VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: Gholamreza Shareghi, M.D.
License No.: 0101-248590

ORDER

In accordance with the provisions of Sections 54.1-105, 54.1-110, 2.2-4020 and 2.2-4021 of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was convened before the Virginia Board of Medicine ("Board"), on June 20, 2013, in Henrico, Virginia to receive and act upon Dr. Shareghi's Petition for Reinstatement of License to Practice Medicine and Surgery in the Commonwealth of Virginia, and in considering such petition, whether grounds exist to deny the reinstatement. These matters are set forth in the Board's Notice of Formal Hearing and Statement of Particulars dated May 16, 2013.

Pursuant to Section 54.1-2400(11) of the Code, the hearing was held before a panel of the Board with a member of the Board presiding. Charis Mitchell, Assistant Attorney General, was present as legal counsel for the Board. The proceedings were recorded by a certified court reporter. The case was prosecuted by Dale Lutke, Adjudication Specialist. Dr. Shareghi appeared at the formal administrative hearing and was not represented by counsel.

FINDINGS OF FACT

Now, having properly considered the evidence and testimony presented, the Board makes the following findings by clear and convincing evidence:

1. Gholamreza Shareghi, M.D., was issued license number 0101-248590 by the Board to practice medicine and surgery in the Commonwealth of Virginia on October 27, 2010. Said
license was mandatorily suspended by Order of the Department of Health Professions entered October 23, 2012 pursuant to Section 54.1-2409(A) of the Code of Virginia. Dr. Shareghi filed a Petition for Reinstatement of License to Practice Medicine and Surgery on December 18, 2012.

2. By Final Order dated June 5, 2008, the State of Michigan Bureau of Health Professions ("Michigan Board") placed Dr. Shareghi’s license on probation for a period of six months with certain terms and conditions, to include completion of continuing education hours. This action was based upon findings that Dr. Shareghi had, in or about 2000, taught his neighbor, who was a registered nurse, to administer occipital nerve block injections to patients in their homes and that Dr. Shareghi had taught one of his patients to self-administer occipital nerve blocks at home. This patient later developed Cushing’s syndrome from the continuous use of steroids.

3. The Michigan Board, by Consent Order and Stipulation entered November 17, 2010, ordered that Dr. Shareghi’s license be limited for a minimum period of one year to the practice of anesthesia only, and that he not perform any chronic pain medicine, palliative pain procedures, or engage in any research activities related to pain medicine. Further, Dr. Shareghi was ordered to only engage in anesthesia services at a pre-approved location, and was required to submit quarterly reports to the Michigan Board. This action was based upon findings that Dr. Shareghi had, in 2003, performed a rhizotomy on a patient that caused the patient to suffer a stroke. This act occurred at a time when Dr. Shareghi was not certified in pain medicine and had not undergone formal training in pain medicine.

4. By Order dated September 17, 2012, the Pennsylvania Board indefinitely suspended Dr. Shareghi’s license in that jurisdiction and ordered him to pay a civil penalty.
This action was based, in part, on the disciplinary action taken by the Michigan Board on November 17, 2010. Further, the Pennsylvania Board found that Dr. Shareghi sought to practice (in Pennsylvania) in an area of medicine from which the Michigan Board had prohibited him.

5. By Decision and Order of the Medical Board of California, Department of Consumer Affairs ("California Board") effective February 3, 2012, the California Board revoked Dr. Shareghi’s license to practice medicine in that jurisdiction. This action was based on the disciplinary action taken by the Michigan Board in its November 17, 2010 Consent Order and Stipulation, as described more fully in paragraph 3, above.

6. By Consent Order dated November 27, 2012, the Tennessee Board of Medical Examiners placed Dr. Shareghi’s license on probation and indefinitely restricted his practice to anesthesiology by requiring that he only engage in anesthesia services at a pre-approved site and that he not engage in any chronic pain medicine, palliative or interventional pain management procedures, or engage in any research activities related to pain medicine. This action was based on findings related to the disciplinary action taken by the Michigan Board through its Order dated November 17, 2010, the Virginia Board through its Consent Order entered July 20, 2011, the California Board through its Decision and Order effective February 3, 2012, and the Pennsylvania Board by Order dated September 17, 2012.

7. By Order dated March 26, 2012, the Illinois Department of Financial and Professional Regulation, Division of Professional Regulation refused to renew Dr. Shareghi’s license in that jurisdiction. This action was based on the disciplinary action taken by the Michigan Board in its Consent Order and Stipulation dated November 17, 2010.
8. Dr. Shareghi testified that he has never had any blemishes on his record as an anesthesiologist and that he is board-certified by the American Board of Anesthesiology (ABA), but does not hold ABA certification in the subspecialty of pain medicine. He further testified, as the record reflected, that every action state boards of medicine have taken against his licenses were a domino effect from the original November 17, 2010 Michigan Order. He also testified that he has no intention to practice pain medicine if the Board reinstates his license, unless he receives a fellowship.

9. Dr. Shareghi testified that he practiced anesthesiology in Battle Creek, Michigan in the summer of 2012; Dr. Shareghi provided no other evidence of this experience. Otherwise, the last time he significantly practiced anesthesiology was in 2008.

10. Dr. Shareghi testified that he knew the original behavior that caused the Michigan Board to discipline him was inappropriate and that he has learned his lesson.

**CONCLUSIONS OF LAW**

Findings of Fact No. 2 through 7 constitute a violation of Section 54.1-2915(A)(5) of the Code of Virginia.

**ORDER**

WHEREFORE, based on the above Findings of Fact and Conclusions of Law, it is hereby ORDERED that Dr. Shareghi’s Petition for Reinstatement of License to Practice Medicine and Surgery in the Commonwealth of Virginia is hereby GRANTED and the license is subject to the following TERMS and CONDITIONS:

1. Dr. Shareghi is prohibited from practicing the subspecialty of interventional pain medicine as defined by the American Board of Anesthesiology.
2. Dr. Shareghi is prohibited from practicing anesthesiology until such time as he has completed a Board-approved six month academic clinical training program (to include all anesthesia modalities, except interventional pain). This restriction will be lifted upon receipt of evidence that Dr. Shareghi has completed the Board-approved program.

3. If Dr. Shareghi demonstrates to the Board proof of full compliance with the November 17, 2010 Michigan order, Dr. Shareghi may petition the Board for reconsideration of the terms imposed upon his Virginia license. Upon receipt of such petition, the Board may convene an administrative proceeding to act upon his petition.

As provided by Rule 2A:2 of the Supreme Court of Virginia, Dr. Shareghi has thirty (30) days from the date of service (the date he actually received this decision or the date it was mailed to him, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with William L. Harp, M.D., Executive Director, Board of Medicine, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

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.

FOR THE BOARD:

[Signature]

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

ENTERED: 7/15/13