

**STATE OF VERMONT
BOARD OF MEDICAL PRACTICE**

In re: Farhaad R. Riyaz, M.D.

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Docket No. MPC 012-0122

STIPULATION AND CONSENT ORDER

NOW COME Farhaad R. Riyaz, M.D. and the Vermont Board of Medical Practice and stipulate and agree as follows:

1. Farhaad R. Riyaz, M.D. (“Respondent”) holds Vermont medical license number 042.0015032-COMP first issued by the Vermont Board of Medical Practice (“Board”) on October 27, 2020. Respondent is a physician.
2. Jurisdiction in this matter vests with the Board pursuant to 26 V.S.A. §§ 1353-1354, 1370-74, and 3 V.S.A. §§ 809-814, and other authority.

Findings of Fact

3. Respondent is a physician who holds medical licenses in Vermont and many other states. He is a dermatologist in private practice in Michigan and treats Vermont patients via telemedicine.
4. The Board opened this matter in December 2021 after Respondent self-disclosed that he pled guilty to one count of felony mail fraud in violation of 18 U.S.C. § 1341 in the United States District Court for the Eastern District of Virginia, Case No. 1:21-cr-00264-LMB.
5. On March 22, 2022, Respondent was sentenced to serve a term of one day of incarceration followed by three years of supervised release with the first six months of supervision on home confinement. In addition, Respondent was ordered to pay \$312,964.38 restitution, a \$20,000.00 fine, perform 200 hours of community service, and participate in and complete a mental health treatment program approved by the U.S. Probation Office.

6. Respondent voluntarily entered into a Cessation of Practice Agreement that was approved by the Board on July 6, 2022.

7. Respondent has presented the Committee with proof of current treatment by a Michigan therapist with a positive prognosis, as well as a Colorado Physician Health Program evaluation report. Both conclude that Respondent is safe to practice medicine with reasonable skill and safety to patients in the context of treatment and monitoring.

8. Respondent cooperated with the Committee's investigation and provided relevant information.

Conclusions of Law

9. A physician's conviction of a felony, whether or not related to the practice of the profession, constitutes unprofessional conduct. 26 V.S.A. § 1354(a)(30).

10. Consistent with Respondent's cooperation with the Board, he acknowledges that if the State were to file charges it could prove that he engaged in the conduct described in Paragraphs 1 through 8 and a finding adverse to him could be entered by the Board pursuant to 26 V.S.A. § 1354(a)(30).

11. The Board adopts as its facts and conclusions in this matter Paragraphs 1 through 17 and Respondent agrees that this is an adequate basis for the Board actions set forth herein. Any representation by Respondent herein is made solely for the purposes set forth in this agreement.

12. Therefore, in the interest of Respondent's desire to fully and finally resolve the matter presently before the Board, he has determined that he shall enter into this agreement with the Board. Respondent enters no further admissions here, but to resolve this matter without

further time, expense, and uncertainty he has concluded that this agreement is acceptable and in the best interest of the parties.

13. Respondent agrees and understands that by executing this document he is waiving any right to challenge the jurisdiction and continuing jurisdiction of the Board in this matter, to be presented with a specification of charges and evidence, to cross-examine witnesses, and to offer evidence of his own to contest any allegations by the State.

14. The parties agree that upon the Board's acceptance of this Stipulation and Consent Order, and pursuant to the terms herein, the above-captioned matter shall be resolved by the Board. Thereafter, the Board will take no further action as to this matter absent non-compliance with the terms and conditions of this document by Respondent.

15. This Stipulation and Consent Order is conditioned upon its acceptance by the Board. If the Board rejects any part of this document, the entire agreement shall be considered void. Respondent agrees that if the Board does not accept this agreement in its current form, he shall not assert in any subsequent proceeding any claim of prejudice from any such prior consideration. If the Board rejects any part of this agreement, none of its terms shall bind Respondent or constitute an admission of any of the facts of the alleged misconduct, it shall not be used against Respondent in any way, it shall be kept in strict confidence, and it shall be without prejudice to any future disciplinary proceeding and the Board's final determination of any charge against Respondent.

16. Respondent acknowledges and understands that this Stipulation and Consent Order shall be a matter of public record, shall be entered in his permanent Board file, shall constitute an enforceable legal agreement, and may and shall be reported to other licensing authorities, including but not limited to the Federation of State Medical Boards Board Action

Databank and the National Practitioner Data Bank. In exchange for the actions by the Board, as set forth herein, Respondent expressly agrees to be bound by all terms and conditions of this Stipulation and Consent Order.

17. The parties therefore jointly agree that should the terms and conditions of this Stipulation and Consent Order be deemed acceptable by the Board, it may enter an order implementing the terms and conditions herein.

ORDER

WHEREFORE, based on the foregoing and the consent of Respondent, it is hereby ORDERED that:

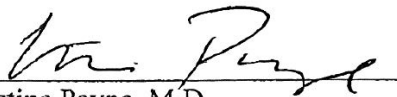
1. Respondent shall be REPRIMANDED for the conduct set forth above.
2. Respondent shall continue treatment as recommended by Debora Ferguson, M.D., or her successor, until that provider determines treatment is no longer required, but in no event, not to exceed the treatment period required by the Michigan Board of Medicine in case no. 45-22-1303. Respondent shall ensure that all quarterly reports from his mental health provider addressing his ability to practice in a safe and competent manner are sent to the Board when they are sent to the State of Michigan Department of Licensing and Regulatory Affairs. If Debora Ferguson, M.D. is unable to treat Respondent, he shall seek treatment with another mental health provider who is licensed and in good standing with his State of Principal License. Respondent shall report this information in writing, including the new provider's curriculum vitae, to the Board within 30 days of the change. Respondent expressly agrees that Debora Ferguson, M.D. or subsequent mental health providers may disclose all necessary records and information to the Board. Respondent agrees to promptly execute all waivers and/or releases that may be required for his mental health provider to disclose all necessary records and information to the Board.

3. Respondent is relieved of the terms and conditions of his Cessation of Practice Agreement, which is vacated as of the effective date of this Stipulation and Consent Order.

4. Pursuant to 26 V.S.A. § 1420g(a)(2), Respondent shall be ineligible to renew his Vermont medical license via the Interstate Medical Licensure Compact but may apply for licensure pursuant to 26 V.S.A. §§ 1391-1404.


SIGNATURES

Dated at _____, Vermont, this ____ day of November, 2022.



Christine Payne, M.D.
Chair, Central Investigative Committee
Vermont Board of Medical Practice

Dated at Northville, Michigan, this 30 day of November, 2022.



Farhaad R. Riyaz, M.D.

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APPROVED AS TO LEGAL FORM:

Dated at Denver, Colorado, this 30th day of November, 2022.



Sheila H. Meer
CO Regis. No. 1508
SHEILA H. MEER, P.C.
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Denver, CO 80220
(303) 333-6330, ext. 1
smeer@meerschatz.com
Counsel for Respondent

Dated at Montpelier, Vermont this 18th day of November, 2022.

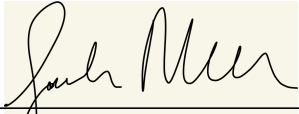
**Kurt A.
Kuehl**

Digitally signed by Kurt
A. Kuehl
Date: 2022.11.18
17:28:12 -05'00'

Kurt A. Kuehl
Assistant Attorney General
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AS TO FARHAAD R. RIYAZ, M.D.
APPROVED AND ORDERED
VERMONT BOARD OF MEDICAL PRACTICE:

Signed on Behalf of the Vermont Board of Medical Practice:

By: 

Sarah McClain
Chair, Vermont Board of Medical Practice

Vote documented in the Vermont Board of Medical Practice meeting minutes,
dated December 7, 2022.

Dated: December 7, 2022.