

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: ANEEL NATHOOBHAI PATEL, M.D.
License No.: 0101-043076

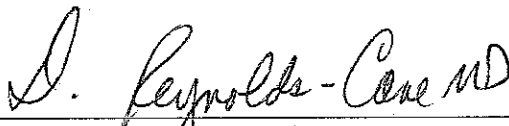
ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Dianne L. Reynolds-Cane, M.D., Director of the Virginia Department of Health Professions, received and acted upon evidence that the West Virginia Board of Medicine accepted the voluntary surrender, in lieu of further disciplinary action, from Aneel Nathoobhai Patel, M.D., of his license to practice medicine and surgery in the State of West Virginia by a Consent Order entered August 20, 2010. A certified copy of the Consent Order is attached to this Order and is marked as Commonwealth's Exhibit No. 1.

WHEREFORE, by the authority vested in the Director of the Department of Health Professions pursuant to Section 54.1-2409 of the Code, it is hereby ORDERED that the license of Aneel Nathoobhai Patel, M.D., to practice medicine and surgery in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of Aneel Nathoobhai Patel, M.D., will be recorded as suspended and no longer current. Should Dr. Patel seek reinstatement of his license pursuant to Section 54.1-2409 of the Code, he shall be responsible for any fees that may be required for the reinstatement and renewal of his license prior to issuance of his license to resume practice.

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.



Dianne L. Reynolds-Cane, M.D., Director
Department of Health Professions

ENTERED: _____

10-5-10



COMMONWEALTH of VIRGINIA

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

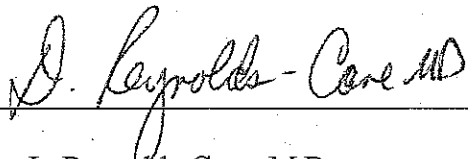
Department of Health Professions

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

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CERTIFICATION OF DUPLICATE RECORDS

I, Dianne L. Reynolds-Cane, M.D., Director of the Department of Health Professions, hereby certify that the attached Consent Order entered August 20, 2010, regarding Aneel Nathoobhai Patel, M.D., are true copies of the records received from the West Virginia Board of Medicine.



Date: 10-5-10

Dianne L. Reynolds-Cane, M.D.

BEFORE THE WEST VIRGINIA BOARD OF MEDICINE

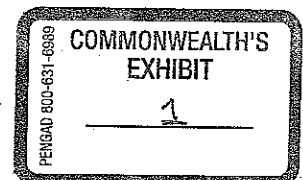
IN RE: ANEEL NATHOOBHAI PATEL, M.D.

CONSENT ORDER

The West Virginia Board of Medicine ("Board") and Aneel Nathoobhai Patel, M.D. ("Dr. Patel") freely and voluntarily enter into the following Consent Order pursuant to W.Va. Code §30-3-14, *et seq.*:

FINDINGS OF FACT

1. Dr. Patel currently holds an active license to practice medicine and surgery in the State of West Virginia, License No. 18144, originally issued in 1995. Dr. Patel's address of record is in Hampstead, North Carolina.
2. On or about March 16, 2010, the Board received a letter from the North Carolina Medical Board relating to its concern with Dr. Patel's prescribing practices.
3. On May 9, 2010, the Complaint Committee of the Board initiated Complaint Number 10-64-W, against Dr. Patel.
4. On May 26, 2010, Dr. Patel responded to the Complaint, noting that he is a retired physician and denying that he has written a prescription or that he has practiced medicine in the State of North Carolina since he was issued an inactive license in North Carolina.
5. On August 2, 2010, the Board issued a Subpoena for Dr. Patel's attendance at an informal meeting of the Complaint Committee to be held in Charleston, West Virginia on September 12, 2010.



CONCLUSIONS OF LAW

1. As a matter of public policy, the provisions of the West Virginia Medical Practice Act were enacted to protect the public interest and safety. W.Va. Code §30-3-1.

2. Pursuant to W.Va. Code §30-3-14(c)(17) and (13) and 11 CSR 1A 12.1(e) and (j), probable cause may exist to substantiate charges against Dr. Patel for violating the Medical Practice Act in relation to prescribing a prescription other than in good faith and in a therapeutic manner in accordance with accepted medical standards and in the course of the physician's practice, and unprofessional conduct.

3. The Board has determined that it is appropriate and in the public interest to proceed without the commencement of charges and/or the filing of a formal Complaint and Notice of Hearing against Dr. Patel, and to release Dr. Patel from the Subpoena of the Board of August 2, 2010, provided that he enters into this Consent Order.

CONSENT

Aneel Nathoobhai Patel, M.D., by affixing his signature hereon, agrees solely and exclusively for purposes of this agreement and the entry of the Order provided for and stated herein, and proceedings conducted in accordance with this Order, to the following:

1. Dr. Patel acknowledges that he is fully aware that, without his consent, here given, no permanent legal action may be taken against him except after a hearing held in accordance with W.Va. Code §30-3-14(h) and §29A-5-1, *et seq.*;

2. Dr. Patel further acknowledges that he has the following rights, among others: the right to a formal hearing before the West Virginia Board of Medicine, the right to reasonable

notice of said hearing, the right to be represented by counsel at his own expense, the right to cross examine witnesses against him, and the right to appeal under Chapter 29A of the West Virginia Code in the event of a final order or decision adverse to him;

3. Dr. Patel waives all such rights;

4. Dr. Patel consents to the entry of this Order relative to his practice of medicine and surgery in the State of West Virginia; and

5. Dr. Patel understands that this Order is considered public information, and that matters contained herein may be reported, as required by law, to the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.

ORDER

WHEREFORE, on the basis of the foregoing Findings of Fact and Conclusions of Law of the Board, and, on the basis of the foregoing consent of Dr. Patel, the West Virginia Board of Medicine hereby ORDERS as follows:

1. Effective upon entry of this Consent Order, Dr. Patel's license to practice medicine and surgery in the State of West Virginia is hereby SURRENDERED.

2. Should Dr. Patel desire to return to the active practice of medicine, he must first appear before the Complaint Committee of the Board and must establish to the Committee, in its sole discretion, that he is fully able and prepared to return safely to the active practice of medicine.


3. Prior to any appearance by Dr. Patel before the Committee, as described in paragraph two (2), above, Dr. Patel must present a written plan of employment and/or

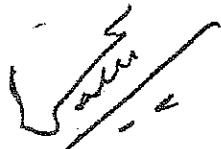
professional activity to the Committee, which is a predicate to any further action by the Committee or the Board in connection with his license to practice medicine.

The foregoing Order was entered this 20th day of August 2010.

WEST VIRGINIA BOARD OF MEDICINE


Reverend O. Richard Bowyer
President


Catherine Slemp, M.D., M.P.H.
Secretary


Aneel Nathooobhai Patel, M.D.

Date: 8-17-10

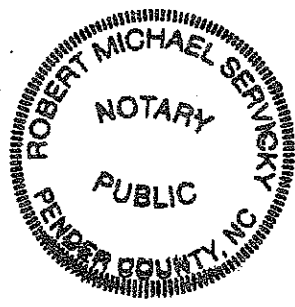
~~STATE OF WEST VIRGINIA~~
NORTH CAROLINA

COUNTY OF PENDER

I, ROBERT MICHAEL SERVICEY, a Notary Public for said county and state do hereby certify that Aneel Nathoobhai Patel, M.D., whose name is signed on the previous page, has this day acknowledged the same before me.

Given under my hand this 17th day of August, 2010

My commission expires JUNE 27th, 2015.



Robert Michael Servicey
Notary Public

COMPLAINT INITIATED BY THE
COMPLAINT COMMITTEE OF THE
WEST VIRGINIA BOARD OF MEDICINE
COMPLAINT NO. 10-64-W

1. Complaint Against: Aneel Nathoobhai Patel, M.D.
Address: 211 Center Drive
Hampstead, NC 28443-2121

2. Description of the Complaint:

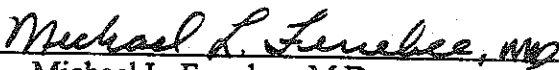
On or about March 16, 2010, the West Virginia Board of Medicine ("Board") received a letter from the North Carolina Medical Board relating to its concern with Aneel Nathoobhai Patel, M.D.'s ("Dr. Patel") prescribing practices.

On May 9, 2010, the Complaint Committee of the Board reviewed the letter from the North Carolina Medical Board. The letter indicates that Dr. Patel may have authorized a prescription in a fictitious name, in North Carolina, without an active license to practice medicine in that state.

Accordingly, it appears that Dr. Patel is in apparent violation of:

- (1) West Virginia Code §30-3-14 (c)(17) and 11 CSR 1A 12.1 (e) and (j), relating to unprofessional conduct; and,
- (2) West Virginia Code §30-3-14(c)(13) relating to prescribing a prescription other than in good faith and in a therapeutic manner in accordance with accepted medical standards and in the course of the physician's professional practice.

Signature:



Michael L. Ferrebee, M.D.
Chair of the Complaint Committee

Date: May 9, 2010