

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF

MALIK S. ALI, M.D.

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FINAL DECISION AND ORDER
FOR REMEDIAL EDUCATION

0003993

Division of Legal Services and Compliance Case No. 14 MED 377

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Malik S. Ali, M.D.
9834 West St. Stephans Drive
Franklin, WI 53132

Wisconsin Medical Examining Board
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Medical Examining Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Licensee Malik S. Ali, M.D. (dob July 5, 1970), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 41835-20, first issued on December 17, 1999, with registration current through October 31, 2015. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 9834 West St. Stephans Drive, Franklin, Wisconsin 53132. Respondent is certified in Internal Medicine by the American Board of Internal Medicine, with a subspecialty in Hospice-Palliative care.

2. At all times relevant to this proceeding, Respondent was employed as a physician at a family medical clinic (the clinic) located in Milwaukee, Wisconsin.

3. On July 3, 2014, Respondent saw Patient A whose chief complaint was rash and itching lasting a few weeks and which had become worse. Respondent located a small reticular type rash over the upper extremities, hands and abdomen. Respondent diagnosed patient with a rash or dermatitis, and questioned scabies. Patient A was prescribed Permethrin[®] to treat scabies and diphenhydramine hydrochloride for itching.

4. On July 11, 2014, Patient A returned to see Respondent for follow up. She reported that she still had itching along with vaginal discharge, which Patient A thought was a fungal infection. Though the itching over the upper extremities, hands and abdomen had improved with medications from the prior visits, her symptoms returned.

5. Respondent charted that skin examination showed a vesicular type rash with itching primarily over the upper extremities, hand and abdomen and a small pimple near the right nostril minimally tender to palpation.

6. Respondent diagnosed the patient with vaginitis, generalized itching that had returned and a boil folliculitis. Respondent prescribed Fluconazole[®] for the yeast infection, Permethrin[®] again to treat scabies and Mupirocin[®] to treat the boil folliculitis.

7. On July 21, 2014, Patient A was seen by an advanced practice nurse to whom she reported generalized itching and persistent thin brown vaginal discharge. Exam showed no skin rash but did reveal a large amount of dark brown vaginal discharge with odor. Patient A was diagnosed with vaginitis and generalized itching. Vaginal cultures of the discharge were taken to determine treatment. Patient A was prescribed Cetirizine[®] for itching on July 21, 2014 and Metronidazole[®] for trichomonal vaginitis on July 23, 2014.

8. At no time did Respondent perform a female genitourinary exam on Patient A.

9. In resolution of this matter, Licensee consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. Within 6 months of the date of this Order, Malik S. Ali, M.D., shall at Licensee's own expense, take and successfully complete six (6) hours of education on the topic of diagnosing and treating vaginal infections as follows:

- a. Each course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Licensee shall be responsible for locating course(s)

satisfactory to the Board and for obtaining the required approval of the courses from the Board or its designee. Licensee must take and pass any exam offered for the course(s).

- b. Within thirty (30) days of successful completion of the remedial education, Licensee shall submit proof of successful completion of the education in the form of verification from the institution or entity providing the education to the Department Monitor at the address stated below.
- c. None of the education completed pursuant to this requirement may be used to satisfy any education requirements that have been or may be instituted by the Board or Department.

3. Within 90 days from the date of this Order, Licensee shall pay COSTS of this matter in the amount of \$435.00.

4. Request of approval of courses, proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Licensee to the Department Monitor at the address below:

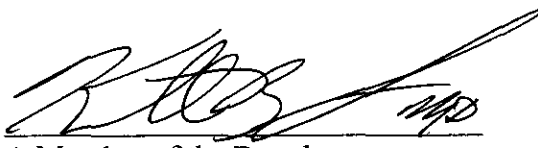
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Licensee's license. The Board in its discretion may in the alternative impose additional conditions and limitations for a violation of any of the terms of this Order. In the event Licensee fails to timely submit payment of the costs as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Licensee's license (no. 41835-20) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Licensee has complied with payment of the costs and completion of the education.

6. This Order is effective on the date of its signing.

WISCONSIN MEDICAL EXAMINING BOARD

by:


A Member of the Board


Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF

MALIK S. ALI, M.D.

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:

STIPULATION

00039 93

Division of Legal Services and Compliance Case No. 14 MED 377

Licensee Malik S. Ali, M.D., and the Division of Legal Services and Compliance, Department of Safety and Professional Services, stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Licensee consents to the resolution of this investigation by Stipulation.

2. Licensee understands that by signing this Stipulation, Licensee voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Licensee, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Licensee;
- the right to call witnesses on Licensee's behalf and to compel their attendance by subpoena;
- the right to testify on Licensee's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Licensee under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Licensee is aware of Licensee's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Licensee agrees to the adoption of the attached Final Decision and Order for Remedial Education by the Wisconsin Medical Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order for Remedial Education without further notice, pleading, appearance or consent of the parties. Licensee waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is


Stipulation
In the matter of the license of
Malik S. Ali, M.D., Case No. 14 MED 377

not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Licensee, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order for Remedial Education.

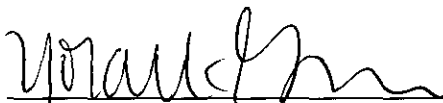
7. Licensee is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order for Remedial Education is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Licensee in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order for Remedial Education.



Malik S. Ali, M.D., Licensee
9834 West St. Stephans Drive
Franklin, WI 53132
License No. 41835-20

04/23/2015
Date



Yolanda McGowan, Prosecuting Attorney
Division of Legal Services and Compliance
Wisconsin Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

4.28.15
Date