.BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of **MOHAMED H. EL-GASIM, M.D.** Holder of License No. 36344 For the Practice of Allopathic Medicine In the State of Arizona.	Case No. MD-16-1495A **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER FOR LETTER OF REPRIMAND**

The Arizona Medical Board ("Board") considered this matter at its public meeting on February 13, 2018. Mohamed H. El-Gasim, M.D. ("Respondent"), appeared with legal counsel, Stephen Yost, Esq., before the Board for a Formal Interview pursuant to the authority vested in the Board by A.R.S. § 32-1451(H). The Board voted to issue Findings of Fact, Conclusions of Law and Order after due consideration of the facts and law applicable to this matter.

FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.

2. Respondent is the holder of license number 36344 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-16-1495A after receiving notification of a malpractice settlement regarding Respondent's care and treatment of a 2 month-old male patient ("NH") alleging failure to send the patient to the ER given a temperature of 101.7, which led to a delay in diagnosis, infection and death.

4. NH presented to Respondent's office with complaints of fever at 101.7, increased respiratory rate and fussiness. Respondent examined the patient, including ordering a urine sample and complete blood count as well as obtaining a chest x-ray he interpreted as pneumonia. Respondent concluded that NH had a viral infection and started Azithromycin and prednisone. NH's parents presented to a different provider at the clinic

later that same evening, who evaluated and sent NH home with instructions to follow up with NH's primary care provider. The x-ray was subsequently reported as showing no active disease. NH was seen five days later by the primary care provider and diagnosed with shock. NH was transported to an emergency room and expired two days later.

5. The standard of care prohibits the discharging of an 8 week-old with a documented fever. Respondent deviated from the standard of care by discharging NH with a documented fever.

6. The standard of care for an 8 week-old presenting with fever requires a physician to consider sepsis as a differential diagnosis. Respondent deviated from the standard of care by failing to consider sepsis as a differential diagnosis.

7. The standard of care prohibits the use of both antibiotics and steroids in the face of infection as the steroids will "mask" any inflammatory or bacterial infection. Respondent deviated from the standard of care by starting NH on both antibiotics and steroids.

8. The standard of care requires referral to the hospital of an 8 week-old with suspected pneumonia. Respondent deviated from the standard of care by failing to refer NH to the hospital.

9. The standard of care requires a physician to see the patient upon return to the clinic with continued concerns that the infant was not well. Respondent deviated from the standard of care by failing to see NH when he was brought back to the clinic with continued concerns that he was not well.

10. There was actual harm identified in that the patient expired from septic shock. MRSA and pseudomonas were identified from the urine sample ordered by Respondent at the clinic. The antibiotic prescribed by Respondent would not have treated these bacteria.

11. During a Formal Interview on this matter, Respondent testified that he prescribed azithromycin because the infant had not completed his vaccinations and he was concerned about whooping cough. Respondent admitted that the infant had not exhibited symptoms of whooping cough. Respondent testified that he prescribed prednisone due to decreased breath sounds and the chest x-ray. Respondent further testified that in the future, if sepsis is suspected, patients will be referred to the emergency room for further evaluation.

12. During that same Formal Interview, Board members commented that the care in this case represented a missed opportunity, and that Respondent should have paid more attention to the tachycardia. Board members commented that the standard of care has not supported the use of steroids for a patient with this presentation for quite some time.

CONCLUSIONS OF LAW

1. The Board possesses jurisdiction over the subject matter hereof and over Respondent.

2. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-1401(27)(e) ("Failing or refusing to maintain adequate records on a patient.").

3. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-1401(27)(q) ("Any conduct or practice that is or might be harmful or dangerous to the health of the patient or the public.").

ORDER

IT IS HEREBY ORDERED THAT:

1. Respondent is issued a Letter of Reprimand.

RIGHT TO PETITION FOR REHEARING OR REVIEW

Respondent is hereby notified that he/she has the right to petition for a rehearing or review. The petition for rehearing or review must be filed with the Board's Executive Director within thirty (30) days after service of this Order. A.R.S. § 41-1092.09(B). The petition for rehearing or review must set forth legally sufficient reasons for granting a rehearing or review. A.A.C. R4-16-103. Service of this order is effective five (5) days after date of mailing. A.R.S. § 41-1092.09(C). If a petition for rehearing or review is not filed, the Board's Order becomes effective thirty-five (35) days after it is mailed to Respondent.

Respondent is further notified that the filing of a motion for rehearing or review is required to preserve any rights of appeal to the Superior Court.

DATED AND EFFECTIVE this 17th day of April, 2018.

ARIZONA MEDICAL BOARD

By Patricia E. McSorley
Patricia E. McSorley
Executive Director

EXECUTED COPY of the foregoing mailed
this 17th day of April, 2018 to:

Stephen C. Yost
Campbell, Yost, Clare & Norell, PC
3101 N Central Ave, Suite 1200
Phoenix, AZ 85012-2699
Attorney for Respondent

ORIGINAL of the foregoing filed
this 17th day of April, 2018 with:

Arizona Medical Board
1740 West Adams, Suite 4000
Phoenix, Arizona 85007

Mary Boley
Board staff