

IN AND BEFORE THE OKLAHOMA STATE BOARD  
OF MEDICAL LICENSURE AND SUPERVISION  
STATE OF OKLAHOMA

**FILED**

STATE OF OKLAHOMA )  
EX REL. THE OKLAHOMA BOARD )  
OF MEDICAL LICENSURE )  
AND SUPERVISION, )

Plaintiff, )

v. )

RAJENDRA AMIN, M.D., )  
LICENSE NO. 11099 )

Defendant. )

JUL 29 1999

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Case No. 98-12-2049

**FINAL ORDER OF SUSPENSION**

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") on July 23, 1999, at the office of the Board, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Elizabeth A. Scott, Assistant Attorney General, appeared for the plaintiff and defendant appeared in person and through counsel, Charles Fagin.

The Board *en banc* after hearing arguments of counsel, reviewing the exhibits admitted and the sworn testimony of Defendant, and being fully advised in the premises, found that there is clear and convincing evidence to support the following Findings of Fact, Conclusions of Law and Orders:

***Findings of Fact***

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physicians and surgeons in the State of Oklahoma pursuant to 59 Okla. Stat. §480 *et seq.*
2. The Board has jurisdiction over this matter, and notice has been given in all respects in accordance with law and the rules of the Board.
3. Defendant, Rajendra Amin, M.D., holds Oklahoma license no. 11099.

4. On or about November 19, 1998, a security camera at the hospital where Defendant had medical staff privileges video taped Defendant as he stole prescription drugs for his personal benefit and use outside Defendant's hospital duties. The prescription drugs stolen included 27 vials of Depemedrol 80 mg., 16 vials of Depemedrol 40 mg., 19 vials of Kenalog 40 mg., 22 vials of Triamcinolone 40 mg., 1 bottle of Marcaine, 7 bottles of Sensorcaine and 1 1000 ampule of Epinephrine.

5. When later confronted on November 25, 1998 by hospital management about the theft, Defendant admitted to stealing the prescription drugs and offered to return them to the hospital.

6. On or about December 11, 1998, Defendant was charged in Oklahoma County District Court, Case No. CF-98008493, with one count of grand larceny, a felony, in violation of 21 O.S. 1991 §1704, based on the above allegations. On May 21, 1999, Defendant pled no contest to the charge of grand larceny and entered into a plea agreement whereby he received a one (1) year deferred sentence. Defendant was also ordered to continue counseling as required by Dr. John R. Smith, M.D., provide fifty (50) hours of community service, provide restitution of \$441.39 and pay court costs.

7. Defendant is guilty of unprofessional conduct in that he:
  - a. Confessed to a crime involving a violation of the laws of this state in violation of 59 O.S. §509(8).
  - b. Committed an act which is a violation of the criminal laws of the State of Oklahoma when such act is connected with the physician's practice of medicine in violation of 59 O.S. §509(9).

### *Conclusions of Law*

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (the "Act") and its applicable regulations. The Board is authorized to enforce the Act as necessary to protect the public health, safety and welfare.

2. Defendant is guilty of unprofessional conduct in that he:
  - a. Confessed to a crime involving a violation of the laws of this state in violation of 59 O.S. §509(8).

- b. Committed an act which is a violation of the criminal laws of the State of Oklahoma when such act is connected with the physician's practice of medicine in violation of 59 O.S. §509(9).


*Order*

IT IS THEREFORE ORDERED by the Oklahoma State Board of Medical Licensure and Supervision as follows:

1. The license of Defendant, Rajendra Amin, M.D., Oklahoma license no. 11099, is hereby **SUSPENDED** beginning July 23, 1999 and continuing indefinitely pending completion of an evaluation at Menninger's. Upon completion of an evaluation at Menninger's, Defendant may appear before the Board at its next regularly scheduled Board meeting to report the results of his evaluation.

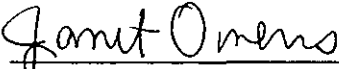
2. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and investigation costs.

Dated this 29 day of July, 1999.

  
Gerald C. Zumwalt, M.D., Secretary  
Oklahoma State Board of Medical  
Licensure and Supervision

**CERTIFICATE OF SERVICE**

I certify that on the 29 day of July, 1999, I mailed, via first class mail, postage prepaid, a true and correct copy of this Order to Charles Fagin, 210 Park Avenue, 2650 Oklahoma Tower, Oklahoma City, OK 73102.

  
Janet Owens