

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
ANIL K. NAIR, M.D., : FINAL DECISION AND ORDER
RESPONDENT. :
ORDER 0007937

Division of Legal Services and Compliance Case No. 21 MED 394

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

Anil K. Nair, M.D.
Winchester, MA 01890

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 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. Respondent Anil K. Nair, M.D., (Year of Birth 1970) is licensed in the state of Wisconsin to practice medicine and surgery, having license number 46924-20, first issued on May 20, 2004, with registration current through October 31, 2021.¹ Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Winchester, Massachusetts 01890.

¹ Respondent's license was set to expire on November 1, 2021, and it does not appear he has attempted to renew. However, due to 2021 Wisconsin Act 10, all health care provider credentials will not expire until thirty days after the end of the declared national emergency. Therefore, Respondent's license remains active despite the fact he has not completed any of the renewal requirements as of the date of this Final Decision and Order. Pursuant to Wis. Stat. § 440.08(3), Respondent retains the right to apply for renewal until October 31, 2026.

2. At all times relevant to this matter, Respondent practiced as a neurologist in Massachusetts.

3. On August 13, 2020, Respondent's license to practice medicine in Massachusetts was summarily suspended by the Massachusetts Board of Registration in Medicine (MA Board) after the MA Board found that Respondent "poses an immediate and serious threat to the public health, safety and welfare." The MA Board alleged that Respondent engaged in sexual misconduct with an intern working in his office.

4. On September 2, 2021, Respondent resigned his right to renew his Massachusetts medical license and on September 9, 2021, the MA Board entered an Order accepting that Resignation (MA Order). The MA Order states that Respondent shall provide a copy of the Resignation and Order within ten (10) days to the state licensing boards of all states in which he has any kind of license to practice medicine.

5. Respondent did not report the MA Order to the Wisconsin Board.

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

CONCLUSIONS OF LAW

1. The Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 448.02(3) and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § Med 10.03(3)(c) by having any credential pertaining to the practice of medicine and surgery or any act constituting the practice of medicine and surgery become subject to adverse determination by any agency of this or another state, or by any federal agency or authority.

3. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. Respondent's VOLUNTARY SURRENDER of his license and registration to practice medicine and surgery in the state of Wisconsin (license number 46924-20), as well as his right to renew such license and registration, is accepted.

3. In the event Respondent petitions the Board for reinstatement of his license to practice medicine and surgery in the state of Wisconsin, the Board may enter an order denying such petition without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the sole discretion of the Board.

4. In the event Respondent petitions the Board for reinstatement of his license to practice medicine and surgery in the state of Wisconsin or applies for any other credential under Wis. Stat. chs. 440-480, Respondent shall pay costs of this matter in the amount of \$406.00, before any petition or application for a credential will be considered by the applicable board or Department.

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

WISCONSIN MEDICAL EXAMINING BOARD

By: Stephen A. Wasserman, MD
A Member of the Board

4/20/2022
Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ANIL K. NAIR, M.D.,
RESPONDENT.

:
:
:
:
:

STIPULATION

ORDER 0007937

Division of Legal Services and Compliance Case No. 21 MED 394

Respondent Anil K. Nair, 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. Respondent consents to the resolution of this investigation by Stipulation.

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

- the right to a hearing on the allegations against Respondent, 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 Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent'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 Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

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

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Medical Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent 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 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 Respondent, 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.

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

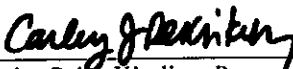
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Anil K. Nair, M.D., Respondent
Winchester, MA 01890
License No. 46924-20

Date

3/11/2022



Carley Peich Kiesling, Prosecuting Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

Date

03/14/2022