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7 Attorneys for Arizona Medical Board

8
9 **BEFORE THE ARIZONA MEDICAL BOARD**
10 **IN THE OFFICE OF ADMINISTRATIVE HEARINGS**

11
12 In the Matter of
13 PARMESHWAR KHAMRE, M.D.,
14
15 Holder of License No. 12905
For the Practice of Allopathic Medicine
16 In the State of Arizona
17 Respondent,

No. 03F-12905 MDX
MD-03-0363
MD-03-0405

CONSENT AGREEMENT FOR
SURRENDER OF LICENSE

18
19 RECITALS

20 In the interest of a prompt and judicious settlement of the above-captioned matter
21 before the Arizona Medical Board ("Board") and consistent with the public interest,
22 statutory requirements and responsibilities of the Board and under A.R.S. § 41-
23 1092.07(F)(5) and A.R.S. § 32-1451(F), PARMESHWAR KHAMRE, M.D.
24 ("Respondent"), holder of License No. 12905 for the practice of allopathic medicine in
25 the State of Arizona, and the Board enter into the following Recitals, Findings of Fact,
26

1 Conclusions of Law and Order ("Consent Agreement") as the final disposition of this
2 matter.

3 1. Respondent has read and understands this Consent Agreement as set forth
4 herein, and has had the opportunity to discuss this Consent Agreement with an
5 attorney or has waived the opportunity to discuss this Consent Agreement with
6 an attorney. Respondent voluntarily enters into this Consent Agreement for the
7 purpose of avoiding the expense and uncertainty of an administrative hearing.
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9 2. Respondent understands that he has a right to a public administrative hearing
10 concerning each and every allegation set forth in the above-captioned matter, at
11 which administrative hearing he could present evidence and cross-examine
12 witnesses. By entering into this Consent Agreement, Respondent freely and
13 voluntarily relinquishes all right to such an administrative hearing, as well as all
14 rights of rehearing, review, reconsideration, appeal, judicial review or any other
15 administrative and/or judicial action, concerning the matters set forth herein.
16 Respondent affirmatively agrees that this Consent Agreement shall be
17 irrevocable.
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19 3. Respondent agrees that the Board may adopt this Consent Agreement or any part
20 of this agreement, under A.R.S. § 32-1451(F). Respondent understands that this
21 Consent Agreement or any part of the agreement may be considered in any
22 future disciplinary action against him.
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24 4. Respondent understands that this Consent Agreement does not constitute a
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1 dismissal or resolution of other matters currently pending before the Board, if
2 any, and does not constitute any waiver, express or implied, of the Board's
3 statutory authority or jurisdiction regarding any other pending or future
4 investigation, action or proceeding. Respondent also understands that
5 acceptance of this Consent Agreement does not preclude any other agency,
6 subdivision or officer of this state from instituting other civil or criminal
7 proceedings with respect to the conduct that is the subject of this Consent
8 Agreement.
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11 5. All admissions made by Respondent in this Consent Agreement are made solely
12 for the final disposition of this matter, and any related administrative
13 proceedings or civil litigation involving the Board and Respondent. This
14 Consent Agreement is not to be used for any other regulatory agency
15 proceedings, or civil or criminal proceedings, whether in the State of Arizona or
16 any other state or federal court, except related to the enforcement of the Consent
17 Agreement itself.
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20 6. Respondent acknowledges and agrees that, upon signing this Consent Agreement
21 and returning this document to the Board's Executive Director, Respondent may
22 not revoke his acceptance of the Consent Agreement or make any modifications
23 to the document, regardless of whether the Consent Agreement has been issued
24 by the Executive Director. Any modification to this original document is
25 ineffective and void unless mutually approved by the parties in writing.
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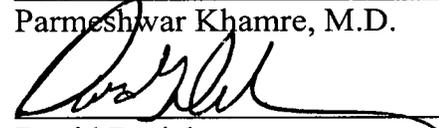
- 7. Respondent understands that the foregoing Consent Agreement shall not become effective unless and until adopted by the Board and signed by the Executive Director.
- 8. Respondent understands and agrees that if the Board does not adopt this Consent Agreement, he will not assert as a defense that the Board's consideration of this Consent Agreement constitutes bias, prejudice, prejudgment or other similar defense.
- 9. Respondent understands that this Consent Agreement is a public record that may be publicly disseminated as a formal action of the Board, and shall be reported as required by law to the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.
- 10. Respondent understands that any violation of this Consent Agreement constitutes unprofessional conduct pursuant to A.R.S. § 32-1401(27)(r) ([v]iolating a formal order, probation, consent agreement or stipulation issued or entered into by the board or its executive director under the provisions of this chapter) and may result in disciplinary action pursuant to A.R.S. § 32-1451.

ACCEPTED BY:

DATED: 7/29/05



Parmeshwar Khamre, M.D.



David Derickson
Attorney for Respondent

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there was no problem with the piercing and her breasts were not infected and there was no reason for Respondent to handle her breasts or nipple rings.

6. JH then asked Respondent for a prescription for birth control. Respondent asked JH if she was planning of having sexual relations with anyone. JH stated that she was not, but did not want to become pregnant. Respondent then left the room to retrieve the prescriptions for her sinus condition and birth control. JH put her bra back on and pulled her shirt down. A nurse came into the examining room and provided the breathing treatment. Respondent returned to the examination room shortly afterward and, as JH was preparing to leave, hugged her and told her she was a beautiful young woman, that he was proud of her for completing drug rehabilitation and gave her unsolicited kisses on her forehead.

7. JH said at this point Respondent was standing facing her and touched her breasts (through her clothing) and told her not get anymore piercing, particularly in the crotch area. Respondent then reached down and patted her on her genital area. JH stated that this was not the first time Respondent had acted this way during an office visit and that since hr recent completion of a drug rehabilitation program, Respondent had been getting friendlier with her. According to JH, Respondent had touched her inappropriately at a February office visit. JH stated that she had tried to get another physician through her insurance company, but that she was unsuccessful. JH stated that when she fell ill in April, 2003, she had no alternative but to return to Respondent.

1 8. According to JH, when she left Respondent's office she told several other people
2 about what had happened during her medical examination. JH provided the
3 Board with the names of the people she spoke with. When interviewed by a
4 Board investigator, each related a similar story and stated that they had
5 encouraged JH to report Respondent's conduct.
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7 9. JH filed a complaint with the Glendale Police Department regarding
8 Respondent's conduct.
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10 10. Respondent entered a plea of guilty to a criminal charge of sexual abuse, a Class
11 Five Felony in Maricopa County Superior Court and on April 22, 2005, was
12 sentenced to lifetime probation as part of a plea agreement to the allegations
13 raised in this investigation.
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15 11. Based on the information in paragraphs 3 through 9, the Board on May 14, 2003
16 acted to summarily suspend Respondent's license number 12905 pending formal
17 hearing.
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19 **Investigation MD-03-0405**

20 12. Investigation MD-03-0405 was opened after the Board received additional
21 complaints from patients WE, TJ, CS, AJ and DD. Each made similar
22 allegations that Respondent had inappropriately touched them. Their allegations
23 dated as far back as 1997.
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25 13. Respondent entered a plea of guilty to a criminal charge of sexual abuse, a Class
26 Five Felony in Maricopa County Superior Court and on April 22, 2005, was

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sentenced to thirty months in prison along with lifetime probation as part of a plea agreement to the allegations raised in this investigation by CS and DD.

14. Respondent admits to the allegations set forth in paragraphs 3 through 14.

CONCLUSIONS OF LAW

- 1. The Board possesses jurisdiction over the subject matter hereof and over Parmeshwar Khamre, M.D., (Respondent), holder of license number 12905, for the practice of allopathic medicine in the State of Arizona.
- 2. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-1401(27)(d) – “Committing a felony.”
- 3. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-1401(27)(z)(ii) – “Engaging in sexual conduct with a current patient ...[by] making sexual advances, requesting sexual favors or engaging in other verbal conduct or physical contact of a sexual nature.”
- 4. The Board possesses statutory authority to enter into a consent agreement with a physician and accept the surrender of an active license from a physician who admits to having committed an act of unprofessional conduct as contemplated by A.R.S. § 32-1451(T)(2).

CONSENT ORDER

Based on the above findings of fact and conclusions of law and pursuant to the authority granted to the Board by A.R.S. § 32-1451(T)

IT IS THEREFORE ORDERED that:

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1. License number 12905, issued to Parmeshwar Khamre, M.D., for the practice of allopathic medicine in the State of Arizona, be deemed surrendered and that he immediately return his wallet card and certificate of licensure to the Board.

DATED AND EFFECTIVE this 12th day of October, 2005.

(SEAL)



ARIZONA MEDICAL BOARD

By:

[Signature]
Timothy C. Miller, J.D.
Executive Director

Original of the foregoing filed this 12th day of October, 2005, with:

Arizona Medical Board
9545 E. Doubletree Ranch Road
Scottsdale, Arizona 85258

COPY of the foregoing mailed by U.S. Certified Mail this 12th day of October, 2005, to:

Parmeshwar Khamre, M.D.
Address of Record
Respondent

COPIES of the foregoing mailed this 12th day of October, 2005, to:

David Derickson
3636 N. Central Avenue, Ste. 1150
Phoenix, Arizona 85012-1972

Dean E. Brekke
Assistant Attorney General
1275 W. Washington, CIV/LES
Phoenix, Arizona 85007

[Signature]
Board Quality Control Division