BEFORE THE MEDICAL EXAMINERS COMMISSION
OF ALABAMA

ALABAMA BOARD OF MEDICAL EXAMINERS

[complainant]

[Respondent]

ORDER

The above complaint is hereby granted for the reasons set forth below:

- The Commission being satisfied of the allegations
- Hearing held
- Sentence of reprimand
- Sentence fully served
- License hereby returned

March 14, 2023

Jane H. Williams, M.D.
Administrative Law Judge
Medical Examiners Commission
State of Alabama
ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,

Complainant,

vs.

SANJEEV SAXENA, M.D.

Respondent.

BEFORE THE MEDICAL
LICENSURE COMMISSION
OF ALABAMA

CASE NO. 17-009

JOINT STIPULATION AND CONSENT ORDER

COME NOW, the Complainant, the Alabama State Board of Medical Examiners (the
"Board"), and the Respondent, Sanjeev Saxena, M.D., and jointly submit the following
Stipulation and Consent Order:

STIPULATION

Stipulated Facts

1. At all times material hereto, the Respondent Dr. Saxena was a licensed physician
in the State of Alabama, having been issued license number 24558.

2. The Board filed its Administrative Complaint (the “Administrative Complaint”)
with the Alabama Medical Licensure Commission (the “Commission”) on May 9, 2017. The
Administrative Complaint was properly served on Dr. Saxena, and he subsequently filed an
Answer denying the allegations.

3. Dr. Saxena neither admits nor denies the allegations of the Administrative
Complaint for purposes of these proceedings only. However, Dr. Saxena does admit for this
proceeding to his failure to maintain for a patient a medical record which meets the minimum
standards stated in the rules and regulations promulgated by the Commission, a violation of Ala.
Code §§34-24-360(2) and 34-24-360(22), and Rules 545-X-4-.06(11) and 545-X-4-.09.
4. Dr. Saxena admits that in his capacity as a licensed physician he is subject to the provisions of Chapter 24 of Title 34 of the Code of Alabama and to the jurisdiction of the Board and the Commission.

5. Dr. Saxena admits that the facts alleged in the Administrative Complaint, if proven, would constitute violations of Section 34-24-360 of the Code of Alabama and would constitute grounds for disciplinary actions and sanctions against Dr. Saxena.

6. Dr. Saxena agrees that the Stipulated Disposition in this case is fair, appropriate and acceptable.

**Stipulated Disposition**

This Joint Stipulation is entered into as a settlement between Dr. Saxena and the Board as a matter of compromise and to eliminate further administrative proceedings and issues between them related to the allegations. In order to resolve the issues and to avoid the uncertainties, costs and expense associated with a full hearing, Dr. Saxena and the Board agree to the following:

1. **Probation.** Dr. Saxena consents to the entry of an order by the Commission placing his license to practice medicine in Alabama on indefinite probation.

2. **Continuing Medical Education.**
   
   (a) Dr. Saxena agrees to attend, and successfully complete, the Intensive Course in Medical Documentation presented by Case Western Reserve. He may attend the course either February 22-23, 2018 or June 7-8, 2018. Dr. Saxena is responsible for all costs associated with attendance, as well as providing notification of his successful completion to the MLC.

   (b) Dr. Saxena agrees to attend, and successfully complete, the Mayo Clinic Cardiac Rhythm Device Summit June 30-July 2 in Dana Point, CA. Dr. Saxena is responsible for
all costs associated with attendance, as well as providing notification of his successful completion to the MLC.

3. **Review of Charts.** For a period of one year following the effective date of this Consent Order, Dr. Saxena agrees that every 3 months, he will forward his charts involving implantation of an Implantable Cardioverter Defibrillator to an MLC-approved electrophysiologist for review. The electrophysiologist/reviewer must file a report with the MLC every 3 months. The report will be reviewed and considered by the MLC. Dr. Saxena is responsible for the costs of the physician/reviewer.

4. **Termination of Probation.** Dr. Saxena shall remain on probation for a period of not less than one (1) year following the effective date of the Consent Order. After one (1) year has elapsed, Dr. Saxena may petition the Commission to lift the probationary status from his license to practice medicine. Dr. Saxena agrees that his probation shall not be lifted unless (1) he has successfully completed the continuing medical education requirements found in paragraph 2(a) and (b), above; and (2) he has, in the judgment of the Commission, received satisfactory chart review reports from the MLC-approved electrophysiologist submitted in compliance with paragraph 3, above.

5. **Administrative Costs.** Dr. Saxena shall pay the administrative costs of the Board, not to exceed $24,000. (twenty-four thousand dollars). The costs are assessed pursuant to Ala. Code §34-24-381(2010), and Commission Rule 545-X-3-.08(12)(e).

6. **Payment Terms.** Dr. Saxena will pay the administrative costs at a rate of $2,000 each month for 12 months, the first payment being due on January 10, 2018 and continuing each month until the last payment, which is due on December 10, 2018.
Other Terms

7. Dr. Saxena acknowledges the authority of the Medical Licensure Commission of Alabama to exercise jurisdiction in this matter, and consents and agrees to the entry of the Consent Order contained herein.

8. Dr. Saxena waives his right to an administrative hearing before the Medical Licensure Commission of Alabama on the matters raised in the Administrative Complaint and waives any and all rights to further notice and formal adjudication of the charges stated in the Administrative Complaint. Dr. Saxena waives his right to judicial review of the Consent Order agreed to herein under applicable provisions of the Ala. Code § 34-24-380 and the Alabama Administrative Procedure Act, Ala. Code §41-22-1, et.seq.

9. Dr. Saxena understands and acknowledges that the Stipulation and Consent Order, if approved and executed by the Medical Licensure Commission of Alabama, shall constitute a public record under the laws of the state of Alabama.

10. The Alabama Board of Medical Examiners stipulates and agrees that the terms and conditions of the Consent Order stated herein constitute a reasonable disposition of the charges contained in the Administrative Complaint.

11. It is stipulated and agreed between the parties that this Stipulation and Consent Order be submitted to the Medical Licensure Commission of Alabama, and that such Stipulation and Consent Order are subject to the Commission’s approval. It is further agreed by Dr. Saxena that the Medical Licensure Commission shall be permitted to examine and review, prior to approval of the Stipulation, the records and documents now in the possession of the Alabama Board of Medical Examiners concerning the stipulation of facts set forth herein. It is further agreed
by Dr. Saxena and the Board that, in the event the Medical Licensure Commission shall decline to accept this Stipulation and Consent Order as a basis for the disposition of the alleged grounds for imposition for disciplinary sanctions and requires the Board to present testimony and documentary exhibits at a subsequent hearing, any admissions by Dr. Saxena in this Stipulation shall be null and void, shall not be binding upon Dr. Saxena and shall not be admissible into evidence at the hearing or any other proceeding, and any consideration by the Commission of the Stipulation and Consent Order and the documentary evidence referred to herein, shall not be prejudicial to the rights of Dr. Saxena to receive a fair and impartial hearing.

STIPULATED AND AGREED this 17th day of November, 2017.

Acknowledgements

Respondent’s Understanding

I have read and understand the provisions of this Agreement. I have discussed it with my lawyer agree and approve of all the provisions of this Agreement, both individually and as a total binding agreement. I have personally and voluntarily signed this Agreement for the express purpose of entering into this Agreement with the Board.

11/15/2017
DATE

SANJEEV SAXENA, M.D.

Counsel’s Acknowledgement

I have discussed this case with my client in detail and have advised my client of all my client’s rights and possible defenses. My client has conveyed to me that my client understands
this Agreement and consents to all its terms. I believe this Agreement and the disposition set forth herein is appropriate under the facts of this case and is in accord with my best judgment.

\[ \text{MARK W. LEE} \]
Counsel for Respondent

\[ \text{Board's Acknowledgement} \]

I have reviewed this matter and this Agreement and concur that the disposition set forth herein is appropriate and adequately protects the public’s health and safety.

\[ \text{HENDON B. COODY} \]
Attorney for Alabama Board of Medical Examiners
CONSENT ORDER

This matter is before the Medical Licensure Commission of Alabama pursuant to an Administrative Complaint filed by the Alabama Board of Medical Examiners on May 9, 2017, and pursuant to a signed Stipulation entered into by the Board of Medical Examiners and the Respondent, Sanjeev Saxena, M.D., on the 15th day of November 2017. The Commission hereby finds that it has jurisdiction of the Administrative Complaint and of the parties hereto pursuant to Ala. Code §§34-24-361(2007). In consideration of the Joint Stipulation of the parties, which is incorporated by reference as if fully set forth herein, the Commission hereby finds that the Respondent, SANJEEV SAXENA, M.D., has failed to maintain for a patient a medical record which meets the minimum standards stated in the rules and regulations promulgated by the Commission, a violation of Ala. Code §§34-24-360(2) and 34-24-360(22) and Rules 545-X-4-.06(11) and 545-X-4-.09. The Commission concludes, as a matter of law, that the foregoing facts constitute violations of Ala. Code §§ 34-24-360(2) and 34-24-360(22) and Rules 545-X-4-.06(11) and 545-X-4-.09.

Based upon the foregoing findings of fact and conclusions of law, it is the ORDER of the Medical Licensure Commission as follows:

1. That the license to practice medicine in the state of Alabama of the Respondent Sanjeev Saxena, M.D., license number MD.24558, be and is hereby placed on PROBATION INDETERMINATELY.

2. Dr. Saxena shall attend, and successfully complete, the Intensive Course in Medical Documentation presented by Case Western Reserve. He may attend the course either February 22-23, 2018 or June 7-8, 2018. Dr. Saxena is responsible
for all costs associated with attendance, as well as providing notification of his successful completion to the MLC.

3. Dr. Saxena shall attend, and successfully complete, the Mayo Clinic Cardiac Rhythm Device Summit June 30-July 2 in Dana Point, CA. Dr. Saxena is responsible for all costs associated with attendance, as well as providing notification of his successful completion to the MLC.

4. For a period of one year following the effective date of this Order, Dr. Saxena agrees that every 3 months, he will forward his charts involving implantation of an Implantable Cardioverter Defibrillator to an MLC-approved electrophysiologist for review. The electrophysiologist/reviewer must file a report with the MLC every 3 months. The report will be reviewed and considered by the MLC. Dr. Saxena is responsible for the costs of the physician/reviewer.

5. Dr. Saxena shall remain on probation for a period of not less than one (1) year following the effective date of this Order. After one (1) year has elapsed, Dr. Saxena may petition the Commission to lift the probationary status from his license to practice medicine. Dr. Saxena agrees that his probation shall not be lifted unless: (1) he has successfully completed the continuing medical education requirements found in paragraph 2(a) and (b), above; and (2) he has, in the judgment of the Commission, received satisfactory chart review reports from the MLC-approved electrophysiologist submitted in compliance with paragraph 3, above.

6. Dr. Saxena shall pay the administrative costs of the Board in an amount not to exceed $24,000. (twenty-four thousand dollars). Dr. Saxena will pay the administrative costs at a rate of $2,000 each month for 12 months, the first payment being due on
January 10, 2018 and continuing each month until the last payment, which is due on December 10, 2018.

7. The costs are assessed pursuant to Ala. Code §34-24-381(2010), and Commission Rule 545-X-3-.08(12)(e).

The Medical Licensure Commission retains jurisdiction in this matter for the purpose of entering further orders and directives which may be necessary to implement the provision of this Consent Order.

ORDERED this 26th day of November, 2017.

[Signature]
James E. West, M.D., Chairman
Medical Licensure Commission
ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,

Complainant,

v.

SANJEEV SAXENA, M.D.

Respondent.

BEFORE THE MEDICAL LICENSURE
COMMISSION OF ALABAMA

CASE NO. 17-009

ORDER SETTING HEARING

The Medical Licensure Commission has received the verified Administrative Complaint of the State Board of Medical Examiners filed in this cause. The Commission has determined that this matter is due to be set down for hearing under the provisions of §34-24-361, Code of Alabama 1975.

Accordingly, it is the Order of the Commission that this matter be set for hearing before the Commission on the 25th day of October, 2017 at 9:30 o'clock in the a.m. at the offices of the Medical Licensure Commission, 848 Washington Avenue, Montgomery, Alabama. The Respondent, SANJEEV SAXENA, M.D. is directed to respond to the allegations of the verified Complaint in the manner prescribed in Rule 545-X-3-.03 of the Rules and Regulations of the Medical Licensure Commission. Such answer shall be filed within 20 days of service of a copy of the Administrative Complaint and the Order Setting Hearing.

This hearing shall be conducted in accordance with §34-24-361(e), Code of Alabama 1975 and Chapter 3 of the Rules and Regulations of the Medical Licensure Commission concerning hearings in contested cases. The Respondent is entitled to be present at the hearing and to be represented by counsel, is entitled to cross examine witnesses presented by the
Complainant, and is entitled to present testimony and other evidence touching on the allegations contained in the Complaint.

Wallace D. Mills, Esq., is hereby appointed to act as legal counsel for the Commission under the authority of Rule 545-X-3-.08 of the Rules and Regulations of the Medical Licensure Commission.

It is the further order of the Commission that a copy of the verified Complaint of the Alabama State Board of Medical Examiners and a copy of this Order Setting Hearing is forthwith served upon the said SANJEEV SAXEN, M.D., by personally delivering the same to him if he can be found within the State of Alabama or by overnight courier, signature required, to his last known address if he cannot be found within the State of Alabama. The Commission further directs that personal service of process shall be made by FedEx/FEDEX who is designated as the duly authorized agent of the Medical Licensure Commission.

The Complainant and Respondent are directed to comply strictly with the Commission’s Standing Order and Scheduling Order, which are attached hereto.

It is further ordered that the parties and their attorneys immediately check their calendars for scheduling conflicts. No requests for continuances based upon schedule conflicts of attorneys or parties will be considered unless such request is made forty-five (45) days prior to the scheduled hearing date.

ORDERED at Montgomery, Alabama, this 24th day of May, 2017.

[Signature]
JAMES E. WEST, M.D., Chairman
Medical Licensure Commission of Alabama