

FILED OF RECORD

MAY 22 2024

K.B.M.L.

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 2158

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY SAJAD ZALZALA, M.D., LICENSE NO. 52859, 6437
ARGYLE STREET, DEARBORN, MICHIGAN 48126

AGREED ORDER

Come now the Kentucky Board of Medical Licensure ("the Board"), acting by and through its Inquiry Panel A. and Sajad Zalzal, M.D., ("the licensee"), and, based upon their mutual desire to fully and finally resolve this pending investigation without an evidentiary hearing, hereby ENTER INTO the following **AGREED ORDER**:

STIPULATIONS OF FACT

The parties stipulate the following facts, which serve as the factual bases for this Agreed Order:

1. At all relevant times, Sajad Zalzal, M.D. ("the licensee"), was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee's medical specialty is Family Medicine.
3. The licensee also holds licenses to practice medicine in other states and territories, including but not limited to the state of Missouri and Ontario, Canada.
4. In or around 2020, the College of Physicians and Surgeons of Ontario ("CPSO") opened an investigation bearing File Number CAS-133091-W5M2R1 (the "Investigation") into whether the licensee engaged in professional misconduct and/or is incompetent in his prescribing.
5. In or around September 2021, the licensee allowed his certificate of registration to practice medicine in Ontario, Canada to expire.

6. In or around May 2023, the licensee resolved the CPSO investigation in lieu of a disciplinary proceeding by entering into an *Undertaking, Acknowledgement and Consent*, pursuant to which he agreed "never to apply or re-apply for registration as a physician in Ontario."
7. The licensee neither reported nor provided a copy of his CPSO *Undertaking, Acknowledgement and Consent* to this Board within ten days as required by 201 KAR 9:081.
8. On or about February 21, 2024, the licensee entered into a *Settlement Agreement* and a *Consent Order on Discipline* with the Missouri State Board of Registration for the Healing Arts ("Missouri Board"), pursuant to which he was reprimanded and in which he stipulated, in summary, to the following:

On or about January 25, 2021, the [Missouri Board] Board received an investigation Report from the Missouri Board of Pharmacy alleging that a non-resident pharmacy was shipping prescriptions into Missouri based off an Internet questionnaire. The investigation indicated that between April 16, 2018, to April 14, 2020, 7,689 of the 9,898 prescriptions shipped into Missouri by The Pill Club Pharmacy were prescribed by a Missouri-licensed nurse practitioner, whose primary practice address was located within Missouri. The licensee, whose primary practice address is in Dearborn, Michigan, was the nurse practitioner's collaborating physician. During the Missouri Board's investigation, the licensee appeared with legal counsel for The Pill Club Medical Group, a telehealth provider. The licensee acknowledged that he had not been physically present for the supervision, collaboration and other administrative service interactions with the nurse practitioner as required by Missouri law and thus cause exists to discipline his Missouri license.

9. The licensee reported his *Settlement Agreement* and a *Consent Order on Discipline* with the Missouri Board on his nearly-simultaneously filed renewal application.

STIPULATED CONCLUSIONS OF LAW

The parties stipulate the following Conclusions of Law, which serve as the legal bases for this Agreed Order:

1. The licensee's Kentucky medical license is subject to regulation and discipline by the Board.
2. Based upon the Stipulations of Fact, the licensee has engaged in conduct which violates the provisions of KRS 311.595(12) and (17). Accordingly, there are legal grounds for the parties to enter into this Agreed Order.
3. Pursuant to KRS 311.591(6) and 201 KAR 9:082, the parties may fully and finally resolve this pending investigation without an evidentiary hearing by entering into an informal resolution such as this Agreed Order.

AGREED ORDER

Based upon the foregoing Stipulations of Fact and Stipulated Conclusions of Law, and, based upon their mutual desire to fully and finally resolve this pending investigation without an evidentiary hearing, the parties hereby ENTER INTO the following **AGREED ORDER**:


1. The license to practice medicine held by Sajad Zaizala, M.D., is hereby **PLACED ON PROBATION FOR A PERIOD OF UP TO FIVE (5) YEARS**, with that period of probation beginning immediately upon the filing of this Agreed Order.
2. During the effective period of this Agreed Order, the licensee's Kentucky medical license **SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS** until further order of the Board:
 - a. Within one (1) year of the effective date of this Agreed Order and pursuant to KRS 311.565(1)(v), the licensee **SHALL** submit payment of a **FINE** in the amount of **\$1,000.00**.
 - b. Within one (1) year of the effective date of this Agreed Order, the licensee **SHALL** read and attest (in a duly written, executed and notarized affidavit) that he has read the Board's "Opinion Regarding the Use of Telemedicine Technologies in the Practice of Medicine" and understands that he must fully comply with the acceptable and prevailing standards set forth therein.

as a condition of using telemedicine technologies in the practice of medicine within the Commonwealth of Kentucky; and

- c. The licensee SHALL NOT violate any provision of KRS 311.595 and/or 311.597.
3. Upon completion of the terms and conditions set forth in ¶2 above, the licensee may request and the Panel Chair may approve termination of this Agreed Order prior to the expiration of five (5) years.
4. The licensee expressly agrees that if he should violate any term or condition of this Agreed Order, the licensee's practice will constitute an immediate danger to the public health, safety, or welfare, as provided in KRS 311.592 and 13B.125. The parties further agree that if the Board should receive information that he has violated any term or condition of this Agreed Order, the Panel Chair is authorized by law to enter an Emergency Order of Suspension or Restriction immediately upon a finding of probable cause that a violation has occurred, after an *ex parte* presentation of the relevant facts by the Board's General Counsel or Assistant General Counsel. If the Panel Chair should issue such an Emergency Order, the parties agree and stipulate that a violation of any term or condition of this Agreed Order would render the licensee's practice an immediate danger to the health, welfare and safety of patients and the general public, pursuant to KRS 311.592 and 13B.125; accordingly, the only relevant question for any emergency hearing conducted pursuant to KRS 13B.125 would be whether the licensee violated a term or condition of this Agreed Order.
5. The licensee understands and agrees that any violation of the terms of this Agreed Order would provide a legal basis for additional disciplinary action, including revocation, pursuant to KRS 311.595(13).

SO AGREED on this 20th day of May, 2024.


FOR THE LICENSEE:


SAJAD ZALZATA, M.D.

COUNSEL FOR THE LICENSEE
(IF APPLICABLE) Robert A O + L

FOR THE BOARD:


WAQAR A. SALEEM, M.D.
CHAIR, INQUIRY PANEL A


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