

[REDACTED]

[REDACTED]

July 28, 2010

VIA E-MAIL  
[submission@abim.org](mailto:submission@abim.org)

Lynn O. Langdon, MS  
Chief Operating Officer  
American Board of Internal Medicine  
510 Walnut Street  
Suite 1700  
Philadelphia, PA 19106-3699

Re: [REDACTED]

Dear Ms. Langdon:

I am writing in response to the letter dated July 9, 2010 from Paul Lantieri III, Esquire, concerning the suspension of Dr. [REDACTED]'s ABIM certification. In his letter, Mr. Lantieri informed me that ABIM staff had agreed to reduce Dr. [REDACTED]'s three year suspension to one year "in light of Dr. [REDACTED]'s level of intent and effort to undermine the certification process through the disclosure of ABIM Examination items."

While Dr. [REDACTED] is very appreciative of ABIM staff's consideration and a reduction in the term of his suspension, a suspension of even one year presents significant problems for Dr. [REDACTED] in moving forward in his career and is not warranted by his conduct in this matter. On Dr. [REDACTED]'s behalf, I hereby appeal this determination to ABIM's Staff Credentials Committee (SCC).

I understand that the SCC will consider all statements and materials that have been submitted on Dr. [REDACTED]'s behalf, so I will not reiterate the information about Dr. [REDACTED] provided to ABIM in my letter of June 23, 2010, except to note again that Dr. [REDACTED] received no benefit from providing ABIM Examination items to Arora – financial, educational or otherwise. Dr. [REDACTED] appreciates ABIM's concern about the unlawful use of its Examination items and deeply regrets his unknowing participation in Arora's scheme.

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Under all of the circumstances, the imposition of a one year suspension is unduly harsh, given that Dr. [REDACTED] did not intentionally violate ABIM's Policies and Procedures for Certification and received no benefit from providing the Examination items. Moreover, Board certification is almost always a prerequisite for medical staff appointments and participation in third party payor agreements – both essential to Dr. [REDACTED]'s ability to engage in the practice of medicine.

Dr. [REDACTED] has already notified every hospital medical staff where he holds clinical privileges of the suspension of his ABIM certification. Dr. [REDACTED] provides moonlighting services at these hospitals in order to support his family while he completes his [REDACTED] residency. He has been advised by at least one of those hospitals that Board certification is a base qualification for medical staff membership. A copy of this letter is enclosed. If the suspension stands, Dr. [REDACTED] will automatically lose that medical staff appointment and likely will lose other appointments. The imposition of a suspension can also lead to investigations by state licensing boards with potential disciplinary action to follow.

The ripple effects of a suspension will cause lasting and potentially devastating consequences for Dr. [REDACTED]. Without question, Dr. [REDACTED]'s loss of Board certification will severely impair his ability to move forward with his career. Such a result would be completely out of proportion to his conduct and surely is not the result intended by ABIM.

For these reasons, I respectfully request that the SCC impose a lesser sanction on Dr. [REDACTED] that does not involve the suspension of his Board certification but that accounts for the seriousness of this matter – perhaps a fine and/or a written reprimand. Thank you for your consideration in this matter.

Sincerely yours,

[REDACTED]

cc:

[REDACTED]