

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 :
 : FINAL DECISION AND ORDER
NEDAL S. MEJALLI, M.D., :
RESPONDENT. : **ORDER 0008042**

Division of Legal Services and Compliance Case Nos. 19 MED 333 and 22 MED 150

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

Nedal S. Mejalli, M.D.
Edgewater, NJ 07020

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 Nedal S. Mejalli, M.D., (Year of Birth 1962) is licensed in the state of Wisconsin to practice medicine and surgery, having license number 35998-20, first issued on September 23, 1994, 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 Edgewater, New Jersey 07020.

¹ Respondent's license was set to expire on November 1, 2021. He attempted to renew his license online prior to that date but failed to provide additional information requested and therefore the renewal was not completed. However, due to 2021 Wisconsin Act 10, all health care provider credentials will not expire and will remain active until 30 days after the end of the declared emergency. Therefore, Respondent's license remains active. Pursuant to Wis. Stat. § 440.08(3), Respondent retains the right to apply for renewal upon payment of a fee until October 31, 2026.

Prior Discipline - Division of Legal Services and Compliance (DLSC) Case No. 06 MED 029

2. On June 20, 2009, the Board issued Order No. LS0901237MED, which reprimanded Respondent and accepted the continuing education that Respondent had completed in the areas of controlled substance management and pain management as meeting the Board's education requirement that would have otherwise been required. That Order was based on facts reflecting Respondent's inappropriate prescribing of opioids.

DLSC Case no. 19 MED 333

3. On August 9, 2019, the Department received information from the U.S. Drug Enforcement Administration (DEA) and the Wisconsin Department of Justice that Respondent had been criminally charged with stalking and was improperly prescribing controlled substances.

4. On March 4, 2019, Respondent was charged with one (1) count of Stalking, a class I felony, in violation of Wis. Stat. § 940.32(2), in Kenosha County Circuit Court Case No. 2019CF000221.

5. On June 22, 2022, Respondent pled guilty to two (2) counts of Disorderly Conduct, a class B misdemeanor, in violation of Wis. Stat. § 947.01(1), as well as a county ordinance violation for Harassment, in Kenosha County Circuit Court Case No. 2019CF000221. A sentencing hearing is scheduled for August 24, 2022.

6. On December 9, 2019, Respondent was charged with fifty-two (52) counts of Manufacture/Deliver Non-Narcotics, a class H felony, in violation of Wis. Stat. § 961.41(1)(b); six (6) counts of Manufacture/Deliver Schedule IV Drugs, a class H felony, in violation of Wis. Stat. § 961.41(1)(i); two (2) counts of Manufacture/Deliver Schedule I, II Narcotics, a class E felony, in violation of Wis. Stat. § 961.41(1)(a); and one (1) count of Solicitation of Manufacture/Deliver Non-Narcotics, a class H felony, in violation of Wis. Stats. §§ 961.41(1)(b) and 939.30, in Kenosha County Case No. 2019CF001534.

7. On June 22, 2022, Respondent pled guilty to one (1) count of Manufacture/Deliver Schedule I, II Narcotics, a class E felony, in violation of Wis. Stat. § 961.41(1)(a), in Kenosha County Case No. 2019CF001534. A sentencing hearing is scheduled for August 24, 2022.

8. The plea agreement reached on June 22, 2022, in Kenosha County Case Nos. 2019CF000221 and 2019CF001534 includes a requirement that Respondent be on probation for two and a half (2 ½) years and not practice medicine and surgery in Wisconsin during that time.

9. On July 28, 2021, Respondent surrendered his DEA registration.

DLSC Case no. 22 MED 150

10. On March 21, 2022, the Department received a complaint from an insurance company alleging that Respondent obtained compensation by fraud while working at a medical clinic in Milwaukee in 2019. Case no. 22 MED 150 was opened to investigate further.

11. In resolution of these matters, 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 and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Based on the Findings of Fact, Respondent engaged in unprofessional conduct as defined in Wis. Admin. Code § Med 10.03(2)(c) by prescribing, ordering, dispensing, administering, supplying, selling, giving, or obtaining any prescription medication in any manner that is inconsistent with the standard of minimal competence.

3. Based on the Findings of Fact, Respondent engaged in unprofessional conduct as defined in Wis. Admin. Code § Med 10.03(2)(e) by administering, dispensing, prescribing, supplying, or obtaining a controlled substance as defined in s. 961.01(4), Stats., other than in the course of legitimate professional practice, or as otherwise permitted by law.

4. Based on the Findings of Fact, Respondent engaged in unprofessional conduct as defined in Wis. Admin. Code § Med 10.03(3)(i) by violating or being convicted of any laws or rules of this state, or of any other state, or any federal law or regulation that is substantially related to the practice of medicine and surgery.

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

ORDER

1. The attached Stipulation is accepted.

2. The SURRENDER by Respondent of his license and registration to practice medicine and surgery in the state of Wisconsin (license no. 35998-20), as well as his right to renew such license and registration, is accepted.

3. Respondent shall not petition the Board for reinstatement of his license and registration to practice medicine and surgery in the state of Wisconsin for at least three (3) years from the date of this Order. If the Respondent petitions for reinstatement after three years, the Board may restore Respondent's license and registration on such terms and conditions as it may deem appropriate, pursuant to Wis. Stat. § 448.02(6). Whether to grant a license and registration and whether to impose any limitations or restrictions on any license and registration granted shall be in the sole discretion of the Board.

4. In the event Respondent petitions the Board for reinstatement of his license and registration to practice medicine and surgery in the state of Wisconsin or applies for another credential in the state of Wisconsin under Wis. Stat. chs. 440 through 480, Respondent shall pay the costs of this matter in the amount of \$3,617.00, before any petition or application for a credential will be considered by the applicable board or Department.

5. Any petitions or payments of costs (made payable to Department of Safety and Professional Services), and other information required by this Order shall be submitted to:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 266-2112; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

Respondent may also submit this information online at: <https://dpsmonitoring.wi.gov>.

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

WISCONSIN MEDICAL EXAMINING BOARD

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

7/20/2022
Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

NEDAL S. MEJALLI, M.D.,
RESPONDENT.

:
:
:
:
:
:

STIPULATION

ORDER 0008042

Division of Legal Services and Compliance Case Nos. 19 MED 333 and 22 MED 150

Respondent Nedal S. Mejalli, 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. Respondent is represented by Attorney Kristen Nelson.

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. Respondent is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

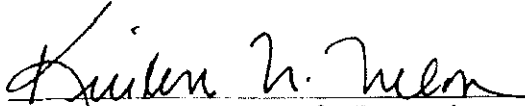
9. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Nedal S. Mejalli, M.D., Respondent
Edgewater, NJ 07020
License No. 35998-20

07 / 07 / 2022

Date



Kristen Nelson, Attorney for Respondent
Gimbel, Reilly, Guerin & Brown, LLP
330 E. Kilbourn Ave., Suite 1170

7/8/22

Date

M



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

07/11/2022

Date