

**LOUISIANA STATE BOARD OF MEDICAL EXAMINERS**

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**BEFORE THE  
LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS**

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**IN THE MATTER OF:**

**Ziaullah Virk, M.D.**  
*(Credential No. MD.13689R),  
Respondent*

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**No. 2020-I-399**

**CONSENT ORDER**

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Ziaullah Virk, M.D. ("Dr. Virk") is a physician licensed to practice medicine in the State of Louisiana, as evidenced by credential No. MD.13689R. Dr. Virk also is licensed to practice in Texas, North Carolina, Michigan, and Kentucky.

The above-entitled proceeding was docketed for investigation by the Louisiana State Board of Medical Examiners (the "Board") upon receipt of Dr. Virk's self-report of a disciplinary action taken against his license in Kentucky on May 14, 2020. According to Dr. Virk's May 7, 2020 Agreed Order with the Kentucky Board of Medical Licensure, while he was practicing rheumatology in the state of Kentucky, the licensee's clinic received patient complaints of inappropriate behavior from three female patients over a three-year period. Two of the three complaints involved allegations of sexual misconduct, and the third complaint involved allegations of rude behavior. The Agreed Order restricts Dr. Virk's Kentucky license indefinitely to require chaperones for all female patients, logs to document the chaperone's presence, and completion of a Continuing Medical Education ("CME") course on maintaining proper boundaries. Dr. Virk is eligible to request removal or modification of the chaperone restriction after one year. At the present time, the Director of Investigations is unaware of any investigation or disciplinary proceeding pending against Dr. Virk in any other state in which he maintains a medical license. Dr. Virk has no intention of working in Louisiana at this time, but wishes to maintain his Louisiana license.

Dr. Virk acknowledges that the foregoing information could provide the Investigating Officer for the Board with probable cause to pursue formal administrative proceedings against him for violations of the Act, La. R.S. 37:1285A(29) ("The refusal of a licensing authority of another state to issue or renew a license, permit, or certificate to practice medicine in that state or the revocation, suspension, or other restriction imposed on a license, permit, or certificate issued by such licensing authority which prevents or restricts practice in that state . . ."), and further, that proof of such information upon administrative evidentiary hearing could establish grounds under

the Act for the suspension, revocation or imposition of such other terms, conditions or restrictions on his license to practice medicine in the state of Louisiana as the Board may determine appropriate.

Recognizing his right to have notice and administrative adjudication of any charges that may be filed in this matter, at which time he would be entitled to be represented by legal counsel, to call witnesses and to present evidence on his own behalf in defense or in mitigation of the charges made, and to a decision thereon by the Board based upon written findings of fact and conclusions of law, pursuant to La. R.S. 49:951, *et seq.*, Dr. Virk nonetheless hereby waives his right to notice and formal adjudication and, pursuant to La. R.S. 49:955(D), consents to the entry of the Order set forth hereinafter. By his subscription hereto, Dr. Virk also acknowledges that he waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. R.S. 49:951 *et seq.*, or which otherwise may be afforded to him by law, to contest his agreement to or the force and effect of this document in any court or other forum relating to the matters referred to herein. By his subscription hereto, Dr. Virk also hereby authorizes the Investigating Officer designated by the Board with respect hereto to present this Consent Order to the Board for its consideration and to fully disclose and to discuss with the Board the nature and result of the investigation and waives any objection to such disclosures under La. R.S. 49:960. Dr. Virk expressly acknowledges that the disclosure of information to the Board by the Investigating Officer shall be without prejudice to the Investigating Officer's authority to pursue formal administrative charges against him or to the Board's capacity to adjudicate such charges should the Board decline to approve this Consent Order.

Accordingly, in consideration of the foregoing and pursuant to the authority vested in the Board by La. R.S. 37:1285 and La. R.S. 49:955(D);

**IT IS ORDERED** that the license of Ziaullah Virk, M.D., to engage in the practice of medicine in the state of Louisiana, as evidenced by Credential No. MD.13689R, be, and the same is hereby, **SUSPENDED**, *provided, however*, that the suspension shall be **STAYED**, conditioned upon his acceptance of and strict compliance with the following terms and conditions:

- (a) **Practice in Louisiana.** Dr. Virk shall not engage in the practice of medicine in any form in the state of Louisiana until and unless the Board issues and serves on him a written order authorizing him to practice in this state whether in person or remotely. As an express condition to the issuance of such an order, Dr. Virk shall provide documentation to the Board indicating that he has successfully complied with all aspects of his May 14, 2020 Agreed Order with the Kentucky Board of Medical Licensure, or any further Order(s) that may be entered by the other state licensing authorities in the states where he is or has been licensed including Texas, North Carolina, and Michigan.
- (b) **Notice of Relocation to Louisiana; Personal Appearance; Cooperation with Evaluation and Investigation.** Following the satisfaction of those terms set forth in the paragraph (a) above, and in the event that Dr. Virk should decide to relocate to or otherwise engage in the practice of medicine in this state, he shall contact the Board at least three (3) months in advance of his desired return to practice and arrange an

- appearance before the Board or its designee at its next regularly scheduled meeting. At such meeting, Dr. Virk shall demonstrate his compliance with the terms and conditions of paragraph (a) above, discuss his intended plans for the practice of medicine in this state whether in person or remotely, and comply with any additional conditions imposed by the Board pursuant to paragraph (c) below.
- (c) **Additional Terms.** In addition to the terms and conditions placed upon his Louisiana license by this Order, Dr. Virk hereby consents and agrees to the imposition of any additional terms, conditions or restrictions, as well as the length or nature thereof that the Board in its discretion may then deem appropriate should he at a future date decide to relocate to or otherwise engaged in the practice of medicine in this state whether in person or remotely. Such terms may include, but would not be limited to, a requirement to undergo evaluation and/or an initial period of probation as the Board in its discretion may at that time deem appropriate.
- (d) **Continuing Reporting Requirement.** Dr. Virk shall provide written documentation to the Board regarding any change in circumstances or any further disciplinary action taken by any state in which he currently or has previously maintained an active license to practice medicine. Such reporting requirement shall be continuing and shall apply whether or not Dr. Virk seeks to practice medicine in this state whether in person or remotely.

**IT IS FURTHER ORDERED** that in the event that the Board determines that Dr. Virk has violated any of the terms or conditions of this Consent Order, the Board may issue an interim Order lifting the Stay of the Suspension and imposing an actual Suspension for a term of up to 3 years, and, in such event, Dr. Virk shall have the right within 30 days of the Board's Order to Petition the Board to reconsider the lifting of the Stay and the imposition of the actual term of suspension. If no Petition to Reconsider is timely filed or if a Petition is timely filed and the Board confirms its interim Order, the interim Order shall constitute a final Order of the Board and shall modify this Consent Order.

**IT IS FURTHER ORDERED** that this Consent Order shall be and shall be deemed to be a public record.

New Orleans, Louisiana, this 26<sup>th</sup> day of October, 2020.

LOUISIANA STATE BOARD  
OF MEDICAL EXAMINERS

By:   
RODERICK V. CLARK, M.D.  
President

*(Acknowledgement and Consent on page to follow)*

**ACKNOWLEDGMENT  
AND CONSENT**

STATE OF KENTUCKY  
PARISH/COUNTY OF PIKE

I, Ziaullah Virk, M.D., hereby acknowledge that I have had the opportunity to seek the advice and guidance of legal counsel with respect to this Consent Order and that all of its terms and conditions have been fully explained to me and/or that I fully understand them. I further acknowledge that I approve, accept, and consent to entry of the above and foregoing Order without duress and of my own free will and accord, this 28 day of September, 2020.

Ziaullah Virk  
Ziaullah Virk, M.D.

WITNESSES:

Kayla Smith  
Signature

Kayla Smith  
Typed Name

911 Bypass Road  
Street Address

Pikeville, KY 41501  
City/State/Zip Code

Kenneth Huffman  
Signature

Kenneth Huffman  
Typed Name

911 Bypass Rd  
Street Address

Pikeville, KY 41501  
City/State/Zip Code

Sworn to and subscribed before me this 28th day of September, 2020, in the presence of the two stated witnesses.

Megan Faith Branham  
Notary Public (Signature)

Name: Megan Faith Branham

Notary/Bar No.: 588652

Commission expires: 10/13/2021