

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:)
)
Jawanza Nyahuma Jabari, M.D.,) CONSENT ORDER
)
Applicant.)

This matter is before the North Carolina Medical Board ("Board") on the application of Jawanza Nyahuma Jabari, M.D. ("Dr. Jabari") for a license to practice medicine in the state of North Carolina. Dr. Jabari makes the following admissions and the Board makes the following findings and conclusions:

STATUTORY AUTHORITY

The Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted to it in Article 1 of Chapter 90 of the North Carolina General Statutes and the rules and regulations promulgated thereto.

FINDINGS OF FACT

Dr. Jabari has applied for a license to practice medicine in North Carolina.

Dr. Jabari holds an active license to practice medicine in New York. Dr. Jabari previously held medical licenses in Alabama, California, Colorado, the District of Columbia, Florida, Kentucky, Pennsylvania, South Carolina, and Virginia.

At all times relevant hereto, Dr. Jabari practiced anesthesiology.

On September 20, 2018, the Florida Board of Medicine ("Florida Board") entered a Final Order in which Dr. Jabari was issued a Letter of Concern, assessed a \$15,000.00 fine and \$8,857.75 in costs, and required, prior to returning to the practice of medicine in Florida, to undergo an evaluation by Florida CARES or a board-approved equivalent and appear before the Florida Board with the evaluation and evaluator's recommendations and complete 5 hours of continuing medical education on medical ethics. Dr. Jabari placed his Florida Board medical license on retired status on January 31, 2014.

The Florida Board's Final Order was based Dr. Jabari serving as the medical director of a medical practice in 2012 and allegedly allowing an unlicensed physician to practice at the medical practice and facilitating the unlicensed practice of medicine.

On February 21, 2018, Dr. Jabari's privileges at the Stratton VA Medical Center in New York ("Stratton VA") were summarily suspended based on allegations of Dr. Jabari's clinical practice not meeting acceptable standards and potentially constituting an imminent threat to patient welfare regarding the handling and documentation of a controlled substance. Upon reinstatement of his clinical privileges,

Dr. Jabari was placed on a Focused Practice Review for Cause ("FPPE") for 90 days from January 22, 2019 to April 22, 2019. Dr. Jabari resigned his position at the Stratton VA on March 20, 2019, and therefore, did not complete the FPPE. Dr. Jabari failed to disclose the actions taken by the Stratton VA on his Board license application.

On May 10, 2019, the New York State Board for Professional Medical Conduct entered a Consent Order in which Dr. Jabari was censured, reprimanded, and assessed a \$5,000.00 fine based on the Florida Board's action.

On May 29, 2019, the Pennsylvania State Board of Medicine entered a Final Order in which Dr. Jabari was reprimanded and assessed a \$1,000.00 civil penalty based on the Florida Board's action.

On August 24, 2019, the American Medical Association issued Dr. Jabari a letter of admonishment based on the Florida Board's action.

CONCLUSIONS OF LAW

Dr. Jabari acknowledges the conduct, as described above, constitutes Dr. Jabari's license to practice medicine being restricted or acted against by the licensing authority of any jurisdiction within the meaning of N.C. Gen. Stat. § 90-14(a)(13) which is grounds under that section of the North Carolina General Statutes for the Board to annul, suspend,

revoke, condition, or limit Dr. Jabari's license to practice medicine or to deny any application he may make in the future.

PROCEDURAL STIPULATIONS

Dr. Jabari acknowledges and agrees that the Board has jurisdiction over him and over the subject matter of this case.

Dr. Jabari knowingly waives his right to any hearing and to any judicial review or appeal in this case.

Dr. Jabari acknowledges that he has read and understands this Consent Order and enters into it voluntarily.

Dr. Jabari desires to resolve this matter without the need for more formal proceedings.

The Board has determined that it is in the public interest to resolve this case as set forth below.

ORDER

NOW, THEREFORE, with Dr. Jabari's consent, it is ORDERED that:

1. The Board shall issue Dr. Jabari a license to practice medicine.

2. Dr. Jabari shall take and successfully complete the Professional/Problem-Based Ethics ("ProBE") course, an education course offered by the Center for Personalized Education for Professionals ("CPEP"), within six (6) months of the date of this Consent Order. Dr. Jabari shall submit evidence of the successful completion of the ProBE course to the Board's

Compliance Coordinator, North Carolina Medical Board, P.O. Box 20007, Raleigh, NC 27619-0007 or compliance@ncmedboard.org within five (5) days of receiving his grade. To register for the ProBE course, Dr. Jabari should contact CPEP at 303.577.3232 (Denver, CO office), 919.238.6436 (Raleigh, NC office), or visit their website, www.cpepdoc.org.

3. Dr. Jabari shall obey all laws. Likewise, he shall obey all rules and regulations involving the practice of medicine.

4. Dr. Jabari shall meet with the Board or members of the Board for an investigative interview at such times as requested by the Board.

5. Upon request, Dr. Jabari shall provide the Board with any information the Board deems necessary to verify compliance with the terms and conditions of this Consent Order.

6. If Dr. Jabari fails to comply with any of the terms and conditions of this Consent Order, that failure shall constitute unprofessional conduct within the meaning of N.C. Gen. Stat. § 90-14(a)(6) and shall be grounds, after any required notice and hearing, for the Board to annul, suspend, or revoke his license to practice medicine and to deny any application he might make in the future or then have pending for a license.

7. This Consent Order shall take effect immediately upon its execution by both Dr. Jabari and the Board, and it shall continue in effect until specifically ordered otherwise by the Board.

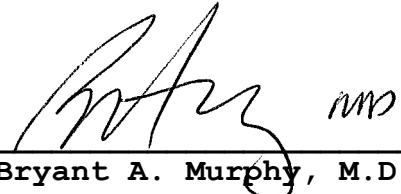
8. Dr. Jabari hereby waives any requirement under any law or rule that this Consent Order be served on him.

9. Upon execution by Dr. Jabari and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be reported to persons, entities, agencies, and clearinghouses as required and permitted by law including, but not limited to, the Federation of State Medical Boards and the National Practitioner Data Bank.

By Order of the North Carolina Medical Board this the 31st day of July, 2020.

NORTH CAROLINA MEDICAL BOARD

By:



Bryant A. Murphy, M.D.
President

Consented to this the 31 day of July, 2020.




Jawanza Nyahuma Jabari, M.D.

State of North Carolina

County of Guilford

I, Silvia Bastida, do hereby certify that
Jawanza Nyahuma Jabari, M.D. personally appeared before me this
day and acknowledged the due execution of the foregoing
instrument.

Witness my hand and official seal this the 31 day of
July, 2020.



Notary Public

(Official Seal)

My Commission Expires: 02/09/2025

