BEFORE THE WEST VIRGINIA BOARD OF MEDICINE

IN RE:

AHMED MOHAMED ADEEB KNEIFATI, M.D.

CONSENT ORDER

The West Virginia Board of Medicine ("Board") and Ahmed Mohamed Adeeb Kneifati, M.D. ("Dr. Kneifati") freely and voluntarily enter into the following Consent Order pursuant to West Virginia Code § 30-3-1, et seq.

FINDINGS OF FACT

The Board and Dr. Kneifati stipulate to the truthfulness and accuracy of the facts, as set forth herein below:

1. On May 18, 2015, the West Virginia Board of Medicine issued Dr. Kneifati a license to practice medicine and surgery in the State of West Virginia, license number 26371.

2. On May 7, 2015, Dr. Kneifati suffered a fall, which resulted in partial paralysis.

3. On November 13, 2015, the Medical Licensing Board of Indiana, with Dr. Kneifati’s agreement, placed Dr. Kneifati’s Indiana medical license on indefinite probation with terms and conditions which included a fitness for duty examination requirement and a restriction limiting his practice to outpatient non-invasive procedures. The probation was implemented after Dr. Kneifati disclosed his medical condition to the Indiana Board in association with the renewal
of his Indiana medical license, and was memorialized in Indiana’s *Decision on License Renewal Application* ("Indiana Decision").

4. On April 21, 2016, Dr. Kneifati entered into a Consent Order with the Virginia Board of Medicine ("Virginia Consent Order") which limits Dr. Kneifati’s practice in Virginia to “non-invasive treatment (no invasive procedures)” and which requires Dr. Kneifati to “comply fully with the terms and conditions of the Indiana Decision.”

5. Dr. Kneifati has experienced gradual improvement of his medical condition, and has provided documentation to the Board of such improvements. Specifically, his paralysis has improved to the point where he can ambulate independently, and he has experienced improvement in hand function. Dr. Kneifati provided information from his treating physician recommending that Dr. Kneifati is able to perform physical examinations, injections of tendons and joints and minor surgical procedures. He is unable to perform major surgical procedures at this time.

6. On December 20, 2016, the Pennsylvania State Board of Medicine entered an Adjudication and Order imposing an indefinite period of probation upon Dr. Kneifati’s Pennsylvania medical license.

7. During his indefinite period of probation, Dr. Kneifati’s practice of medicine in Pennsylvania is limited to noninvasive procedures and minor procedures, including injections to the joints and tendons.

8. For purposes of the Pennsylvania Order, minor procedures is defined as those procedures which Dr. Kneifati is capable of safely performing in his office, within acceptable standards of care, under a localized anesthesia as opposed to general anesthesia.
9. The Board and Dr. Kneifati voluntarily enter into this Consent Order to protect the public interest and to establish the terms and conditions under which Dr. Kneifati may engage in the practice of medicine and surgery pursuant to his West Virginia medical license. This Consent Order does not impose discipline for professional misconduct. Rather, it sets forth terms and conditions which permit Dr. Kneifati to practice medicine safely with respect to West Virginia patients.

CONCLUSIONS OF LAW

The Board and Dr. Kneifati stipulate to the following conclusions of law:

1. Dr. Kneifati’s license to practice medicine and surgery in the state of West Virginia is subject to regulation and discipline by the West Virginia Board of Medicine, the “regulatory and disciplinary body for the practice of medicine and surgery” for physicians, podiatrists and physician assistants in West Virginia. W.Va. Code §30-3-5 and §30-3-7(a).

2. The Board has a mandate to ensure “a professional environment that encourages the delivery of quality medical services” to protect the public interest. W.Va. Code §30-3-2.

3. The West Virginia Medical Practice Act sets forth conduct which may render an individual unqualified for licensure or subject to discipline or other restrictions upon licensure. W.Va. Code §30-3-14. Pursuant to W.Va. Code §30-1-8(c), the Board has promulgated legislative rules that “delineate conduct, practices or acts which, in the judgment of the board, constitute professional negligence, a willful departure from accepted standards of professional conduct and/or which may render an individual unqualified or unfit for licensure, registration or other authorization to practice.” See W. Va. Code R. §11-1A-12.
4. Probable cause may exist to substantiate charges against Dr. Kneifati pursuant to W. Va. Code §30-3-14 (c)(17) and (21), and pursuant to W. Va. Code R. §§11-1A-12.1.g and 12.1.h, relating to having action taken against his medical license in another jurisdiction and his current fitness to practice medicine without appropriate restrictions and limitations.

5. It is appropriate and in the public interest to waive the commencement of proceedings against Dr. Kneifati and to proceed without further investigation, the filing of charges, or a formal Complaint and Notice of Hearing, subject to compliance by Dr. Kneifati with the provisions of this Consent Order.

6. This Consent Order sets forth reasonable and appropriate restriction and limitations upon Dr. Kneifati’s practice of medicine in West Virginia.

CONSENT

By signing his name to this Consent Order, Ahmed Mohamed Adeeb Kneifati, M.D., acknowledges that he understands and agrees with the following:

1. Dr. Kneifati has read and understands this entire Consent Order;

2. Dr. Kneifati agrees that he has been given adequate time and opportunity to review and consider the terms set forth in this Consent Order;

3. Dr. Kneifati understands that he has the right to legal representation in this matter, at his own expense, and agrees that he has been afforded adequate time and opportunity to exercise his right to consult with his counsel regarding the legal effect of this Consent Order;

4. Dr. Kneifati understands that this Consent Order is a legally binding Order of the West Virginia Board of Medicine that affects his rights and privileges;
5. Dr. Kneifati acknowledges that he is fully aware that, without his consent, no permanent legal action may be taken against him except after a hearing held in accordance with West Virginia Code § 30-3-14(h) and §29A-5-1, *et seq.;*

6. Dr. Kneifati is aware of his legal rights in this matter, in addition to his right to be represented by counsel at his own expense, including: the right to a formal hearing, after reasonable notice, before the West Virginia Board of Medicine on the disciplinary charges before the Board; the right to confront and cross-examine witnesses against him; the right to present evidence and testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to appeal under Chapter 29A of the West Virginia Code in the event of a final order or decision adverse to him;

7. With the exception of his right to legal counsel, which he has exercised, Dr. Kneifati knowingly and voluntarily waives all such additional rights, and agrees to the entry of this Consent Order relative to his practice of medicine in the state of West Virginia;

8. Dr. Kneifati acknowledges that if he violates any of the terms of this Consent Order, further action may be taken against his license by the Board, as permitted by law; and

9. Dr. Kneifati understands that this Order is a public document which will be available for public inspection, will be accessible through the Board’s website, and will be a permanent part of his historical record with the Board. Matters contained herein will be reported to the National Practitioner Data Bank, and may be reported to other jurisdictions, the Federation of State Medical Boards and as otherwise required by law.
ORDER

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

1. Until such time as Dr. Kneifati's Indiana, Virginia and Pennsylvania medical licenses are no longer subject to restrictions or limitations, Dr. Kneifati shall limit his practice of medicine in West Virginia to noninvasive procedures and minor procedures, including injections to the joints and tendons. For purposes of this Consent Order, minor procedures are those procedures which Dr. Kneifati is capable of safely performing in his office, within acceptable standards of care, under a localized anesthesia as opposed to general anesthesia.

2. Within ten days of any such occurrence, Dr. Kneifati shall notify this Board, in writing, of any modification to the restrictions upon his practice in Indiana and/or Virginia. Within ten days of any such occurrence, Dr. Kneifati shall also notify this Board, in writing, of any modification to the terms of Dr. Kneifati’s indefinite period of probation in Pennsylvania, including any change in the limitations or restrictions upon his practice of medicine in Pennsylvania.

3. Upon receipt of evidence acceptable to the Board that Dr. Kneifati is no longer subject to any restriction or limitation upon his practice of medicine in Indiana, Virginia and Pennsylvania, Dr. Kneifati may submit a written request to the Complaint Committee asking the Board to lift the practice restrictions imposed by this Consent Order.
4. Dr. Kneifati agrees to comply fully with the requirements of the West Virginia Medical Practice Act and the legislative rules of the Board at all times while he is licensed to practice medicine in West Virginia, and further agrees to comply with all of the terms set forth in this Consent Order.

5. If Dr. Kneifati fails to comply with any of the terms and conditions set forth above, the Board, in its sole discretion, may take any other action with regard to Dr. Kneifati’s license which is authorized by law, including but not limited to instituting proceedings to revoke or otherwise restrict Dr. Kneifati’s license to practice medicine and surgery in West Virginia.

6. This Consent Order shall be deemed entered on the date that this Order, with all required signatures affixed hereupon, is received in the Board’s 101 Dee Drive, Charleston, West Virginia, office. The Executive Director of the West Virginia Board of Medicine is hereby authorized to denote the date of entry on behalf of the Board in accordance with this paragraph.

ENTERED ON: February 28, 2017

WEST VIRGINIA BOARD OF MEDICINE

[Signature]

Ahmed D. Faheem, M.D.
President

Date: 2/23/17

[Signature]

Rahul Gupta, M.D., M.P.H.
Secretary

Date: 2/21/17
ACCEPTANCE

I, AHMED MOHAMED ADEEB KNEIFATI, M.D., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT ORDER. I HAVE BEEN GIVEN SUFFICIENT TIME AND OPPORTUNITY TO CONSIDER THIS CONSENT ORDER, AND I UNDERSTAND THE EFFECT IT WILL HAVE UPON MY LICENSE TO PRACTICE MEDICINE AND SURGERY IN WEST VIRGINIA.

BY SIGNING THIS CONSENT ORDER, I HAVE WAIVED CERTAIN RIGHTS, BUT I DO SO KNOWINGLY AND VOLUNTARILY, AND I DO NOT WISH TO ASSERT THOSE RIGHTS IN THIS MATTER.

I UNDERSTAND THAT I HAVE THE RIGHT TO LEGAL COUNSEL, AND I HAVE BEEN PROVIDED WITH AMPLE TIME TO SEEK LEGAL ADVICE REGARDING MY ACCEPTANCE OF THIS CONSENT ORDER FROM MY ATTORNEY.

I AM SIGNING THIS CONSENT ORDER VOLUNTARILY, AND I UNDERSTAND THE POTENTIAL CONSEQUENCES OF VIOLATING THIS CONSENT ORDER.

Ahmed Mohamed Adeeb Kneifati, M.D.
Date: 2/10/17

STATE OF Lycoming, Pennsylvania, to-wit:

I, Rachelle Hornung, a Notary Public for said county and state do hereby certify that Ahmed Mohamed Adeeb Kneifati, M.D., whose name is signed herein above has this day acknowledged the same before me.

Given under my hand this 10th day of Feb., 2017.

My Commission expires April 1, 2019

Rachelle N. Hornung
Notary Public