

1 BEFORE THE ARIZONA MEDICAL BOARD

2 In the Matter of

3 **SARDEV SIDHU, M.D.**

4 License No. 23778
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

Case No. MD-13-0475A

**ORDER FOR LETTER OF REPRIMAND
AND PROBATION AND CONSENT TO
SAME**

7 Sardev Sidhu, M.D. ("Respondent") elects to permanently waive any right to a
8 hearing and appeal with respect to this Order for Letter of Reprimand and Probation;
9 admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of
10 this Order by the Board.

11 **FINDINGS OF FACT**

12 1. The Board is the duly constituted authority for the regulation and control of
13 the practice of allopathic medicine in the State of Arizona.

14 2. Respondent is the holder of license number 23778 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-13-0475A after receiving a complaint
17 regarding Respondent's care and treatment of patients ("DP") and ("GG") alleging
18 inappropriate prescribing and failure to adequately care for and treat the patients.

19 **Patient DP:**

20 4. DP was a 51 year-old female patient with diagnoses of Bipolar Disorder,
21 amphetamine dependence, alcohol dependence, hypertension, and cerebrovascular
22 disease. Respondent's documented history noted symptoms of Attention Deficit
23 Hyperactivity Disorder ("ADHD") and a long history of alcohol and amphetamine
24 dependence. Respondent initiated Strattera and subsequently discontinued due to lack of
25 response. In 2010, DP was found to have been filling Risperadone early, and DP was

1 hospitalized for lithium toxicity on another occasion. Respondent prescribed DP Adderall
2 XR in addition to Venlafaxine, Risperadone, and Hydroxyzine secondary to poor
3 concentration and impulsivity. DP self-reported past ADHD symptoms that responded to
4 amphetamine and no formal testing for ADHD was performed. On July 14, 2011, DP died
5 of methamphetamine toxicity.

6 **Patient GG:**

7 5. GG was a 34 year-old male patient with diagnoses of Bipolar Disorder, Panic
8 Disorder, ADHD, hypertension and cerebrovascular disease. Respondent increased GG's
9 Xanax prescription in 2010 secondary to increased anxiety surrounding the death of a
10 family member, but did not document the quantity of Xanax or other medications
11 prescribed to GG throughout the medical chart. Respondent did not document when
12 treatment with Strattera was initiated; however, GG's medical record reflects that Strattera
13 was discontinued in 2012 secondary to constipation. Adderall XR was later added to GG's
14 medication regimen. In July of 2012, GG died of accidental acute polydrug toxicity.
15 Respondent's chart notes do not indicate a diagnosis of past substance abuse.

16 6. The standard of care requires a physician to recognize that individuals with
17 substance abuse histories require close observation and additional documentation
18 justifying the rationale, risks, benefits, and alternatives when prescribing controlled
19 substances.

20 7. Respondent deviated from the standard of care by failing to
21 document/discuss in either case the rationale for initiating a stimulant in an individual with
22 presumed ADHD that also has a diagnosis of Bipolar Affective Disorder and remote
23 Substance Abuse/Dependence.

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1 monitoring services. Respondent shall bear all costs of monitoring requirements and
2 services.

3 b. Continuing Medical Education

4 Respondent shall within six months of the effective date of this Order
5 complete the Physician Assessment and Clinical Education ("PACE") medical
6 recordkeeping course and the PACE prescribing course. Respondent shall within thirty
7 days of the effective date of this Order submit his request for the CME courses to the
8 Board for pre-approval. Upon completion of the CME courses, Respondent shall provide
9 Board Staff with satisfactory proof of attendance. The CME course hours shall be in
10 addition to the hours required for the biennial renewal of medical license.

11 c. Chart Reviews

12 The Monitor shall conduct quarterly chart reviews. Based upon the chart
13 reviews, the Board retains jurisdiction to take additional disciplinary or remedial action.

14 d. Obey All Laws

15 Respondent shall obey all state, federal and local laws, all rules governing
16 the practice of medicine in Arizona, and remain in full compliance with any court ordered
17 criminal probation, payments and other orders.

18 e. Tolling

19 In the event Respondent should leave Arizona to reside or practice outside
20 the State or for any reason should Respondent stop practicing medicine in Arizona,
21 Respondent shall notify the Executive Director in writing within ten days of departure and
22 return or the dates of non-practice within Arizona. Non-practice is defined as any period of
23 time exceeding thirty days during which Respondent is not engaging in the practice of
24 medicine. Periods of temporary or permanent residence or practice outside Arizona or of
25 non-practice within Arizona, will not apply to the reduction of the probationary period.

1 f. Beginning one year after the effective date of this Order, Respondent
2 may petition the Board for an order terminating the Probation.

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4 DATED AND EFFECTIVE this 12th day of December, 2013.

5 ARIZONA MEDICAL BOARD

6
7 By Patricia E. McSorley
8 Patricia E. McSorley
9 Interim Acting Executive Director

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12 **CONSENT TO ENTRY OF ORDER**

13 1. Respondent has read and understands this Consent Agreement and the
14 stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent
15 acknowledges he has the right to consult with legal counsel regarding this matter.

16 2. Respondent acknowledges and agrees that this Order is entered into freely
17 and voluntarily and that no promise was made or coercion used to induce such entry.

18 3. By consenting to this Order, Respondent voluntarily relinquishes any rights to
19 a hearing or judicial review in state or federal court on the matters alleged, or to challenge
20 this Order in its entirety as issued by the Board, and waives any other cause of action
21 related thereto or arising from said Order.

22 4. The Order is not effective until approved by the Board and signed by its
23 Executive Director.

24 5. All admissions made by Respondent are solely for final disposition of this
25 matter and any subsequent related administrative proceedings or civil litigation involving
the Board and Respondent. Therefore, said admissions by Respondent are not intended

1 or made for any other use, such as in the context of another state or federal government
2 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
3 any other state or federal court.

4 6. Upon signing this agreement, and returning this document (or a copy thereof)
5 to the Board's Executive Director, Respondent may not revoke the consent to the entry of
6 the Order. Respondent may not make any modifications to the document. Any
7 modifications to this original document are ineffective and void unless mutually approved
8 by the parties.

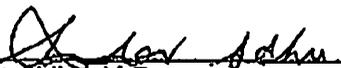
9 7. This Order is a public record that will be publicly disseminated as a formal
10 disciplinary action of the Board and will be reported to the National Practitioner's Data
11 Bank and on the Board's web site as a disciplinary action.

12 8. If any part of the Order is later declared void or otherwise unenforceable, the
13 remainder of the Order in its entirety shall remain in force and effect.

14 9. If the Board does not adopt this Order, Respondent will not assert as a
15 defense that the Board's consideration of the Order constitutes bias, prejudice,
16 prejudgment or other similar defense.

17 10. Any violation of this Order constitutes unprofessional conduct and may result
18 in disciplinary action. A.R.S. § § 32-1401(27)(r) ("[v]iolating a formal order, probation,
19 consent agreement or stipulation issued or entered into by the board or its executive
20 director under this chapter") and 32-1451.

21 11. ***Respondent has read and understands the conditions of probation.***

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24 Sardév Sidhu, M.D.

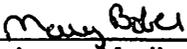
DATED: 11/26/13

25 EXECUTED COPY of the foregoing mailed
this 11th day of December, 2013 to:

1 Stephen W. Myers
2 Myers & Jenkins
3 One East Camelback Road
4 Suite 500
5 Phoenix, AZ 85012

6 ORIGINAL of the foregoing filed
7 this 12th day of December, 2013 with:

8
9 Arizona Medical Board
10 9545 E. Doubletree Ranch Road
11 Scottsdale, AZ 85258

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Arizona Medical Board Staff