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**FILED**

December 14, 2012

NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS

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STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF: \_\_\_\_\_ :  
SHAMS QURESHI, M.D. :  
TO PRACTICE MEDICINE IN THE :  
STATE OF NEW JERSEY :  
\_\_\_\_\_ :

Administrative Action  
CONSENT ORDER  
OF REINSTATEMENT

This matter was opened to the New Jersey State Board of Medical Examiners (the "Board") by receipt of Shams Qureshi's (Respondent) petition for reinstatement of licensure to practice medicine by letter dated May 9, 2012. On January 11, 2010, Respondent pled guilty to one count of Recklessly Committing Health Care Claims Fraud in the Third Degree in violation of N.J.S.A. 2C:21-4.3A. On August 20, 2010, he was sentenced to probation for a period of two (2) years, home confinement for the first three months of the probationary term, and a one year suspension of license pursuant to N.J.S.A. 2C:51-5. The conduct underlying the

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guilty plea also constituted a violation of N.J.S.A. 17:33A-1 et. seq. and the Respondent and the Office of the Insurance Fraud Prosecutor agreed to a civil administrative penalty of \$125,000. As a result of the guilty plea and violation of N.J.S.A. 17:33A-1, by Final Consent Order filed on September 19, 2011 Respondent's license to practice medicine and surgery in the State of New Jersey was actively suspended for two years, beginning on August 20, 2010.

On August 1, 2012, Dr. Qureshi and his counsel Daniel G. Giaquinto, Esq. appeared before the Preliminary Evaluation Committee (the "Committee") regarding his request to reinstate his license. Dr. Qureshi testified and provided proof to the Committee of successful compliance with all of the requirements of September 19, 2011 Order, including the submission a detailed plan for his resumption of the practice of medicine, successful completion of a Board approved ethics course, full payment of the Board's costs in the amount of \$100,000, and a demonstration of his fitness and competency to return to the practice of medicine. The Board found that based on upon Dr. Qureshi's final essay for the PRIME Ethics course, as well as his testimony before the Committee about his past conviction, Respondent demonstrated accountability and remorse for his past conduct, as well as a willingness not to retain any responsibility for billing in his future practice. Additionally, the Committee reviewed documentation requested during Dr. Qureshi's appearance, to include: (1) documentation of Respondent's

fellowship experience; (2) a comprehensive list of the interventional pain procedures Respondent plans to perform; (3) the curriculum vitae of all physicians with whom Respondent proposes to practice; (4) a copy of Respondent's employment agreement; and (4) a copy of the billing and record keeping procedures of the practice he proposes to join.

Based upon Respondent's testimony on August 1, 2012, his compliance with all of the terms of the Final Consent Order dated September 19, 2011, and the Board's review of the documentation requested at his appearance, and the Board finding that the within Order is adequately protective of the public health, safety and welfare;

IT IS on this 14th day of December, 2012,

**ORDERED THAT:**

1. Shams Qureshi, M.D.'s license to practice medicine in the State of New Jersey is hereby reinstated upon his compliance with all requirements for reinstatement including payment of all fees, and filing of an application including but not limited to a criminal history background check. Reinstatement is subject to the restrictions and conditions contained in this Order.
2. Respondent may examine and treat patients within the scope of his practice as a psychiatrist at Mega, Inc., and/or any successor practice or group pre-approved by the Board.

3. Respondent's pain management practice at the office of Mega, Inc., or any successor practice or group pre-approved by the Board, shall be limited to: (1) examining patients; (2) determining a course of treatment; and (3) performing trigger point injections.

4. Respondent shall be prohibited from performing any interventional procedures with the sole exception of trigger point injections, in any setting whatsoever except a licensed hospital setting as set forth in Paragraph 5 below.

5. Respondent may perform interventional procedures only in a licensed hospital setting, and only if permitted by hospital bylaws, and according to his current competence and training.

6. Respondent shall advise the Board in writing of any and all hospitals at which he obtains privileges, within five (5) days after the effective date of such privileges.

7. Respondent shall cause the chairman of the department in which he performs procedures at every hospital at which he obtains privileges to send the Board quarterly reports on his practice, including immediate notification to the Board of any quality issues regarding Respondent. Such reports shall be sent to the Board for a minimum of two (2) years beginning on the date Respondent performs his first procedure at each hospital, not to be discontinued unless approved in writing by the Board.

8. If Respondent seeks privileges to perform interventional pain procedures in a hospital, Respondent shall provide to the chairman of the department at every hospital in which he obtains privileges a copy of this Order, prior to the effective date of such privileges.

9. Respondent shall continue to comply with Paragraph Five of his Final Order dated September 19, 2011 which permanently bars him from performing prolotherapy.

10. Respondent shall not be employed as a Medical Director of any facility including but not limited to an ambulatory surgery center, in which interventional pain procedures are performed, or oversee such procedures in any capacity while this Order is in effect.

11. Respondent consents to the entry of an Order of Automatic Suspension of license upon the Board's receipt of any information which the Board in its sole discretion deems reliable that Dr. Qureshi has failed to comply with any of the conditions or restrictions set forth above. Respondent shall have the right to apply for removal of the automatic suspension on five (5) days notice but in such event shall be limited to a showing that the information relied upon by the Board was false.

NEW JERSEY STATE BOARD OF  
MEDICAL EXAMINERS

By:

George J. Scott, D.O., D.P.M.  
Board President

I have read and understand  
the above order and agree to be  
bound by its terms. I further  
hereby consent to the entry of  
this order.

Shams Qureshi  
Shams Qureshi, M.D. 11-9-12

Consented as to form and entry.

Daniel G. Giacinto, Esq.  
Counsel for Shams Qureshi, M.D.

Robert J. Conroy, Esq.

**NOTICE OF REPORTING PRACTICES OF BOARD  
REGARDING DISCIPLINARY ACTIONS**

Pursuant to N.J.S.A. 52:14B-3(3), all orders of the New Jersey State Board of Medical Examiners are available for public inspection. Should any inquiry be made concerning the status of a licensee, the inquirer will be informed of the existence of the order and a copy will be provided if requested. All evidentiary hearings, proceedings on motions or other applications which are conducted as public hearings and the record, including the transcript and documents marked in evidence, are available for public inspection, upon request.

Pursuant to 45 CFR Subtitle A 60.8, the Board is obligated to report to the National Practitioners Data Bank any action relating to a physician which is based on reasons relating to professional competence or professional conduct:

- (1) Which revokes or suspends (or otherwise restricts) a license,
- (2) Which censures, reprimands or places on probation,
- (3) Under which a license is surrendered.

Pursuant to 45 CFR Section 61.7, the Board is obligated to report to the Healthcare Integrity and Protection (HIP) Data Bank, any formal or official actions, such as revocation or suspension of a license (and the length of any such suspension), reprimand, censure or probation or any other loss of license or the right to apply for, or renew, a license of the provider, supplier, or practitioner, whether by operation of law, voluntary surrender, non-renewability, or otherwise, or any other negative action or finding by such Federal or State agency that is publicly available information.

Pursuant to N.J.S.A. 45:9-19.13, if the Board refuses to issue, suspends, revokes or otherwise places conditions on a license or permit, it is obligated to notify each licensed health care facility and health maintenance organization with which a licensee is affiliated and every other board licensee in this state with whom he or she is directly associated in private medical practice.

In accordance with an agreement with the Federation of State Medical Boards of the United States, a list of all disciplinary orders are provided to that organization on a monthly basis.

Within the month following entry of an order, a summary of the order will appear on the public agenda for the next monthly Board meeting and is forwarded to those members of the public requesting a copy. In addition, the same summary will appear in the minutes of that Board meeting, which are also made available to those requesting a copy.

Within the month following entry of an order, a summary of the order will appear in a Monthly Disciplinary Action Listing which is made available to those members of the public requesting a copy.

On a periodic basis the Board disseminates to its licensees a newsletter which includes a brief description of all of the orders entered by the Board.

From time to time, the Press Office of the Division of Consumer Affairs may issue releases including the summaries of the content of public orders.

Nothing herein is intended in any way to limit the Board, the Division or the Attorney General from disclosing any public document.