IN AND BEFORE THE STATE BOARD OF MEDICAL EXAMINERS

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel,
STATE BOARD OF MEDICAL
EXAMINERS,
Plaintiff,
V.

MOHAMMAD ASGHAR, M.D., Medical License No. 11101

Defendant.

FINAL ORDER

This cause comes on for hearing before the Oklahoma Board of Medical Examiners en banc on January 15, 1987, at 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Daniel J. Gamino, Attorney, appeared for the Plaintiff, and the Defendant did not appear in person but did appear by announcement with the assistance of Illinois counsel, R. Edward Veltman, Jr., Attorney, on this Final Order.

The Board of Medical Examiners en banc heard the testimony and reviewed the exhibits and being fully advised in the premises, the Board of Medical Examiners therefore finds as follows:

FINDINGS OF FACT

- 1. That Mohammad Asghar, M.D., holds Oklahoma Medical License No. 11101.
- 2. That the Board of Medical Examiners en banc has jurisdiction over the subject matter herein and that notice has been given in all respects as required by law and the rules of the Board.
- 3. That on or around December 18, 1985, in Case No. 85-592, the Department of Registration and Education of the State of Illinois entered a Consent Order providing as follows:

"Information has come to the attention of the Department that Respondents failed to properly supervise their employee, Mr. Tom Harris, a Registered Nurse in the State of Illinois. Mr. Harris, R.N., was charged and subsequently found guilty of practicing medicine without a license...Respondents further admit that the Department could produce evidence from which the Medical Disciplinary Board might find a violation of the Medical Practice Act...Respondents and the Department have agreed, in order to resolve this matter, that Respondents be permitted to enter into a Consent Order with the Department, providing for the imposition of disciplinary measures which are fair and equitable under the circumstances and which are consistent with the best interest of the people of the State of Illinois."

4. Following these findings, the Department of Registration and Education of the State of Illinois reprimanded

the Defendant, Mohammad Asghar, M.D., and placed him on probation for one (1) year under the following terms and conditions:

"During the probationary period, Respondents agree not to employee any Registered Nurse without written protocols between Respondents and the Registered Nurse first being approved by the Medical Disciplinary Board or its designee."

"Any violation by Respondents of the terms and conditions of this Consent Order shall be grounds for the Department to immediately file a complaint to revoke the Respondents' licenses to practice as physicians and surgeons in the State of Illinois."

- 5. A complete copy of the aforesaid Consent Order and Notice are attached hereto marked as Exhibits A and B respectively and said Exhibits are incorporated herein by reference as if fully set out herein.
- 6. That Defendant has fully complied with all conditions of probation imposed by the Department of Registration and Education of the State of Illinois to date.
- 7. That Defendant presently resides and practices medicine in the State of Illinois and has no immediate plans to return to the State of Oklahoma.

CONCLUSION OF LAW

1. That Mohammad Asghar, M.D., holding Oklahoma Medical License No. 11101, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, \$509, Paragraph 15, to-wit:

"Aiding or abetting, directly or indirectly, the practice of medicine by any person not duly authorized under the laws of Oklahoma."

ORDER

IT IS THEREFORE ORDERED by the Board of Medical Examiners of Oklahoma as follows:

- 1. That the Defendant, Mohammad Asghar, M.D., holding Oklahoma Medical License No. 11101, be and is hereby placed on probation to the Oklahoma State Board of Medical Examiners for a period of one (1) year, beginning on January 15, 1987, under the following terms and conditions:
 - (a) That the Defendant shall comply with all terms and conditions set out by the Department of Registration and Education of the State of Illinois in its Consent Order approved by the Director of the Department of Registration and Education of the State of Illinois on December 24, 1985, which is attached hereto and incorporated by reference as if fully set out herein. That any violation of the terms or conditions set out by the Department of Registration and Education of the State of Illinois shall also serve as grounds for violation of probation proceedings by the State of Oklahoma.
 - (b) That during the period of probation Defendant will furnish to the office of the Oklahoma State Board of Medical Examiners all current legal addresses and any change of address in writing.

- That, the Defendant shall appear before the Oklahoma Board of Medical Examiners or any designated member thereof whenever requested to do so.
- (d) That in the event the Defendant desires to establish active medical practice or consultation privileges within the borders of the State of Oklahoma, the Defendant shall first notify the Board in writing of his intentions and personally appear before the Board en banc for a review of these matters and his present state of medical training and competence.
- That the Oklahoma Board of Medical Examiners of Oklahoma retains continuing jurisdiction over this Defendant in the event of his return to active practice or consultation within the State of Oklahoma in order to make any further and additional orders concerning training or limitation on practice at that time.

DATED this 30 day of JANUARY , 1987.

> MARK R. JOHNSON, M.D., Secretary State Board of Medical Examiners

Approved as to Form:

DANIEL J. GAMINO

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Moking Azglice no MOHAMMAD ASGHAR,

DEFENDANT