



## Arizona Medical Board

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258

Home Page: <http://www.azmd.gov>

Telephone (480) 551-2700 • Fax (480) 551-2705 • In-State Toll Free (877) 255-2212

### FINAL MINUTES FOR EMERGENCY MEETING

Held on August 4, 2016

9535 E. Doubletree Ranch Road, Scottsdale, Arizona 85258

#### *Board Members*

James M. Gillard, M.D., M.S., F.A.C.E.P., F.A.A.E.M., Chair

R. Screven Farmer, M.D., Vice-Chair

Jodi A. Bain, Esq., Secretary

Marc D. Berg, M.D.

Donna S. Brister

Teresa L. Connolly, D.N.P., R.N., N.E.A.-B.C.

Gary R. Figge, M.D.

Robert E. Fromm, M.D., M.P.H.

Lois E. Krahn, M.D.

Edward G. Paul, M.D.

Wanda J. Salter, R.N.

#### **A. CALL TO ORDER**

Dr. Gillard called the meeting to order at 4:07 p.m.

#### **B. ROLL CALL**

The following Board members were present: Dr. Gillard, Dr. Farmer, Ms. Brister, Dr. Connolly, Dr. Figge, Dr. Krahn, Dr. Paul, and Ms. Salter.

The following Board members were absent: Ms. Bain, Dr. Fromm and Dr. Berg.

#### **ALSO PRESENT**

Present among Board staff include: Carrie Smith, AAG; Mary D. Williams, AAG; Anne Froedge, AAG, Patricia E. McSorley, Executive Director; Kristina Fredericksen, Deputy Director; William Wolf, M.D., Chief Medical Consultant; Andrea Cisneros, Staff Investigational Review Committee ("SIRC") Coordinator, Raquel Rivera, Interim Acting Investigations Manager; Mary Bober, Board Operations Manager; and Michelle Robles, Board Coordinator.

#### **LEGAL MATTERS**

#### **C. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING SUMMARY ACTION**

##### 1. MD-15-0977A, SHAKEEL A. KAHN, M.D., LIC. #37896

Board staff reported the case was initiated after receiving a report of inappropriate prescribing of opioids by Dr. Kahn. A Medical Consultant (MC) who reviewed the case concluded that Dr. Kahn fell below the standard of care by prescribing high dose narcotic therapy to three out of the four patients reviewed and their diagnoses did not justify the high doses prescribed by Dr. Kahn. The MC also found that Dr. Kahn escalated doses and failed to control the patient's consumption of opioids by allowing for early refills and not conducting pill counts. The MC concluded that Dr. Kahn's doses are far outside the range of the typical pain practice.

Ms. Downey presented Dr. Kahn's written response to the proposed Practice Restriction. Ms. Downey stated that Dr. Kahn's made multiple requests for extensions during the course of the investigation, and failed to provide a supplemental response to the MC report. Ms. Downey noted that the MC found multiple deviations from the standard of care and actual patient harm. Ms. Downey also reported that recent information from the Pharmacy Board indicated that Dr. Kahn is prescribing medications to Arizona patients using a Montana DEA number and Dr. Kahn continues to prescribe to at least one of the patients in this investigation. Board staff found this aggravating as the MC had concluded this patient does not have a diagnosis that supports opioid therapy.

Dr. Gillard noted the Board- issued a Letter of Reprimand to Dr. Kahn in 2012 although that case did not involve inappropriate prescribing. Dr. Kahn was also previously issued an Advisory Letter for medical records. After an inquiry by Dr. Gillard, Board staff confirmed that one of the patients in this current case was arrested for selling narcotics.

Dr. Farmer stated he knows the MC in this case but it will not affect his ability to adjudicate this matter.

**MOTION: Dr. Gillard moved to summarily suspend Dr. Kahn's Arizona medical license based on the finding that the public health, safety or welfare imperatively requires emergency action by the Board.**

**SECOND: Dr. Krahn.**

**ROLL CALL VOTE: Roll call vote was taken and the following Board members voted in favor of the motion: Dr. Gillard, Dr. Farmer, Ms. Brister, Dr. Connolly, Dr. Figge, Dr. Krahn, Dr. Paul and Ms. Salter. The following Board members were absent: Ms. Bain, Dr. Berg and Dr. Fromm.**

**VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.**

**MOTION PASSED**

**MOTION: Dr. Krahn moved for adjournment.**

**SECOND: Ms. Salter.**

**VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse, 3-absent.**

**MOTION PASSED.**

The meeting adjourned at 4:16 p.m.



  
Patricia E. McSorley, Executive Director