

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: JAVOID A. PERWAIZ, M.D.
License No.: 0101-031919

ORDER

In accordance with the provisions of Sections 54.1-110, 54.1-2917, 54.1-2920 and 9-6.14:12 of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was convened before the Virginia Board of Medicine ("Board") on June 7, 1996, in Richmond, Virginia.

Pursuant to Sections 9-6.14:14.1F of the Code, the hearing was held before a panel of the Board with the Board's President presiding. The proceedings were recorded by a certified court reporter. The case was prosecuted by Frank W. Pedrotty, Assistant Attorney General. Howard M. Casway, Assistant Attorney General, was present as legal counsel for the Board. Dr. Perwaiz appeared at the formal administrative hearing and was represented by Stephen G. Test, Esquire. The Board met to receive and act upon Dr. Perwaiz's Petition to Reinstate his license to practice medicine in Virginia, as set forth in the Board's notice dated May 8, 1996. Dr. Perwaiz's license had been mandatorily revoked by Board Order dated April 26, 1996.

FINDINGS OF FACT

Now, having properly considered the testimony and other evidence provided, the Board finds the following facts by clear and convincing evidence:

1. By Judgment entered April 10, 1996, Dr. Perwaiz was found guilty, under a plea agreement, of two (2) felony counts of signing and filing false tax returns, in violation of 26 USC 7206(1), in the United States District Court, Eastern District of Virginia.

2. Dr. Perwaiz's license to practice medicine in the Commonwealth of Virginia was mandatorily revoked by Order of the Board, dated April 29, 1996.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes that Javoid A. Perwaiz, M.D., has violated § 54.1-2915(A)(3) as further defined in § 54.1-2914(A)(7) of the Code of Virginia (1950), as amended.

Dr. Perwaiz

ORDER

WHEREFORE, it is hereby ORDERED that the REVOCATION of the license of Javaid A. Perwaiz, M.D., to practice medicine in the Commonwealth of Virginia be, and hereby is, CONTINUED until August 15, 1996, at which time, Dr. Perwaiz's license shall be REINSTATED, and placed on SUSPENSION, with said suspension STAYED INDEFINITELY, subject to the following terms and conditions:

1. Dr. Perwaiz shall provide 20 hours a week of Board approved, uncompensated medical care to a medically underserved patient population separate from his private practice.
2. Said 20 hours a week of medical care shall be separate and in addition to the 16 hours per month of community service required of Dr. Perwaiz under the terms of his U.S. District Court imposed probation.
3. Dr. Perwaiz shall submit quarterly reports to the Board, verifying that he has provided the above referenced medical care. Said information shall be submitted on a form approved by the Board.
4. Dr. Perwaiz shall complete a Board approved course on medical ethics.
5. The Board reserves the right, at any time, to conduct a prospective audit of Dr. Perwaiz's office records and patient files.
6. Dr. Perwaiz shall not change the scope, nature, and/or location of his practice without obtaining prior approval of the Board.
7. Dr. Perwaiz shall comply with all terms and conditions of his U.S. District Court imposed probation, and he shall make all financial restitution required by the U.S. government.
8. Dr. Perwaiz shall comply with all the laws of the Commonwealth of Virginia and shall maintain a course of conduct in his practice of medicine commensurate with the requirements of Chapter 29, Title 54.1 of the Code of Virginia.
9. Dr. Perwaiz shall be noticed to appear before an Informal Conference Committee ("Committee") of the Board in no less than one year from the date of entry of this Order to review Dr. Perwaiz's compliance with the terms of the stayed suspension of his license. Such Committee shall be authorized to act on behalf of the Board .


Dr. Perwaiz

10. Violation of this Order shall constitute grounds for the revocation of the license of Dr. Perwaiz. An administrative proceedings may be convened for consideration of disciplinary action in this matter in the event of non-compliance with this Order.

As provided by Rule 2A:2 of the Supreme Court of Virginia, Dr. Perwaiz has thirty (30) days from the date of service (the date he actually received this decision or the date it was mailed to him, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Warren W. Koontz, M.D., Executive Director, Board of Medicine. In the event that this decision is served by mail, three (3) days are added to that period.

Pursuant to Section 9-6.14:14 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public inspection and copying upon request.

FOR THE BOARD


Warren W. Koontz, M.D.
Executive Director
Virginia Board of Medicine

ENTERED: July 13, 1996

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