

**Before the
New Hampshire Board of Medicine
Concord, New Hampshire**

In the Matter of:

**Syed S. Kazmi, MD
(Application for License)**

ORDER OF CONDITIONAL DENIAL

Now before the New Hampshire Board of Medicine ("the Board") is the March 1, 2016 Application for Syed S. Kazmi, M.D. ("the Applicant," "the Respondent" or "Dr. Kazmi"). The application for a full license was not sufficiently complete to permit Board action until August 15, 2016.

The Board reviewed Dr. Kazmi's application for a full license at its regularly scheduled meeting of September 7, 2016. At this meeting, the Board voted to deny Dr. Kazmi's application to practice medicine in New Hampshire. The grounds for denial are based upon a determination, under RSA 329:12, and RSA 329:14, II that Dr. Kazmi has not demonstrated to the reasonable satisfaction of the Board that he is of good professional character.

The Board reviewed Dr. Kazmi's application, including but not limited to, the following information in making this determination:

1. The National Practitioner Data Bank report, which includes the following Actions: HHS Office of Inspector General Exclusion from Medicare on March 18, 2004 and the subsequent action of reinstatement on April 23, 2004, Ohio State Medical Board Denial of Initial License on September 11, 2009, Illinois Department of Financial & Professional Regulation Suspension of License on December 20, 2012, Pennsylvania Board of Medicine Suspension of License on June 24, 2014; Illinois Department of Financial & Professional Regulation Revocation of License on February 10, 2015 (effective September 8, 2011);
2. Letter from Dr. Kazmi indicating he was placed on the Medicare Exclusion List due to nonpayment of undergraduate student loans and then paid the loan and was removed from the exclusion list;
3. Letter from Dr. Kazmi indicating he was denied a medical license in Ohio due to past discrepancies concerning his postgraduate training;
4. State of Illinois Department of Professional Regulation ("Department") *Order of Refusal to Renew* Dr. Kazmi's Pharmacy Technician Certificate of Registration, dated December 12, 2001;
5. State of Illinois Department *Order*, dated September 8, 2011, revoking the Certificates of Registration, Physician and Surgeon License No. 036-118946, to practice as a Physician and Surgeon in the State of Illinois;
6. State of Illinois Department *Order*, dated August 17, 2012, in compliance with the Circuit Court of Cook County Illinois' Order that the Department reevaluate its discipline against Dr. Kazmi, indefinitely suspended Dr. Kazmi's Certificate of Registration to practice as a Physician and Surgeon in the State of Illinois and indicated that Dr. Kazmi is not permitted to Petition for Restoration for at least three (3) years from the effective date of this Order;
7. State of Illinois Department *Order*, dated October 5, 2012, solely in compliance with the Circuit Court of Cook County Illinois' Order on September 26, 2012, remanding Case No. 11

CH 33985 to the Department with instructions to impose a revised sanction against Dr. Kazmi's license, ordered the Certificate of Registration issued to Dr. Kazmi to practice as a Physician and Surgeon in the State of Illinois be indefinitely suspended and indicated that Dr. Kazmi is not permitted to Petition for Restoration for at least one year and seven (7) months from the effective date of this Order;

8. State of Illinois Department *Order*, dated December 12, 2012, solely in compliance with the Circuit Court's Order instructing the Department to reevaluate its discipline against Dr. Kazmi, ordered the Certificate of Registration issued to Dr. Kazmi to practice as a Physician and Surgeon in the State of Illinois be indefinitely suspended and indicated that Dr. Kazmi is not permitted to Petition for Restoration for a least nine (9) months from the effective date of this Order;
9. State of Illinois Department *Order*, dated February 23, 2015, ordered that the Petition for Restoration of Dr. Kazmi's Illinois Physician and Surgeon License No. 036.118946 issued to Dr. Kazmi be dismissed;
10. Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs, *Consent Agreement and Order* dated May 30, 2014, indefinitely and actively suspending Dr. Kazmi's license to practice medicine and surgery in the Commonwealth of Pennsylvania, along with any other licenses, registrations, certificates, approvals, authorizations, or permits issued by the Board to Dr. Kazmi at the time this Consent Agreement is adopted by the Board;
11. Letter from Dr. Kazmi dated November 30, 2015 indicating that once his Illinois license was officially revoked, his American Board of Family Medicine certificate was involuntarily withdrawn;
12. Letter from Dr. Kazmi dated November 30, 2015 indicating he was terminated from positions in southern Illinois for not informing his employer(s) of any pending licensure issues, deposition, and or administrative hearings while applying for an Ohio license;
13. Letter from Dr. Kazmi dated December 10, 2015 regarding "Questions answered "Yes" in Disciplinary Action by Health Professional Licensing or Certification Authorities";
14. Letter from Dr. Kazmi dated December 12, 2015 regarding a 1992 arrest;
15. Dr. Kazmi's completed Uniform Application for Physician Licensure submitted to the Board on March 1, 2016; and
16. Federation Credentials Verification Services ("FCVS") received by the Board office on April 14, 2016.

More specifically, the Board's determination that Dr. Kazmi's application should be denied is based, in part, on his disciplinary history with the Illinois and Pennsylvania Boards.

The 2011 *Order* issued by the State of Illinois Department of Financial and Professional Regulation was based on a two count complaint, alleging, in summary, that Dr. Kazmi received a sister state disciplinary action in the State of Ohio, which denied his application for a medical license due to false statements he made in the application process. Additionally, the complaint alleged that Dr. Kazmi made false statements regarding his residency participation, work history, and other state licenses when he applied for his Illinois license. On May 12, 2011, subsequent to hearing, Administrative Law Judge, Michael J. Lyons, issued his Report of the Administrative Law Judge to the Illinois Medical Disciplinary Board. He concluded that the Department proved by clear and convincing evidence that Dr. Kazmi violated the Medical Practice Act of 1987 by committing fraud or misrepresentation when applying for Illinois licensure and by being disciplined in a sister state in violation of Section 60/22(a)(9) and (12). Dr. Kazmi's license to practice as a physician and surgeon

in the State of Illinois was revoked. Subsequently, in the last *Order* from the State of Illinois Department of Financial and Professional Regulation dated December 20, 2012, Dr. Kazmi's license to practice as a physician and surgeon in the State of Illinois was indefinitely suspended. The *Order* indicated that Dr. Kazmi was not permitted to Petition for Restoration for at least nin (9) months from the effective date of that *Order*.

In 2014, the Commonwealth of Pennsylvania Department of State, State Board of Medicine, entered into a *Consent Agreement and Order* ("Agreement") with Dr. Kazmi. The Agreement alleged that "the Board is authorized to suspend or revoke, or otherwise restrict Respondent's license under Sections 41 and 42 of the Act, 63 P.S. §§ 422.41 & 422.42; or impose a civil penalty under Section 908 of the Mcare Act, 40 P.S. §§ 1303.908, and/or Section 5(b)(4) of ACT 48, 63 P.S. §2205(b)(4) and/or impose the costs of investigation under Section 5(b)(5) of ACT 48, 63 P.S. §2205(b)(5), because Respondent violated the Act at:

- a. Section 41(4), 63 P.S. § 422.42(4), in that Respondent had a license or other authorization to practice the profession suspended, revoked, refused or otherwise disciplined by the proper licensing authority of another state, territory, possession or country, or a branch of the Federal Government; and
- b. Section 37 of the Act, 63 P.S. § 422.37, and Section 903(2) of the Mcare Act, 40 P.S. § 1303.903(2) in that Respondent failed to report information regarding disciplinary action taken against the Respondent by a health care licensing authority of another state within sixty (60) days after its occurrence."

Dr. Kazmi's license to practice medicine and surgery in the Commonwealth of Pennsylvania, along with any other licenses, registrations, certificates, approvals, authorizations, or permits issued by the Board to Dr. Kazmi at the time this Consent Agreement was adopted by the Board were indefinitely and actively suspended.

Therefore, the present license application of Syed S. Kazmi, M.D. shall be denied at 12:01 A.M., February 7, 2017, unless prior to 4:00 P.M., March 9, 2017, the Board actually receives at its office in Concord a written request for a hearing from the Applicant. If a timely hearing request is received, the application shall not be denied unless, following the resulting hearing, the Applicant fails to demonstrate that he is qualified for licensure. The burden of proof shall be on the Applicant to demonstrate that he meets the professional character requirements for licensure under RSA 329:12 and RSA 329:14, II.

THEREFORE IT IS ORDERED, that the license application of Syed S. Kazmi, M.D., be denied effective 12:01 A.M., February 7, 2017, as a 'final order' unless prior to 4:00 P.M., March 9, 2017, the Board receives a written request for a hearing; and

IT IS FURTHER ORDERED, that receipt of a timely filed hearing request shall automatically stay this Order and a further Order shall be issued in due course in which the Board establishes the date and time of the hearing, and specifies the issues to be heard; and

IT IS FURTHER ORDERED that in accordance with RSA 329:18-a, IV, a 'final order' is a public document; and

IT IS FURTHER ORDERED, any hearing held in response to this Order shall be conducted pursuant to RSA 329:18-a, RSA 541-A:31, and Med Chapter 200, and the burden of proof shall be upon the Applicant. The Applicant may request to be heard on any relevant matter of law or fact, but evidentiary proceedings shall be conducted only to the extent the Applicant has identified disputed factual issues which require resolution.

IT IS FURTHER ORDERED that this Order shall take effect as an Order of the Board on the date it is signed by an authorized representative of the New Hampshire Board of Medicine.

BY ORDER OF THE BOARD

DATE: 2/7/2017


Penny Taylor, Administrator
Authorized Representative of the
New Hampshire Board of Medicine