Niazi may have violated Sections 54.1-2915.A(3), (13) and (16) [*formerly Section 54.1-2915(4) and Section 54.1-2914.A(8) and (11)*] of the Code, in that, he failed to properly manage Patient A's medical care between on or about June 16, 2004 and October 19, 2005. Specifically:

a. On or about July 22, 2004, Patient A contacted Dr. Niazi to report that her medications were causing her to feel "strange" and "doped up". Dr. Niazi instructed Patient A to come into his office to see him. While en route to Dr. Niazi's office, Patient A was involved in a car accident, which caused her to suffer physical injury that required surgical intervention.

b. Despite having knowledge of Patient A's history of addiction and substance abuse and documented indications that Patient A was drug-seeking, Dr. Niazi failed to properly monitor Patient A's medication usage and provided her with early refills and medication samples on several occasions.

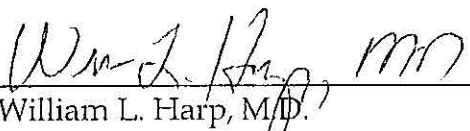
c. Dr. Niazi failed to appropriately document his medical treatment of Patient A. Although he has a proper form in place to document patient care, Dr. Niazi often failed to provide any substantive information regarding the condition, treatment or medication management of Patient A.

3. Dr. Niazi may have violated Sections 54.1-2915.A(1) and (16) of the Code, in that, billing records indicate that he billed Medicare for eight (8) appointments with Patient A between approximately on or about September 7, 1999, and September 30, 1999. In his interview with the Department of Health Professions investigator on or about January 6, 2006, Dr. Niazi denied treating Patient A in 1999. He was subsequently unable to provide any documentation to support the billed charges.

4. Dr. Niazi may have violated Sections 54.1-2915.A(11), (13), (16) and (17) [formerly Sections 54.1-2914.A(6), (8), (11) and (12)], Section 54.1-2915.A(4) [as codified prior to July 1, 2003] and Section 54.1-3408.01 of the Code, in that on or about December 30, 2002, and April 7, 2003, Dr. Niazi allowed an unlicensed and unsupervised office employee to authorize prescription renewals for Patient B using a stamp of his signature. Said prescription renewals did not contain a date and incorrectly altered the dosage of Patient B's Wellbutrin SR from 400 mg/day to 800mg/day. Patient B self-administered the incorrect dosages of medication from in or about January 2003, until in or about September 2003. The usual adult target dose for Wellbutrin SR is 300 mg/day, with the maximum dose being 400 mg/day.

Please see Attachment I for the identity of the patient(s) listed above.

FOR THE BOARD


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

DATE: 2/8/06

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: SAIFULLAH K. NIAZI, M.D.
License No.: 0101-024968

ORDER OF SUMMARY SUSPENSION

In accordance with Section 54.1-2408.1 of the Code of Virginia (1950), as amended ("Code"), the Virginia Board of Medicine ("Board") met on February 8, 2006, to receive and act upon investigative information indicating that Saifullah K. Niazi, M.D., may have violated certain laws relating to the practice of medicine in the Commonwealth of Virginia. Prior to this meeting, a good faith effort to assemble a quorum of the Board in person was made, but failed. On February 8, 2006, a majority of the Board agreed that the continued practice of medicine by Dr. Niazi may be a substantial danger to the public health and safety warranting a telephone conference call.

Therefore, the meeting was convened by telephone conference call, with 17 (seventeen) members of the Board participating. The matter was presented by Frank W. Pedrotty, Senior Assistant Attorney General. Also participating in the conference call were William L. Harp, M.D., Executive Director for the Board, Karen Perrine, Executive Deputy Director of Discipline for the Board and Assistant Attorney General Emily O. Wingfield, counsel for the Board. Upon hearing the evidence presented, the Board unanimously determined that the continued practice of Dr. Niazi constitutes a substantial danger to the public health and safety, in that:

1. During the course of his providing psychiatric services to Patient A, Dr. Niazi engaged in an inappropriate social relationship with Patient A, which included electronic

mailings and telephone calls. Subsequently, Dr. Niazi engaged in sexual misconduct with Patient A. Specifically:

a. Dr. Niazi may have violated Sections 54.1-2915.A(3), (8), (13), (16), (17), (18) and (19) [*formerly Section 54.1-2915(4) and Sections 54.1-2914.A(3), (8), (11), (12), (13) and (14)*] and Section 54.1-3408.A of the Code and Section 18VAC85-20-100 [effective February 25, 2004] of the Board of Medicine Regulations, in that, on or about June 4, 2005, Dr. Niazi met with Patient A at a hotel. During that meeting, Dr. Niazi provided Patient A, an individual he knew to have a history of substance abuse and addiction, with liquor and Ativan (C-IV), and engaged in sexual activities with her.

b. Dr. Niazi may have violated Sections 54.1-2915.A(3), (8), (12), (13), (16), (17), (18) and (19) and Section 54.1-3408.A of the Code and Section 18VAC85-20-100 of the Board of Medicine Regulations [effective October 19, 2005], in that, on or about December 16, 2005, Dr. Niazi again met Patient A at a hotel with the understanding that they would engage in sexual relations. At that meeting, Dr. Niazi provided Patient A with liquor and Klonopin (C-IV) samples.

c. Dr. Niazi may have violated Sections 54.1-2915.A(3), (12), (13), (16), (18) and (19) [*formerly Section 54.1-2915(4) and Sections 54.1-2915.A(7), (8), (11), (13) and (14)*] of the Code and Section 18VAC85-20-100 of the Board of Medicine Regulations [effective February 25, 2004], in that, during his professional relationship with Patient A, between on or about June 16, 2004 and on or about October 19, 2005, he engaged in

sexual contact with Patient A on several occasions when she visited his office for appointments.

2. Dr. Niazi may have violated Sections 54.1-2915.A(3), (13) and (16) [*formerly Section 54.1-2915(4) and Section 54.1-2914.A(8) and (11)*] of the Code, in that, he failed to properly manage Patient A's medical care between on or about June 16, 2004 and October 19, 2005. Specifically:

a. On or about July 22, 2004, Patient A contacted Dr. Niazi to report that her medications were causing her to feel "strange" and "doped up". Dr. Niazi instructed Patient A to come into his office to see him. While en route to Dr. Niazi's office, Patient A was involved in a car accident, which caused her to suffer physical injury that required surgical intervention.

b. Despite having knowledge of Patient A's history of addiction and substance abuse and documented indications that Patient A was drug-seeking, Dr. Niazi failed to properly monitor Patient A's medication usage and provided her with early refills and medication samples on several occasions.

c. Dr. Niazi failed to appropriately document his medical treatment of Patient A. Although he has a proper form in place to document patient care, Dr. Niazi often failed to provide any substantive information regarding the condition, treatment or medication management of Patient A.

3. Dr. Niazi may have violated Sections 54.1-2915.A(1) and (16) of the Code, in that, billing records indicate that he billed Medicare for eight (8) appointments with Patient

A between approximately on or about September 7, 1999, and September 30, 1999. In his interview with the Department of Health Professions investigator on or about January 6, 2006, Dr. Niazi denied treating Patient A in 1999. He was subsequently unable to provide any documentation to support the billed charges.

4. Dr. Niazi may have violated Sections 54.1-2915.A(11), (13), (16) and (17) [formerly Sections 54.1-2914.A(6), (8), (11) and (12)], Section 54.1-2915.A(4) [as codified prior to July 1, 2003] and Section 54.1-3408.01 of the Code, in that on or about December 30, 2002, and April 7, 2003, Dr. Niazi allowed an unlicensed and unsupervised office employee to authorize prescription renewals for Patient B using a stamp of his signature. Said prescription renewals did not contain a date and incorrectly altered the dosage of Patient B's Wellbutrin SR from 400 mg/day to 800mg/day. Patient B self-administered the incorrect dosages of medication from in or about January 2003, until in or about September 2003. The usual adult target dose for Wellbutrin SR is 300 mg/day, with the maximum dose being 400 mg/day.

ORDER

WHEREFORE, it is hereby ORDERED that the license of Saifullah K. Niazi, M.D., to practice medicine in the Commonwealth of Virginia be, and hereby is, SUMMARILY SUSPENDED, simultaneously with the institution of proceedings for a formal administrative hearing in this matter. Said hearing shall be scheduled within a reasonable time from the date of this summary suspension.

Upon entry of this Order, the license of Dr. Niazi will be recorded as suspended and no longer current.

Pursuant to Section 54.1-2400.2(F) 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.

FOR THE BOARD



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

ENTERED: 2/8/06

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: SAIFULLAH K. NIAZI, M.D.
License No.: 0101-024968

CONSENT ORDER

By Order entered February 8, 2006, the Virginia Board of Medicine ("Board") summarily suspended Dr. Niazi's license to practice medicine in the Commonwealth of Virginia. By letter dated February 8, 2006, the Board noticed Dr. Niazi for a formal administrative hearing to inquire into allegations that he may have violated certain laws governing the practice of medicine in the Commonwealth of Virginia.

In lieu of proceeding to this formal administrative hearing, the Board and Dr. Niazi, as evidenced by their signatures affixed below, agree to enter into this Consent Order affecting the license of Dr. Niazi to practice medicine in Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Board adopts the following findings and conclusions in this matter:

1. Saifullah K. Niazi, M.D., was issued license number 0101-024968 by the Board to practice medicine in the Commonwealth of Virginia on August 12, 1974. Said license was summarily suspended on February 8, 2006.

2. During the course of his providing psychiatric services to Patient A, Dr. Niazi engaged in an inappropriate social relationship with Patient A, which included electronic mailings and telephone calls. Subsequently, Dr. Niazi engaged in sexual misconduct with Patient A. Specifically:

a. Dr. Niazi violated Sections 54.1-2915.A(3), (8), (13), (16), (17), (18) and (19) [formerly Section 54.1-2915(4) and Sections 54.1-2914.A(3), (8), (11), (12), (13) and (14)] and Section 54.1-3408.A of the Code and Section 18VAC85-20-100 [effective February 25, 2004] of the

Board of Medicine Regulations, in that, on or about June 3, 2005, Dr. Niazi met with Patient A at a hotel. During that meeting, Dr. Niazi shared liquor with Patient A, an individual he knew to have a history of substance abuse and addiction, and engaged in sexual activities with her.

b. Dr. Niazi violated Sections 54.1-2915.A(3), (8), (12), (13), (16), (17), (18) and (19) and Section 54.1-3408.A of the Code and Section 18VAC85-20-100 of the Board of Medicine Regulations [effective October 19, 2005], in that, on or about December 16, 2005, Dr. Niazi again met Patient A at a hotel with the understanding that they would engage in sexual relations. At that meeting, Dr. Niazi provided Patient A with liquor and Klonopin (C-IV) samples.

3. Dr. Niazi violated Sections 54.1-2915.A(3), (13) and (16) [*formerly Section 54.1-2915(4) and Section 54.1-2914.A(8) and (11)*] of the Code, in that, he failed to properly manage Patient A's medical care between on or about June 16, 2004 and October 19, 2005. Specifically:

a. Despite having knowledge of Patient A's history of addiction and substance abuse and documented indications that Patient A was drug-seeking, Dr. Niazi failed to properly monitor Patient A's medication usage and provided her with early refills and medication samples on several occasions.

b. Dr. Niazi failed to appropriately document his medical treatment of Patient A. Although he has a proper form in place to document patient care, Dr. Niazi often failed to provide any substantive information regarding the condition, treatment or medication management of Patient A.

4. Dr. Niazi violated Sections 54.1-2915.A(1) and (16) of the Code, in that, billing records indicate that he billed Medicare for eight (8) appointments with Patient A between approximately on or about September 7, 1999, and September 30, 1999. In his interview with the Department of Health Professions investigator on or about January 6, 2006, Dr. Niazi did not recall treating Patient A in 1999. He was subsequently unable to provide any documentation to support the billed charges.

5. Dr. Niazi violated Sections 54.1-2915.A(11), (13), (16) and (17) [*formerly Sections 54.1-2914.A(6), (8), (11) and (12)*], Section 54.1-2915.A(4) [*as codified prior to July 1, 2003*] and Section 54.1-3408.01 of the Code, in that on or about December 30, 2002, and April 7, 2003, Dr. Niazi allowed an unlicensed and unsupervised office employee to authorize prescription renewals for Patient B using a stamp of his signature. Said prescription renewals did not contain a date and incorrectly altered the dosage of Patient B's Wellbutrin SR from 400 mg/day to 800mg/day. Patient B self-administered the incorrect dosages of medication from in or about January 2003, until in or about September 2003. The usual adult target dose for Wellbutrin SR is 300 mg/day, with the maximum dose being 400 mg/day.

6. Dr. Niazi acknowledges the severity of the issues related to the charges concerning Patient A. Dr. Niazi has fully cooperated with the investigation of these allegations and has admitted to substantial boundary violations with respect to Patient A.

7. Subsequent to the initiation of these proceedings, Dr. Niazi was evaluated by Leigh D. Hagan, Ph.D., a forensic psychologist. Dr. Hagan concluded that Dr. Niazi does not suffer any persistent psychological behavioral patterns that might indicate a likelihood of recidivism and that Dr. Niazi has adequate support systems to prevent further boundary violations.

CONSENT

I, Saifullah K. Niazi, M.D., by affixing my signature hereto, acknowledge that:

1. I have been advised specifically to seek the advice of counsel prior to signing this document and am represented by Christopher M. Malone, Esquire;

2. I am fully aware that without my consent, no legal action can be taken against me, except pursuant to the Virginia Administrative Process Act, § 2.2-4000.A et seq. of the Code of Virginia;

3. I have the following rights, among others:

- a. the right to a formal hearing before the Board;
- b. the right to appear in person or by counsel, or other qualified representative before the agency; and
- c. the right to cross-examine witnesses against me.

4. I waive all rights to a formal hearing;

5. I neither admit nor deny the Findings of Fact but agree not to contest the truth of the above Findings of Fact at any future Board proceedings; and

6. I consent to the following Order affecting my license to practice medicine in the Commonwealth of Virginia.

7. I waive all rights to seek reinstatement of my license to practice medicine unless and until I first undergo, and submit to the Board, a report of an evaluation and assessment by a multiday, multidisciplinary program, which indicates my competence to practice medicine with safety to my patients and the public. The program shall be capable of assessing professionals, who

have boundary issues, in a comprehensive and integrated manner. The program shall be approved by the Board, through its Executive Director, in advance of the evaluation. The report shall be submitted with the petition for reinstatement.

8. I understand that the completion of the above referenced evaluation and assessment does not guarantee the approval of any petition for reinstatement that I may submit to the Board for consideration. Further, I agree that if the Board were to approve my petition for reinstatement, the Board has authority to impose any conditions it deems appropriate.

ORDER

WHEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, and with the consent of the licensee, it is hereby ORDERED that the Board accepts the SURRENDER FOR SUSPENSION of the license of Saifullah K. Niazi, M.D., for a period of at least twelve (12) months from the date of entry of this Consent Order. Should Dr. Niazi seek reinstatement of his license, he shall be noticed to appear before the Board, in accordance with the Administrative Process Act. As petitioner, Dr. Niazi has the burden of proving his competency and fitness to practice medicine in the Commonwealth of Virginia in a safe manner.

Pursuant to Section 54.1-2920 of the Code, upon entry of this Consent Order, Dr. Niazi shall forthwith give notice, by certified mail, of the suspension of his license to practice medicine to all patients to whom he is currently providing services. A copy of this notice shall be provided to the Board when sent to patients. Dr. Niazi shall cooperate with other practitioners to ensure continuation of treatment in conformity with the wishes of the patient. Dr. Niazi shall also notify any hospitals or other facilities where he is currently granted privileges, and any health insurance

companies, health insurance administrators or health maintenance organization currently reimbursing him for any of the healing arts.

Further, within five (5) days of entry of this Consent Order, Dr. Niazi shall:

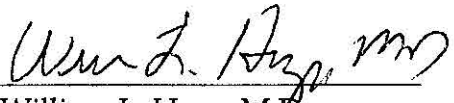
1. Return his current license to the Board office;
2. Update his Virginia Practitioner Profile regarding his primary practice address and any other appropriate section, with the exception of the Virginia Notices and Orders section;
3. Surrender his Drug Enforcement Administration (“DEA”) certificate and DEA 222 Schedule II order forms to the DEA and provide a copy of this surrender notification to the Board;
4. Submit written notification to any and all drug wholesalers or pharmacies that he has ordered from, or had an account with for the past five (5) years, that he has surrendered his DEA license and request that the account be closed, a copy of which shall be provided to the Board; and
5. Properly dispose of all Schedule II-VI controlled substances, including physician’s samples, remaining in the practice.

Upon entry of this Consent Order, the license of Saifullah K. Niazi, M.D., will be recorded as suspended and no longer current.

Violation of this Consent Order shall constitute grounds for the revocation of the license of Dr. Niazi. In the event Dr. Niazi violates any of the terms and conditions of this Consent Order, a formal administrative hearing shall be convened to determine whether his license shall be revoked.

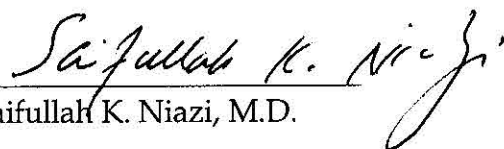
Pursuant to Section 54.1-2400.2(F) of the Code, the signed original of this Consent Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public inspection and copying upon request.

FOR THE BOARD:


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

ENTERED: 3/22/06

SEEN AND AGREED TO:


Saifullah K. Niazi, M.D.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Richmond, TO WIT:

Subscribed and sworn to before me, the undersigned Notary Public, in and for the Commonwealth of Virginia, at large, this 20th day of March, 2006, by Saifullah K. Niazi, M.D.


Notary Public

My commission expires: 7/31/2008



COMMONWEALTH of VIRGINIA

Sandra Whitley Ryals
Director

Department of Health Professions

Perimeter Center
9960 Mayland Drive, Suite 300
Richmond, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367- 4400
FAX (804) 527- 4475

October 2, 2008

Saifullah Niazi, M.D.
4906 Cutshaw Avenue, Suite 103
Richmond, Virginia 23230

CERTIFIED MAIL

7160 3901 9845 3432 6960

RE: **License No. 0101-024968**
Application for Reinstatement

Dear Dr. Niazi:

This letter is official notification that an informal conference of the Virginia Board of Medicine will be held on **Friday, November 7, 2008, at 9:00 a.m., at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Richmond, Virginia**, to consider the reinstatement of your license to practice medicine and surgery in the Commonwealth of Virginia. Said license was summarily suspended by Order of the Board entered February 8, 2006, and subsequently surrendered for suspension for a period of at least twelve months pursuant to a Consent Order entered by the Board on March 22, 2006. The conference will be conducted pursuant to Sections 54.1-2400(10), 2.2-4019 and 2.2-4021 of the Code of Virginia (1950), as amended ("Code").

A Special Conference Committee ("Committee") will receive and act upon your Application for Reinstatement of License to Practice Medicine and Surgery ("Application"). **As Petitioner, you have the burden of proving your competency and fitness to practice medicine in Virginia in a safe manner.**

In considering your Application, the Committee will receive and act upon evidence that grounds may exist to deny your petition for reinstatement. Specifically, you may be in violation of Section 54.1-2915.A(4) of the Code in that you are incompetent to safely practice medicine, as evidenced by your failure to comply with the recommendations of a multi-day, multi-disciplinary physician competency assessment conducted on May 22-25, 2007, which recommended that, prior to your return to the practice of medicine, you require further treatment intervention, to include, among other things, participation in an intensive day treatment program and education in psychopharmacology.

After consideration of all information, the Committee may:

1. Reinstatement you;
2. Place you on probation with such terms it deems appropriate;
3. Reprimand you;
4. Modify the previous Consent Order; and
5. Impose a monetary penalty pursuant to Section 54.1-2401 of the Code.

Further, the Committee may refer this matter for a formal administrative proceeding when it has failed to dispose of a case by consent pursuant to Section 2.2-4019 of the Code.

You have the right to information that will be relied upon by the Committee in making a decision. Therefore, I enclose a copy of the documents that will be distributed to the Committee for its consideration when discussing the allegations and your application for reinstatement with you and when deliberating upon your case. These documents are enclosed only with the original notice sent by certified mail, and must be claimed at the post office. These materials have been provided this date to your counsel, Christopher Malone, Esquire.

To facilitate this proceeding, you must submit eight (8) copies of any documents you wish for the Committee to consider to Reneé S. Dixon, Discipline Case Manager, Virginia Board of Medicine, Perimeter Center, 9960 Mayland Drive, 3rd Floor, Richmond, Virginia 23233, by **October 24, 2008**. Your documents may not be submitted by facsimile or e-mail. Should you or Adjudication Specialist Julia Bennett wish to submit any documents for the Committee's consideration after **October 24, 2008**, such documents shall be considered only upon a ruling by the Chair of the Committee that good cause has been shown for late submission.

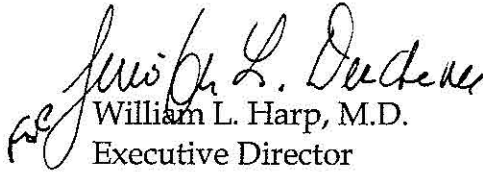
A request to continue this proceeding must state **in detail** the reason for the request and must establish good cause. Such request must be made, in writing, to me at the address listed on this letter and must be received by **October 16, 2008**. Only one such motion will be considered. Absent exigent circumstances, such as personal or family illness, a request for a continuance after **October 16, 2008**, will not be considered

Relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of medicine and other healing arts in Virginia cited in this notice can be found on the Internet at <http://leg1.state.va.us>. To access this information, please click on the *Code of Virginia* for statutes and *Virginia Administrative Code* for regulations.

Please advise the Board, in writing, of your intention to be present. Should you fail to appear at the informal conference, the Board may proceed to a formal administrative hearing in this matter.

If you have any questions regarding this notice, please contact Julia Bennett, Adjudication Specialist, at (804) 367-4427.

Sincerely,


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

Enclosures:

Informal Conference Package
Map

cc: Stephen E. Heretick, J.D., President, Virginia Board of Medicine
Sandra Whitley Ryals, Director, Department of Health Professions
Reneé S. Dixon, Discipline Case Manager, Board of Medicine
Julia Bennett, Adjudication Specialist, APD
Lorraine McGehee, Deputy Director, APD
Christopher M. Malone, Esquire
Vicky Fox, R.N., [#120076]



COMMONWEALTH of VIRGINIA

Sandra Whitley Ryals
Director

Department of Health Professions

Perimeter Center
9960 Mayland Drive, Suite 300
Richmond, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367- 4400
FAX (804) 527- 4475

October 2, 2008

Saifullah Niazi, M.D.
4906 Cutshaw Avenue, Suite 103
Richmond, Virginia 23230

CERTIFIED MAIL

7160 3901 9845 3432 6960

RE: **License No. 0101-024968**
Application for Reinstatement

Dear Dr. Niazi:

This letter is official notification that an informal conference of the Virginia Board of Medicine will be held on **Friday, November 7, 2008, at 9:00 a.m., at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Richmond, Virginia**, to consider the reinstatement of your license to practice medicine and surgery in the Commonwealth of Virginia. Said license was summarily suspended by Order of the Board entered February 8, 2006, and subsequently surrendered for suspension for a period of at least twelve months pursuant to a Consent Order entered by the Board on March 22, 2006. The conference will be conducted pursuant to Sections 54.1-2400(10), 2.2-4019 and 2.2-4021 of the Code of Virginia (1950), as amended ("Code").

A Special Conference Committee ("Committee") will receive and act upon your Application for Reinstatement of License to Practice Medicine and Surgery ("Application"). **As Petitioner, you have the burden of proving your competency and fitness to practice medicine in Virginia in a safe manner.**

In considering your Application, the Committee will receive and act upon evidence that grounds may exist to deny your petition for reinstatement. Specifically, you may be in violation of Section 54.1-2915.A(4) of the Code in that you are incompetent to safely practice medicine, as evidenced by your failure to comply with the recommendations of a multi-day, multi-disciplinary physician competency assessment conducted on May 22-25, 2007, which recommended that, prior to your return to the practice of medicine, you require further treatment intervention, to include, among other things, participation in an intensive day treatment program and education in psychopharmacology.

After consideration of all information, the Committee may:

1. Reinstatement you;
2. Place you on probation with such terms it deems appropriate;
3. Reprimand you;
4. Modify the previous Consent Order; and
5. Impose a monetary penalty pursuant to Section 54.1-2401 of the Code.

Further, the Committee may refer this matter for a formal administrative proceeding when it has failed to dispose of a case by consent pursuant to Section 2.2-4019 of the Code.

You have the right to information that will be relied upon by the Committee in making a decision. Therefore, I enclose a copy of the documents that will be distributed to the Committee for its consideration when discussing the allegations and your application for reinstatement with you and when deliberating upon your case. These documents are enclosed only with the original notice sent by certified mail, and must be claimed at the post office. These materials have been provided this date to your counsel, Christopher Malone, Esquire.

To facilitate this proceeding, you must submit eight (8) copies of any documents you wish for the Committee to consider to Reneé S. Dixon, Discipline Case Manager, Virginia Board of Medicine, Perimeter Center, 9960 Mayland Drive, 3rd Floor, Richmond, Virginia 23233, by **October 24, 2008**. Your documents may not be submitted by facsimile or e-mail. Should you or Adjudication Specialist Julia Bennett wish to submit any documents for the Committee's consideration after **October 24, 2008**, such documents shall be considered only upon a ruling by the Chair of the Committee that good cause has been shown for late submission.

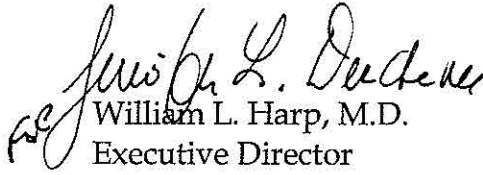
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Relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of medicine and other healing arts in Virginia cited in this notice can be found on the Internet at <http://leg1.state.va.us>. To access this information, please click on the *Code of Virginia* for statutes and *Virginia Administrative Code* for regulations.

Please advise the Board, in writing, of your intention to be present. Should you fail to appear at the informal conference, the Board may proceed to a formal administrative hearing in this matter.

If you have any questions regarding this notice, please contact Julia Bennett, Adjudication Specialist, at (804) 367-4427.

Sincerely,


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

Enclosures:

Informal Conference Package
Map

cc: Stephen E. Heretick, J.D., President, Virginia Board of Medicine
Sandra Whitley Ryals, Director, Department of Health Professions
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Lorraine McGehee, Deputy Director, APD
Christopher M. Malone, Esquire
Vicky Fox, R.N., [#120076]



COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.
Director

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367- 4400
FAX (804) 527- 4475

November 19, 2010

Saifullah K. Niazi, M.D.
4906 Cutshaw Ave., Suite #105
Richmond, Virginia 23230-3630

RE: License No.: 0101-024968

Dear Dr Niazi:

The Virginia Board of Medicine ("Board") has received verification of your compliance with Terms #1, #3, #5, #6, and #7 of the Order entered November 17, 2008.

Therefore, pursuant to the authority granted by Term #8, I have determined that the terms placed on your license should be TERMINATED effective this date. The record of the Board currently reflects that you have a full and unrestricted license in the Commonwealth of Virginia.

Pursuant to §54.1-2400.2 (F) of the *Code of Virginia*, a signed copy of this letter 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.

The Board wishes you well in your future endeavors.

Sincerely,

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

cc: Renée S. Dixon, Discipline Case Manager [120076]
Susan Brooks, Office Manager, APD 104695
Administrative Assistant