

BEFORE THE ALABAMA STATE BOARD OF MEDICAL EXAMINERS

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**)
)
)
 Complainant,)
)
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 v.)
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)
 VIPLOVE SENADHI, D.O.,)
)
)
 Respondent.)
 _____)

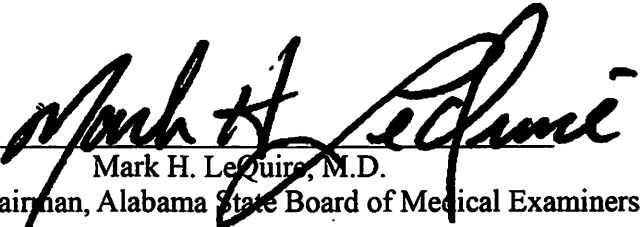
CASE NO. 2023 - 01

CASE NO. 2023 - 02

ORDER DISMISSING CONTESTED CASE PROCEEDING WITHOUT PREJUDICE

The Alabama State Board of Medical Examiners (“Board”) grants the parties’ joint motion to dismiss, and Orders these contested case proceedings dismissed without prejudice.

Done on April 27, 2023.


Mark H. LeQuire, M.D.
Chairman, Alabama State Board of Medical Examiners

CC: By Electronic Mail Only
E. Wilson Hunter, Esquire
Thomas T. Gallion III, Esquire
John Peter Cook McCall, Esquire
Christy Stewart

BEFORE THE ALABAMA STATE BOARD OF MEDICAL EXAMINERS

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**)
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Complainant,)
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vs.)
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VIPLOVE SENADHI, D.O.,)
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Respondent.)

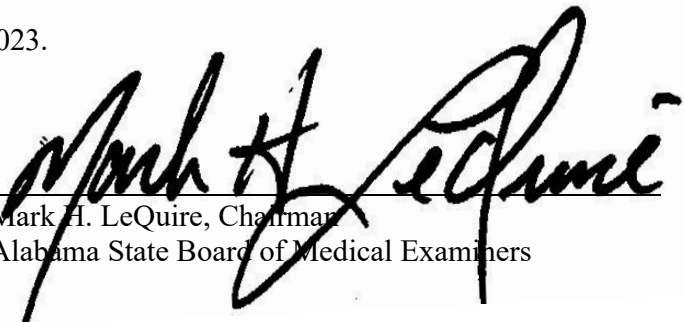
CASE NO.: 2023-01

ORDER TEMPORARILY SUSPENDING COLLABORATIVE PRACTICE

Pursuant to the authority of Ala. Code §§ 34-21-88 and 41-22-19(d) and Ala. Admin. Code R. 540-X-8-.16, the Alabama State Board of Medical Examiners (“the Board”) hereby finds that there is an imminent danger to the public health and safety, and it is the ORDER of the Board that the Collaborative Practice between VIPLOVE SENADHI, D.O., DO.1453, and Certified Registered Nurse Practitioner (“CRNP”) ANDREA ESPARZA, CRNP, be, and the same is hereby, immediately suspended. Dr. Senadhi is hereby ORDERED and DIRECTED to cease and desist from his collaborating privileges with Ms. Esparza until such time as a hearing shall be held by the Board and a decision rendered thereon.

This Order shall issue simultaneously with an Order to Show Cause setting forth the allegations and scheduling a hearing.

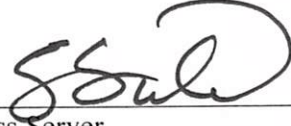
Ordered this the 2nd day of February, 2023.



Mark H. LeQuire, Chairman
Alabama State Board of Medical Examiners

RETURN OF SERVICE

I, the undersigned, being over the age of 19 years and not a party in this matter, hereby certify that I have served the foregoing Order Temporarily Suspending Collaboration Practice upon John McCall, Attorney, this the 9th day of February, 2023.



Process Server

SWORN TO AND SUBSCRIBED before me this 9th day of February, 2023.



Notary Public

My Commission Expires:



BEFORE THE ALABAMA STATE BOARD OF MEDICAL EXAMINERS

**ALABAMA STATE BOARD OF
MEDICAL EXAMINERS,**)
)
)
Complainant,)
)
vs.)
)
VIPLOVE SENADHI, D.O.,)
)
Respondent.)

CASE NO.: 2023-02

**ORDER TEMPORARILY SUSPENDING
OFFICE BASED SURGERY REGISTRATION**

Pursuant to the authority of Ala. Code § 20-2-55, the Alabama State Board of Medical Examiners (“the Board”) hereby finds that there is an imminent danger to the public health and safety, and it is the ORDER of the Board that the Office Based Surgery Registration of VIPLOVE SENADHI, D.O., DO.1453, be, and the same is hereby, immediately suspended.

Dr. Senadhi is hereby ORDERED to cease and desist from performing any and all surgical procedures at his office, located at 2415 Central Parkway, Montgomery, Alabama, until such time as a hearing shall be held by the Board and a decision rendered thereon.

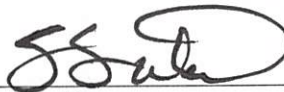
This Order shall issue simultaneously with an Order to Show Cause setting forth the allegations and scheduling a hearing.

Ordered this the 2nd day of February, 2023.


Mark H. LeQuire, Chairman
Alabama State Board of Medical Examiners

RETURN OF SERVICE

I, the undersigned, being over the age of 19 years and not a party in this matter, hereby certify that I have served the foregoing Order Temporarily Suspending Office Based Surgery Registration upon John McCall, Attorney, this the 9th day of February, 2023.



Process Server

SWORN TO AND SUBSCRIBED before me this 9th day of February, 2023.



Notary Public

My Commission Expires:



BEFORE THE ALABAMA STATE BOARD OF MEDICAL EXAMINERS

ALABAMA STATE BOARD OF MEDICAL EXAMINERS,)	
)	
Complainant,)	
)	CASE NO. 2023-01
v.)	
)	
VIPLOVE SENADHI, D.O.,)	
)	
Respondent.)	

ORDER TO SHOW CAUSE

This Order to Show Cause is directed to VIPLOVE SENADHI, D.O. (“Respondent”), pursuant to the authority of Ala. Code § 34-21-88. A hearing will be conducted at **11:00 a.m. (CDT) on May 18, 2023**, at the offices of the Alabama State Board of Medical Examiners (“the Board”), 848 Washington Avenue, Montgomery, Alabama. Respondent is ORDERED AND DIRECTED to appear before the Board at the time and place stated above and to show cause, if there be any, why the approval of the Board of the collaborative practice between ANDREA ESPARZA, CRNP, and Respondent should not be terminated. As grounds for termination, the Board states the following:

JURISDICTION

1. Respondent has maintained a license to practice medicine in Alabama since on or about September 24, 2014. He is currently authorized to prescribe controlled substances under Alabama Controlled Substances Certificate number ACSC.1453. On or about November 7, 2022, Respondent applied for Office Based Surgery Registration.

2. Respondent entered a collaborative practice agreement with Andrea Esparza, CRNP, on or about November 19, 2020.

3. The Board has jurisdiction under Ala. Code § 34-21-88 and Chapter 540-X-8-16

of the Administrative Rules of the Alabama Board of Medical Examiners.

FACTS

4. On or about January 4, 2023, after receiving a complaint from a spouse of Respondent's patient, the Board opened an investigation into Respondent's performance of office based surgical procedures. The complainant stated that Respondent was performing colonoscopies in one of his offices, located at 2415 Central Parkway, Montgomery, Alabama. She further stated she contacted the Alabama Department of Health and learned that Respondent's office was not licensed as an Ambulatory Surgery Center.

5. Respondent submitted an Application for Office Based Surgery on or about November 7, 2022. In responding to regulatory questions numbers 1, 2 and 3, he selected "NO" indicating that he does not use moderate sedation ("conscious sedation"), deep sedation, or general anesthesia for his office based procedures. Yet, Respondent responded "YES" to regulatory question number 5, stating he performed procedures wherein propofol is administered.

6. As part of its investigation, the Board conducted an office based surgery audit of Respondent's office on or about January 11, 2023. Respondent was not in the office at the time of the audit. The Board staff met with the office manager, Ashley Chandler, and learned that the Central Parkway practice had been opened for about a year. She stated that colonoscopies and endoscopies have been performed in the office since August 28, 2022. She further stated that Respondent and his partner, Rao Meka, M.D., perform about 10-12 procedures a day, Monday through Thursday, and that they have an in-house lab to handle their specimens. According to Ms. Chandler, Respondent and Dr. Meka perform procedures at Baptist South on Fridays. While the Board staff was in the office, Ms. Chandler spoke with Respondent on the telephone and he asked that she let the Board know that he is currently involved in a lawsuit with Jackson Hospital

and therefore, no longer has privileges with them. Respondent maintains his privileges with Baptist South.

7. During the audit, the Board staff requested the Quality Assurance plan (“QA”) for Respondent’s collaborative practice with Ms. Esparza, as well as Ms. Esparza’s ACLS certification of completion. Ms. Chandler stated she would later provide these documents to the Board, *via* email. Several weeks following the audit, the Board received the QA documents dated only “3rd Quarter” and “4th Quarter,” as well as Ms. Esparza’s ACLS certificate. Ms. Chandler informed Board staff that Ms. Esperza works at both the Central Parkway location and the 1898 Mulberry Street, Montgomery, Alabama, location. However, only the Mulberry Street location is listed on Ms. Esperza’s collaborative practice agreement. According to Ms. Chandler, Ms. Esperza does not assist with performing the procedures at the Central Parkway location but consults with the patients prior to the procedures.

8. The Board’s investigation revealed violation deficiencies in Respondent’s professional medical oversight of Ms. Esparza, in violation of Ala. Admin. Code R. 540-X-8-.08. Specifically, Respondent does not appear to be timely performing QA with Ms. Esperza, nor did he request approval from the Board for Ms. Esperza to practice at his Central Parkway location. In addition, he allowed Ms. Esperza to consult with patients on procedures for which he was not registered with the Board to perform.

GROUND FOR TERMINATION

9. The Board has investigated Respondent and based on that investigation, has concluded that there is probable cause to terminate the approval of Respondent’s active collaborative practice agreement under Ala. Code § 34-21-88 and Ala. Admin. Code R. 540-X-8-.16.

**COUNT ONE – FAILURE TO COMPLY WITH BOARD RULES RELATING
TO COLLABORATIVE PRACTICE**

10. Beginning in or about August 2022, and continuing through present, VIPLOVE SENADHI, D.O., failed to provide professional medical oversight and direction to ANDREA ESPARZA, CRNP, in violation of Ala. Admin. Code R. 540-X-8-.08(1)(a), 540-X-8-.15(1)(d), and Ala. Code § 34-21-88.

**COUNT TWO – FAILURE TO COMPLY WITH BOARD RULES RELATING
TO COLLABORATIVE PRACTICE**

11. On or about January 11, 2023, VIPLOVE SENADHI, D.O., failed to produce for inspection documentation required to be maintained by him pursuant to a request by an agent of the Alabama State Board of Medical Examiners concerning his collaborative practice with ANDREA ESPARZA, CRNP, in violation of Ala. Admin. Code R. 540-X-8-.08(5)(f), 540-X-8-.15(1)(f), and Ala. Code § 34-21-88.

COUNT THREE – VIOLATION COMMITTED BY THE COLLABORATING PHYSICIAN

12. Beginning in or about August 28, 2022, and continuing through November 7, 2022, VIPLOVE SENADHI, D.O., performed office-based surgical procedures without a registration, in violation of Ala. Admin. Code R. 540-X-10-.12(1), 540-X-10-.13(1)(d), and Ala. Code § 34-24-360(2).

COUNT FOUR – VIOLATION COMMITTED BY THE COLLABORATING PHYSICIAN

13. Beginning in or about August 28, 2022, and continuing through January 18, 2023, VIPLOVE SENADHI, D.O., performed office-based surgical procedures without current training in Advanced Cardiac Life Support, in violation of Ala. Admin. Code R. 540-X-10-.06(3), 540-X-10-.13(1)(a), and Ala. Code § 34-24-360(2).

NOTICE OF REQUESTED DISCIPLINE

14. WHEREFORE, the foregoing premises considered, the Board seeks to terminate the collaborative practice between Ms. Esparza and Respondent, pursuant to Ala. Code § 34-21-88 and Ala. Admin. Code R. 540-X-8-.16, and/or take any other action that the Board deems appropriate based upon the evidence presented for consideration.

NOTICE OF PROCEDURAL RIGHTS AND APPOINTMENT OF HEARING OFFICER

15. Further, the Board has set a hearing on this matter and orders and directs the Respondent to appear and answer the allegations contained in this Order. The Respondent is entitled to be present at the hearing, to call witnesses, to present evidence on his behalf, to examine documents offered into evidence, and to examine any witnesses called to testify. The Respondent is entitled to be represented by counsel at his own expense.

16. The hearing shall be considered a contested case under the Alabama Administrative Procedures Act, and the hearing shall be conducted in accordance with Ala. Code §41-22-1, *et. seq.*, and Chapter 6 of the Rules and Regulations of the Board of Medical Examiners contained in Chapter 540 of the *Alabama Administrative Code*.

17. The Honorable William R. Gordon is hereby appointed as Hearing Officer.

18. The Board is presently continuing the investigation of the Respondent and said investigation may result in additional charges being prepared and filed as an amendment to this Order.

The Board requests that administrative costs be assessed against Respondent pursuant to Ala. Code § 34-24-380 and Board Rule 540-X-5-.03.

Respondent shall file an answer with the Board no later than **twenty (20) days** after service of this Order to Show Cause, as set out in Ala. Admin. Code R. 540-X-6-.04(2).

This ORDER TO SHOW CAUSE is entered by direction of the Alabama State Board of Medical Examiners this 3rd day of February, 2023.



William M. Perkins
Executive Director
ALABAMA STATE BOARD OF MEDICAL EXAMINERS



E. Wilson Hunter
General Counsel
ALABAMA STATE BOARD OF MEDICAL EXAMINERS
PO Box 946
Montgomery AL 36101-0946
334-242-4116
whunter@albme.gov

RETURN OF SERVICE

I, the undersigned, being over the age of 19 years and not a party in this matter, hereby certify that I have served the foregoing Order to Show Cause upon John McCall, Attorney this the 9th day of February, 2023.



Process Server

SWORN TO AND SUBSCRIBED before me this 9th day of February, 2023.



Notary Public

My Commission Expires:



BEFORE THE ALABAMA STATE BOARD OF MEDICAL EXAMINERS

ALABAMA STATE BOARD OF MEDICAL EXAMINERS,)	
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Complainant,)	
)	CASE NO. 2023-02
v.)	
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VIPLOVE SENADHI, D.O.,)	
)	
Respondent.)	

ORDER TO SHOW CAUSE

This Order to Show Cause is directed to VIPLOVE SENADHI, D.O. (“Respondent”), pursuant to the authority of Ala. Code § 34-21-88. A hearing will be conducted at **11:00 a.m. (CDT) on May 18, 2023**, at the offices of the Alabama State Board of Medical Examiners (“the Board”), 848 Washington Avenue, Montgomery, Alabama. Respondent is ORDERED AND DIRECTED to appear before the Board at the time and place stated above and to show cause, if there be any, why his Office Based Surgery (“OBS”) Registration should not be revoked. As grounds for revocation, the Board states the following:

JURISDICTION

1. Respondent has maintained a license to practice medicine in Alabama since on or about September 24, 2014. He is currently authorized to prescribe controlled substances under Alabama Controlled Substances Certificate number ACSC.1453. On or about November 7, 2022, Respondent applied for OBS Registration.

2. The Board has jurisdiction under Ala. Code § 34-24-53 and Chapter 540-X-10-.13 of the Administrative Rules of the Alabama Board of Medical Examiners.

FACTS

3. On or about January 4, 2023, after receiving a complaint from a spouse of

Respondent's patient, the Board opened an investigation into Respondent's performance of office based surgical procedures. The complainant stated that Respondent was performing colonoscopies in his office, located at 2415 Central Parkway, Montgomery, Alabama. She further stated she contacted the Alabama Department of Health and learned that Respondent's office was not licensed as an Ambulatory Surgery Center.

4. Respondent submitted an Application for Office Based Surgery on or about November 7, 2022. In responding to regulatory questions numbers 1, 2 and 3, he selected "NO" indicating that he does not use moderate sedation ("conscious sedation"), deep sedation, or general anesthesia for his office-based procedures. Yet, Respondent responded "YES" to regulatory question number 5, stating he performed procedures wherein propofol is administered.

5. As part of its investigation, the Board conducted an OBS audit of Respondent's office on or about January 11, 2023. Respondent was not in the office at the time of the audit. The Board staff met with the office manager, Ashley Chandler, and learned that the practice had been opened for about a year. She stated that colonoscopies and endoscopies have been performed in the office since August 28, 2022. She further stated that Respondent and partner, Rao Meka, M.D., perform about 10-12 procedures a day, Monday through Thursday, and that they have an in-house lab that handles the patient specimens. According to Ms. Chandler, Respondent and Dr. Meka perform procedures at Baptist South on Fridays. During the time in which the Board staff was in the office, Ms. Chandler spoke with Respondent on the telephone and he asked that she let the Board know that he is currently involved in a lawsuit with Jackson Hospital and therefore, no longer has privileges with them. Respondent maintains his privileges with Baptist South.

6. During the audit, the Board staff also met with Mike Mabrey, CRNA. Mr. Mabrey stated that he performs the anesthesia for Respondent's OBS procedures by utilizing Propofol and lidocaine. He explained that a pre-procedure/anesthesia checklist, complete with history and physical exam, are performed on each patient the day of the procedure. While he was able to verbalize how a patient is deemed appropriate to have the procedure in the office versus the hospital, no policy was in place for this. Mr. Mabrey further explained that VS, LOC, O2 sat are all recorded pre-anesthesia, during anesthesia, and post-anesthesia. EKG, VS, and O2 sat levels are monitored throughout the procedure. The average patient receives 500-600 mls of fluid per the IV unless contraindications are present (kidney issues, etc.). Mr. Mabrey stated that no adverse events have been recorded to date. If any adverse event happened, it would be recorded in the anesthesia record and the op note by the physician. As per company protocol, an unusual occurrence or sentinel event would require the completion of the Incident Report Form that would include the patient's medical record number with pertinent facts and would be reported to the Senior Management Team with Care Plus. The company policy does not include reporting the adverse event to the Board. However, the Board's OBS rules require notification to the Board within three business days. After viewing the anesthesia log in the office, Board staff requested a copy but, to date, have not received it.

GROUNDS FOR REVOCATION

7. The Board has investigated Respondent and based on that investigation, has concluded that there is probable cause to believe that Respondent has committed the following violations of Ala. Code § 34-24-360:

**COUNT ONE – VIOLATING BOARD RULES RELATING TO THE PRACTICE OF
SURGICAL PROCEDURES WITHOUT AN OFFICE BASED SURGERY
REGISTRATION**

8. Beginning in August 2022, and continuing through November 2022, VIPLOVE SENADHI, D.O., more exact dates being unknown by the Board, performed office based surgical procedures without a proper office-based surgery registration, in violation of Ala. Code § 34-24-360(23) and Chapter 540-X-10-.12 of the Administrative Rules of the Alabama Board of Medical Examiners.

**COUNT TWO – MAKING ANY FRAUDULENT OR UNTRUE STATEMENT TO THE
STATE BOARD OF MEDICAL EXAMINERS**

9. On or about November 7, 2022, VIPLOVE SENADHI, D.O., submitted or caused to be submitted fraudulent or untrue statements on an application for office-based surgery, in violation of Ala. Code § 34-24-360(17).

COUNT THREE – PRACTICING OBS WITHOUT ACLS CERTIFICATION

10. Beginning in or about August 28, 2022, and continuing through January 18, 2023, VIPLOVE SENADHI, D.O., performed office-based surgical procedures without current training in Advanced Cardiac Life Support, in violation of Ala. Admin. Code R. 540-X-10-.06(3), 540-X-10-.13(1)(a), and Ala. Code § 34-24-360(2).

NOTICE OF REQUESTED DISCIPLINE

11. WHEREFORE, the foregoing premises considered, the Board seeks to revoke Respondent's Office Based Surgery Registration, pursuant to Ala. Code § 34-24-53 and Ala. Admin. Code R. 540-X-10-.13, and/or take any other action that the Board deems appropriate based upon the evidence presented for consideration.

NOTICE OF PROCEDURAL RIGHTS AND APPOINTMENT OF HEARING OFFICER

12. Further, the Board has set a hearing on this matter and orders and directs the Respondent to appear and answer the allegations contained in this Order. The Respondent is entitled to be present at the hearing, to call witnesses, to present evidence on his behalf, to examine documents offered into evidence, and to examine any witnesses called to testify. The Respondent is entitled to be represented by counsel at his own expense.

13. The hearing shall be considered a contested case under the Alabama Administrative Procedures Act, and the hearing shall be conducted in accordance with Ala. Code §41-22-1, *et. seq.*, and Chapter 6 of the Rules and Regulations of the Board of Medical Examiners contained in Chapter 540 of the *Alabama Administrative Code*.

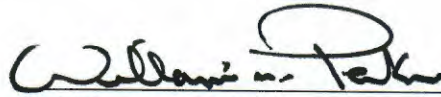
14. The Honorable William R. Gordon is hereby appointed as Hearing Officer.

15. The Board is presently continuing the investigation of the Respondent and said investigation may result in additional charges being prepared and filed as an amendment to this Order.

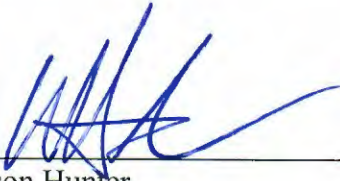
The Board requests that administrative costs be assessed against Respondent pursuant to Ala. Code § 34-24-380 and Board Rule 540-X-5-.03.

Respondent shall file an answer with the Board no later than **twenty (20) days** after service of this Order to Show Cause, as set out in Ala. Admin. Code R. 540-X-6-.04(2).

This ORDER TO SHOW CAUSE is entered by direction of the Alabama State Board of Medical Examiners this 3rd day of February, 2023.




William M. Perkins
Executive Director
ALABAMA STATE BOARD OF MEDICAL EXAMINERS



E. Wilson Hunter
General Counsel
ALABAMA STATE BOARD OF MEDICAL EXAMINERS
PO Box 946
Montgomery AL 36101-0946
334-242-4116
whunter@albme.gov

RETURN OF SERVICE

I, the undersigned, being over the age of 19 years and not a party in this matter, hereby certify that I have served the foregoing Order to Show Cause upon John McCall, Attorney this the 9th day of February, 2023.



Process Server

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Notary Public
My Commission Expires:

