

IN AND BEFORE THE STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION

STATE OF OKLAHOMA

**FILED**

STATE OF OKLAHOMA, ex rel, )  
OKLAHOMA STATE BOARD OF )  
MEDICAL LICENSURE AND )  
SUPERVISION, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
AFIFA G. MINA, M.D. )  
Medical License No. 13601, )  
 )  
Defendant. )

FEB 01 1988

STATE BOARD OF  
MEDICAL EXAMINERS

CASE NO. 87-4-495

ORDER TO RECONSIDER  
PRIOR ACTION AND REINSTATE MEDICAL LICENSE

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision en banc on the 23rd day of January, 1988, at the office of the Oklahoma State Medical Association, 601 NW Expressway, 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 Afifa G. Mina, M.D., Defendant, appeared in person and by counsel, George F. Short.

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

FINDINGS OF FACT

1. That Defendant, Afifa G. Mina, M.D., holds Oklahoma Medical License No. 13601.

2. That the 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 following notice and hearing, the Oklahoma Board of Medical Licensure and Supervision on the 11th day of September, 1987, did refuse to accept the Defendant's offer to voluntarily surrender her Oklahoma Medical License and further the Board did revoke Defendant's Oklahoma Medical License No. 13601.

4. That the Defendant filed application for reconsideration and appeared to offer testimony in support of her motion.

5. The Board found that the Defendant's motion to reconsider should be sustained in light of sufficient evidence offered by the Defendant.

6. That the State Medical Board of the State of Ohio on April 10, 1986, notified the Defendant of certain acts and omissions in her application to practice medicine and surgery in Ohio as follows:

"1. In completing your application for Ohio medical licensure, you responded in the negative to the question, "Have you ever withdrawn from, or been suspended, dismissed or expelled from a medical school or postgraduate training program?" You were, in fact, dismissed from your residency in anesthesiology at Foster G. McGaw Hospital, in May, 1981.

2. In completing Section 3 (Postgraduate Training) of your application for Ohio medical licensure, you failed to include your residency in anesthesiology at Foster G. McGaw Hospital, in which you were engaged from July 1980 to May 1981.

3. In completing Section 6 (Resume) of your application for Ohio medical licensure, you indicated that you spent the period beginning July 1980 and ending June 1982 at home taking care of a child, and attending conferences at Lutheran General Hospital, Parkridge, Illinois. In fact, you were engaged in a residency program in anesthesiology at Foster G. McGaw Hospital from July 1980 to May 1981."

7. That neither your application for licensure with the Oklahoma State Board of Medical Examiners, nor your most recent application for renewal certificate of registration July 1, 1984, to June 30, 1985, contained any reference to your experiences concerning dismissal from your residency in anesthesiology at Foster G. McGaw Hospital, in May, 1981.

8. The Board found that answers given by the Defendant were the result of alleged legal advice to conceal the facts and that said advice was detrimental to the best interests of the Defendant and may have constituted legal malpractice, and that as a result of that advice the Defendant made the answers as set forth above.

#### CONCLUSIONS OF LAW

1. That by statute the Board has authority to reconsider any previous action of revocation or suspension and the Board may, in its discretion, reinstate the license of said person, 59 O.S. Supp. 1987, §508.1 et seq.

#### ORDER

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

1. That the revocation of the Defendant's Oklahoma Medical License No. 13601 by the Board en banc following notice and hearing on September 11, 1987, should be and the same is hereby RECONSIDERED.

2. That in lieu of revocation, the record should show that the Defendant's license is reinstated and the Defendant is formally reprimanded as a matter of record for misrepresentation of fact as set forth above.

3. That Defendant is further ordered to insure that all jurisdictions where she holds a license as a physician and surgeon are informed by documentation of the nature and reason for termination of training program and the action taken by the Oklahoma Board.

DATED this 1<sup>st</sup> day of February, 1988.



MARK R. JOHNSON, M.D., Secretary  
State Board of Medical Licensure  
and Supervision

APPROVED AS TO FORM:

DANIEL J. GAMINO OBA #3227  
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 4 day of February, 1988, to:

George F. Short  
Short, Barnes, Wiggins, Margo & Adler  
1400 American First Tower  
101 N. Robinson  
Oklahoma City, OK 73102

Janet L. Owens