

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

STATE OF OKLAHOMA

FILED

DEC 1 1992

STATE OF OKLAHOMA, ex rel,
OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE AND
SUPERVISION,

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Plaintiff,

MANEK E. ANKLESARIA, M.D.
Medical License No. 13574,

CASE NO. 91-09-1221

Defendant.

FINAL ORDER
OF SUSPENSION OF LICENSE

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on November 21, 1992, at the office of the Oklahoma Board of Medical Licensure and Supervision, 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 Manek E. Anklesaria, M.D., Defendant, appeared in person and by counsel, Murray E. Abowitz and Gregory J. Ryan, Abowitz & Welch, P.O. Box 1937, Oklahoma City, OK 73101.

The Oklahoma Board of Medical Licensure and Supervision reviewed all exhibits, heard testimony and being fully advised in the premises, the Oklahoma Board finds and orders as follows:

FINDINGS OF FACT

1. That Defendant, Manek E. Anklesaria, M.D., holds Oklahoma Medical License No. 13574.
2. That the Oklahoma Board of Medical Licensure and Supervision 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 May 6, 1991, female patient R.K. came to the Defendant's office for an ophthalmological appointment. As patient R.K. was seated and looking through a theopter, Defendant took the patient's hand. The patient snatched her hand away. Then Defendant took the patient's hand again and placed it on his erected penis.
4. That in the fall of 1990, female patient T.V. was referred to the Defendant for ophthalmological care. During her first visit to the Defendant's office, the Defendant held the patient's hand, stared at the patient's chest and advised the patient, "Now you can practice safe sex," when Defendant learned of the nature of the patient's recent surgery.
5. That during the patient's second visit, the Defendant again stared at the patient's chest and remarked, "My, you are well endowed and I mean that as a compliment."
6. That during the patient's third visit, the Defendant moved the patient from one examining room to a different examining room further down the hall. As the patient T.V. was

seated and looking through a machine, the Defendant held the patient's hand. After a minute, the Defendant laid the patient's hand on his erected penis. During this same visit, Defendant questioned the patient as to whether the patient had a boyfriend and whether the patient was interested in seeing the Defendant not as a doctor and patient. As the patient was leaving, the Defendant put his arms around the patient's back and buttocks and kissed her. After the patient pushed him away, Defendant put his hand on her left breast and attempted to fondle it.

7. That all of the above acts are dishonorable or immoral conduct when they occur in the context of a professional doctor/patient ophthalmological examination.

8. That the above acts deceive or defraud the public in that female patients come to the physician's office seeking medical care and the female patients do not realize and they are not forewarned that they are the subject of a sexual hunt.

9. That Defendant is perpetuating significant harm to public health, safety and welfare by continuing the acts and omissions set forth in the above allegations.

CONCLUSIONS OF LAW

1. That Manek E. Anklesaria, M.D., holding Oklahoma Medical License No. 13574, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1991, Sec. 509, Paragraph 9, to-wit:

"9. Dishonorable or immoral conduct which is likely to deceive or defraud the public."


ORDER

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

1. That the Defendant, Manek E. Anklesaria, M.D., Oklahoma Medical License No. 13574, should be and the same is hereby SUSPENDED effective November 23, 1992. Said suspension shall remain in force and effect until the Defendant presents evidence of medical in-patient evaluation and successful completion of treatment by a physician or institution approved in advance by the Board Secretary.


2. That the Board retains continuing jurisdiction in this case and the Defendant may re-apply for licensure in Oklahoma upon presentation of evidence of evaluation and successful completion of treatment. Any reinstatement of license by the Board may be under such terms and conditions of probation as the Board deems appropriate.

DATED this 10 day of Dec, 1992.



GERALD C. ZUMWALT, M.D., Secretary
State Board of Medical Licensure
and Supervision

APPROVED AS TO FORM:


J. GAMINO
Daniel J. Gamino & Associates, P.C.
3315 NW 63
Oklahoma City, OK 73116
(405) 840-3741
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 7 day of December, 1992, to:

MANEK E. ANKLESARIA, M.D.
c/o Murray E. Abowitz & Gregory J. Ryan
Abowitz & Welch
P.O. Box 1937
Oklahoma City, OK 73101

