

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

**In the matter of:
Shashibala Soni, M.D.
(Application for License)**

Docket No. 17-01

FINAL DECISION AND ORDER

A. Now before the NH Board of Medicine ("Board") is the October 12, 2016 Application for License ("application") of Shashibala Soni, M.D. ("the Applicant" or "Dr. Soni"). Dr. Soni's application was not sufficiently complete to permit Board action until January 30, 2017.

B. On February 1, 2017 the Board examined Dr. Soni's application for licensure in the State of New Hampshire pursuant to RSA 541-A:29, RSA 329:14, and N.H. Admin. Rule Med 301.03. Pursuant to RSA 329:14, II and RSA 329:12, the Board found the Dr. Soni had not demonstrated to the reasonable satisfaction of the Board that she is of good professional character. Thus, the Board, at its February 1, 2017 meeting, denied Dr. Soni's license and provided her an opportunity, pursuant to N.H. Admin. Rule 301.02(e), to request a hearing within 30 days of receipt of this denial.

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

1. The National Practitioner Data Bank report, which includes, but is not limited to, the following Action: New York State Department of Health permanent limitation or restriction on license on April 12, 1012;
2. E-mail from Dr. Soni dated January 26, 2017 indicating she has a federal judgment for not filing taxes;
3. Letter from Dr. Soni dated March 14, 2016 regarding "Explanation of Gap in Work";
4. Many letters of references on behalf of Dr. Soni;
5. Letter from Steve Scherzer, U.S. Probation Officer, dated March 2, 2016, indicating that he supervised Dr. Sehgal (Dr. Soni's previous married name) between January 2013 and November 2015;
6. Letter from Donald D. Fries, Director, Executive Clemency Bureau, Certificate Review Unit, State of New York, Department of Corrections and Community Supervisor, dated October 6, 2014, regarding a Certificate of Relief from Disabilities, #14-323;
7. The University of the State of New York, State Education Department, Division of Professional Licensing Services verification of license indicating that the New York State Department of Health took disciplinary action against Dr. Soni;
8. Letter from Michelle Louy, Director, Physician Monitoring Program, Office of Professional Medical Conduct, New York State Department of Health, to Dr. Soni, dated May 14, 2012, indicating that Dr. Soni has been served with an Order that was effective April 17, 2012 that requires her to only practice medicine under immediate supervision, in a medical facility licensed or operated by New York State or the United States government (such as a hospital holding licensure under PHL Article 28 or a hospital operated by the United States Veteran's Administration).;

9. Letter to all parties in the matter of Shashibala Soni, M.D., from the New York State Department of Health, dated April 10, 2012, along with the Determination and Order (No. 12-71) of the Hearing Committee;
10. Letter from the New Jersey Office of the Attorney General to the NH Board of Medicine, dated January 24, 2017, indicating that public disciplinary action was taken against Dr. Soni. Administrative Action, Order of Summary Suspension is attached to this letter;
11. Federal Background Search Results indicating a conviction of fraud on November 18, 2010;
12. Dr. Soni's completed Uniform Application for Physician Licensure submitted to the Board on October 12, 2016; and
13. Federation Credentials Verification Services ("FCVS") received by the Board office on January 19, 2017.

D. Following Dr. Soni's timely request for a hearing on the denial, the Board issued an Order to Show Cause and Notice of Hearing on April 10, 2017. A hearing in this matter was held on July 5, 2017. At the conclusion of the hearing, based on the evidence presented at the hearing, the Board voted to deny an unrestricted license based on the fact that Dr. Soni has not practiced clinical medicine on any regular basis for approximately nine (9) years. While Dr. Soni has continued to attend CMEs and has shadowed practicing clinicians, this does not satisfy the Board's concerns over the prolonged absence of practicing clinical medicine independently.

E. On November 21, 2017, Dr. Soni filed a Third Supplement to Her Proposed Findings of Fact, in which she requested a conditional license. The Board voted to issue a restricted license as follows:

1. Dr. Soni will work in New Hampshire only as an employed physician in a hospital or group setting; and
2. Dr. Soni shall be evaluated for clinical competence by a re-entry/refresher program, to be approved by the Board, and will follow all recommendations and/or corrective actions as prescribed by the program; and
3. Dr. Soni shall obtain a New Hampshire licensed physician as a preceptor, who shall be approved by the Board, who will monitor her medical practice for one (1) year, including, but not limited to, reviewing five (5) charts weekly of patients which Dr. Soni sees. The preceptor will provide the Board with a written monthly report beginning 30 days following Dr. Soni's commencement to medical practice in New Hampshire.

THEFEFORE IT IS ORDERED that a restricted license be issued to Shashibala Soni, MD with the restrictions listed herein; and

IT IS FURTHER ORDERED that this Final Decision and Order shall become a permanent part of Dr. Soni's file, which is maintained by the Board as a public document that the Board may publicly disseminate; and

IT IS FURTHER ORDERED that this Final Decision and Order shall take effect on the date an authorized representative of the Board signs it.

BY ORDER OF THE BOARD

DATE: 12-12-2017


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