

APPROVED

**VIRGINIA BOARD OF MEDICINE
FORMAL HEARING MINUTES**

**June 22, 2017 Department of Health Professions Henrico, Virginia
Perimeter Center
9960 Mayland Drive, Suite #300**

CALL TO ORDER: A panel of the Board was called to order at 1:08 p.m.

MEMBERS PRESENT: Barbara Allison-Bryan, M.D., Chair
Syed Ali, M.D.
Deborah DeMoss Fonseca
Isaac Koziol, M.D.
David Archer, M.D.
David Tamingler, M.D.

BOARD COUNSEL: Erin Barrett, Assistant Attorney General

STAFF PRESENT: Jennifer L. Deschenes, Deputy Executive Director, Discipline
Jennie F. Wood, Case Manager, Discipline

COURT REPORTER: Anne Marie Nelson, Crane Snead & Associates, Inc.

**PARTIES ON BEHALF OF
COMMONWEALTH:** Lori Pound, Adjudication Specialist

**COMMONWEALTH
WITNESSES:** Marcella Luna, Sr. Investigator, DHP

MATTER SCHEDULED: Hazem Garada, M.D. License No.: 0101-053186
Case No.: 179896

DISCUSSION: Dr. Garada appeared before the Board in person in accordance with the Board's Amended Notice of Formal Hearing dated May 31, 2017. Dr. Garada was represented by Rodney Adams, Esquire.

The Board received evidence and sworn testimony from witnesses called by the parties and from Dr. Garada regarding his petition for reinstatement of his license.

CLOSED SESSION:

Upon a motion by Dr. Koziol, and duly seconded by Dr. Ali, the Board voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Dr. Garada. Additionally, he moved that Ms. Barrett, Ms. Deschenes and Ms. Wood attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and announced its decision.

DECISION:

Upon a motion by Ms. DeMoss Fonseca, and duly seconded by Dr. Koziol, the Board made certain findings of fact and conclusions of law and voted to deny Dr. Garada's petition for reinstatement.


VOTE:

The vote was unanimous.


ADJOURNMENT:

The Board adjourned at 4:56 p.m.

The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.


Barbara Allison-Bryan, Chair
President

6/23/17
Date


William L. Harp, M.D.
Executive Director

6/23/17
Date

APPROVED

**VIRGINIA BOARD OF MEDICINE
FORMAL HEARING MINUTES**

June 22, 2017 Department of Health Professions Henrico, Virginia
Perimeter Center
9960 Mayland Drive, Suite #300

CALL TO ORDER: A panel of the Board was called to order at 1:17 p.m.

MEMBERS PRESENT: Wayne Reynolds, D.O., Chair
Lori Conklin, M.D., Chair
N. Ray Tuck, Jr., D.C.
David Giammittorio, M.D.
Alvin Edwards, Ph.D.
Kenneth Walker, M.D.
Jane Hickey, J.D.

BOARD COUNSEL: James Rutkowski, Assistant Attorney General

STAFF PRESENT: William L. Harp, M.D., Executive Director of the Board
Tamika Hines, Case Manager, Discipline

COURT REPORTER: Lori Larsen, Crane Snead & Associates, Inc.

**PARTIES ON BEHALF OF
COMMONWEALTH:** Melanie Pagano, Adjudication Specialist

**COMMONWEALTH
WITNESSES:** Joyce Shelton-Jones, Sr. Investigator DHP
Mark Cranfill, Sr. Investigator, DHP

RESPONDENT WITNESSES: James Walter

MATTER SCHEDULED: Rahem T. Mirza, D.C. License No.: 0104-555921
Case No.: 178169

DISCUSSION: Dr. Mirza appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated May 9, 2017. Dr. Mirza was represented by Kevin Dunne, Esquire and Susan Turner, Esquire.

The Board received evidence and sworn testimony from witnesses called by the parties and from Dr. Mirza regarding his petition for reinstatement of his license.

CLOSED SESSION:

Upon a motion by Dr. Walker, and duly seconded by Dr. Edwards, the Board voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Dr. Mirza. Additionally, he moved that Mr. Rutkowski, Dr. Harp and Ms. Hines attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and announced its decision.

DECISION:

Upon a motion by Dr. Tuck, and duly seconded by Dr. Edwards, the Board made certain findings of fact and conclusions of law and voted to reinstate Dr. Mirza's license on indefinite probation with certain terms and conditions.


VOTE:

The vote was unanimous.

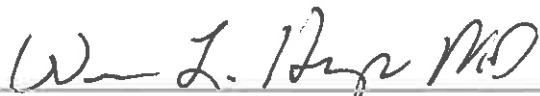
ADJOURNMENT:

The Board adjourned at 6:28 p.m.

The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.


Wayne Reynolds, D.O., Chair

6/22/17
Date


William L. Harp, M.D., Executive Director

6/23/17
Date