

COMMISSIONER'S

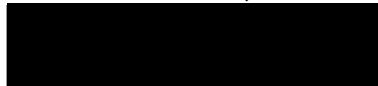
ORDER AND

NOTICE OF

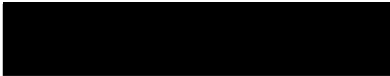
HEARING

IN THE MATTER
OF
MEHUL P. DIXIT, M.D.

TO: MEHUL P. DIXIT, M.D.



MEHUL P. DIXIT, M.D.



The undersigned, James V. McDonald, M.D., M.P.H., Commissioner of Health, pursuant to N.Y. Public Health Law §230, upon the recommendation of a Committee on Professional Medical Conduct of the State Board for Professional Medical Conduct, has determined that the duly authorized professional disciplinary agency of another jurisdiction, to wit, the Mississippi State Board of Medical Licensure, has made a finding substantially equivalent to a finding that the practice of medicine by Mehul P. Dixit, M.D. (the Respondent) in that jurisdiction constitutes an imminent danger to the health of its people, as is more fully set forth in the Order of Temporary Suspension dated May 12, 2023, (henceforth: "predicate action"), attached hereto as Appendix "A" and made a part hereof.

It is therefore:

ORDERED, pursuant to N.Y. Public Health Law §230(12)(b), that effective immediately, Respondent shall not practice medicine in the State of New York.

Any practice of medicine in the State of New York in violation of this (Commissioner's) Order shall constitute Professional Misconduct within


the meaning of N.Y. Educ. Law §6530(29) and may constitute unauthorized medical practice, a Felony defined by N.Y. Educ. Law §6512.

This Order shall remain in effect until the final conclusion of a hearing which shall commence within thirty days after the final conclusion of the disciplinary proceeding in the predicate action. The hearing will be held pursuant to the provisions of N.Y. Pub. Health Law §230, and N.Y. State Admin. Proc. Act §§301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct on a date and at a location to be set forth in a written Notice of Summary Hearing to be provided to the Respondent after the final conclusion of the proceeding in the predicate action. Said written Notice may be provided in person, by mail, or by other means. If Respondent wishes to be provided said written notice at an address other than that set forth above, Respondent shall so notify, in writing, both the attorney whose name is set forth in this Order, and the Director of the Office of Professional Medical Conduct, at the addresses set forth below.

Respondent shall notify the Director of the Office of Professional Medical Conduct, New York State Department of Health, Riverview Center, 150 Broadway, Suite 355, Albany, New York 12204-2719 via Certified Mail, Return Receipt Requested, of the final conclusion of the proceeding in the predicate action, immediately upon such conclusion.

THESE PROCEEDINGS MAY RESULT IN A
DETERMINATION THAT YOUR LICENSE TO PRACTICE
MEDICINE IN NEW YORK STATE BE REVOKED OR
SUSPENDED, AND/OR THAT YOU BE FINED OR
SUBJECT TO OTHER SANCTIONS SET FORTH IN NEW
YORK PUBLIC HEALTH LAW §230-a. YOU ARE URGED
TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN
THIS MATTER.

DATED: Albany, New York
June 20, 2023



James V. McDonald, M.D., M.P.H.
Commissioner of Health
New York State Health Department

Inquiries should be directed to:

David W. Quist, Esq.
Associate Attorney
N.Y.S. Department of Health
Division of Legal Affairs
Bureau of Professional Medical Conduct
Corning Tower, Room 2512
Empire State Plaza
Albany, NY 12237
(518) 473-4282

APPENDIX "A"

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

MEHUL PIYUSH DIXIT, M.D.

ORDER OF TEMPORARY SUSPENSION

WHEREAS, MEHUL PIYUSH DIXIT, M.D., hereinafter referred to as "Licensee," is the current holder of Mississippi Medical License No. 21228, said license number expires on June 30, 2023. Licensee is thus subject to the jurisdiction and authority of the Mississippi State Board of Medical Licensure, hereinafter referred to as the "Board";

WHEREAS, Licensee specializes in the practice of pediatric nephrology;

WHEREAS, evidence in support of this Order of Temporary Suspension and the Determination of Need are set forth in the Affidavit of Michael B. Smith, Investigations Supervisor for the Board (hereinafter "Affiant"), attached hereto as Exhibit "A" and incorporated herein by reference;

WHEREAS, on April 28, 2023, a law enforcement officer contacted Board Investigative Staff and requested information related to Licensee's prior interactions with the Board. The officer notified the Investigative Staff of an ongoing investigation involving alleged physician sexual misconduct by Licensee during a physical examination of a pediatric patient at the University of Mississippi Medical Center (UMMC) on or about February 27, 2023;

WHEREAS, based on that information, Investigative Staff opened a Board investigation into Licensee's practice of medicine and conduct as a physician. At this time,

Investigative Staff has collected and developed evidence of three different occurrences of physician sexual misconduct committed by Licensee;

WHEREAS, based on the evidence available to the board at this time:

WHEREAS, physician sexual misconduct by Licensee with Victim #1 occurred during a physical examination of a pediatric patient by Licensee in the State of Florida in 2006;

WHEREAS, physician sexual misconduct by Licensee with Victim #2 occurred during a physical examination of a pediatric patient by Licensee at UMMC in 2013;

WHEREAS, physician sexual misconduct by Licensee with Victim #3 occurred during a physical examination of a pediatric patient by Licensee at UMMC on February 27, 2023;

VICTIM #1

WHEREAS, based on review of its files, Investigative Staff found that on July 5, 2016, the Board had received a complaint from Victim #1, who wished to report alleged professional sexual misconduct between Licensee and herself, Victim #1, during a 2006 physical examination in the State of Florida related to kidney stones when Victim #1 was seventeen (17) years-old. In 2016, a Board investigator took an informal statement from Victim #1, but no further action was taken because the events had reportedly occurred in the State of Florida and fell within the primary jurisdiction of that State;

WHEREAS, on May 9, 2023, Affiant conducted an interview of Victim #1 via videoconference, where she recounted the events that took place between Licensee and herself in Florida. Victim #1 had never reported the 2006 incident to the State of Florida;

WHEREAS, Victim #1 explained, in detail, that in 2006, Licensee performed an exam related to her condition of nephrosis, secondary to kidney stones, and while performing the exam, had Victim #1 completely remove all clothing after asking Victim #1's mother to leave the exam room;

WHEREAS, after Victim #1 had removed all of her clothing, Licensee manipulated her breasts while informing her that he was performing a breast cancer screening and inserted his finger into her vagina;

VICTIM #2

WHEREAS, on May 10, 2023, Affiant conducted an interview of Victim #2. Victim #2 was thirteen (13) years-old at the time of the 2013 incident of physician sexual misconduct by Licensee. Victim #2 explained that during a 2013 examination related to kidney stones, Licensee, with a nurse and her mother present, fondled her breasts and touched her vagina with an ungloved hand. Victim #2 explained that, from the nurse and her mother's vantage point, it was not possible for either to see what Licensee was doing or touching with his hands. On September 27, 2013, Victim #2 had reported to UMMC that Licensee had touched her breasts and vagina;

VICTIM #3

WHEREAS, on May 3, 2023, Affiant attended and witnessed a live interview of Victim #3, conducted by a female law enforcement officer and Board Investigative Staff, where Victim #3 recounted her last visit with Licensee at UMMC. Victim #3 was seventeen (17) years-old at the time of treatment, and was seen by Licensee for the treatment of microalbuminuria. Victim #3 reported that Licensee had rubbed his ungloved finger on Victim #3's vagina;

WHEREAS, Victim #3 did not know some specific anatomic terms, but drew a picture of a vagina and circled the area that Licensee had touched and identified an area above the vaginal canal, appearing to be the clitoris;

WHEREAS, an expert practitioner board-certified in Nephrology was consulted and opined that a nephrologist should not exam a patient's vagina during any interaction related to kidney stones nor should they perform a breast cancer screening on a child, and the nephrologist further opined that no physician should perform a physical exam of the vagina without wearing gloves, furthermore, the expert nephrologist stated that the usual exam of a patient with kidney stones results in palpating the patient's bladder and flank and does not require access into a patient's underwear;

WHEREAS, an expert practitioner, board-certified in Family Medicine and Addiction Medicine, who has extensive experience in evaluating and treating physicians for sexual misconduct, reviewed information related to the incidents described herein and opined that continuation in practice by Licensee would constitute an imminent threat, not only to the residents of Mississippi, but to any patient that should enter his care, regardless of location;

WHEREAS, the Board has determined that the evidence in its possession indicates that Licensee's continued practice of medicine would constitute an immediate danger to public health and safety;

NOW, THEREFORE, IT IS HEREBY ORDERED, that pursuant to authority granted in Miss. Code Ann. § 73-25-89, Mississippi Medical License No. 21228 is hereby

temporarily suspended, and Licensee shall be prohibited from the practice of medicine pending the outcome of a hearing as scheduled in the matter;

The above action is hereby taken on a temporary basis, without a hearing. Enclosed herewith and served as part of this Order of Temporary Suspension, is a copy of the Determination of the Board, wherein it was found that the Board has in its possession evidence indicating that Licensee's continuation in the practice of medicine would constitute an immediate danger to public health and safety. Pursuant to authority granted by Miss. Code Ann. § 73-25-89, the Board may suspend a license on a temporary basis, without a hearing, which it could otherwise take following a hearing, provided proceedings for a hearing before the Board are initiated simultaneously with such temporary action and, provided that Licensee be provided a hearing within fifteen (15) days of such action. Also enclosed is a Summons with supporting Affidavit which designates the time and place for a hearing as May 18, 2023 at 9:00 a.m., within the fifteen-day statutory requirement;

IT IS FURTHER ORDERED, that a copy of this Order shall be sent by registered mail or personally served upon Mehul Piyush Dixit, M.D., and should be effective immediately upon receipt thereof.

SO ORDERED, this the 12th day of May, 2023.

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE



Kenneth E. Cleveland, M.D.
Executive Director



BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

MEHUL PIYUSH DIXIT, M.D.

DETERMINATION OF NEED FOR TEMPORARY SUSPENSION

WHEREAS, the Mississippi State Board of Medical Licensure, hereinafter referred to as the "Board," has determined that the evidence in its possession indicates that the continued practice of medicine by MEHUL PIYUSH DIXIT, M.D., hereinafter referred to as "Licensee," would constitute an imminent danger to the public health and safety. The evidence in support of this Determination are set forth by the Affidavit of Michael B. Smith, Investigations Supervisor for the Board, attached hereto as Exhibit "A" and incorporated herein by reference;

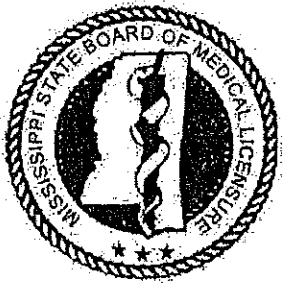
WHEREAS, it is the duty of the Mississippi State Board of Medical Licensure to protect the public, and especially to do so in cases that demonstrate immediate harm may be imminent or ongoing.

NOW, THEREFORE, IT IS HEREBY ORDERED, that temporary disciplinary action should be taken, without a hearing, suspending Licensee from the practice of medicine. In accordance with law, proceedings for a hearing before the Board are being initiated simultaneously with said temporary action, pursuant to authority granted in Miss. Code Ann. § 73-25-89 (1972);

IT IS FURTHER ORDERED, that a copy of this Determination shall be sent by registered mail or personally served upon Mehul Piyush Dixit, M.D., and shall be effective immediately upon receipt thereof.

ORDERED, this the 12 day of May, 2023.

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE



Kenneth E. Cleveland, M.D.
Executive Director