

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

STATE OF OKLAHOMA )  
 EX REL. THE OKLAHOMA BOARD )  
 OF MEDICAL LICENSURE )  
 AND SUPERVISION, )  
  
 Plaintiff, )  
  
 v. )  
  
 DEBABRATA SAHA, M.D., )  
 LICENSE NO. 18205, )  
  
 Defendant. )

**FILED**

**SEP 28 2000**

OKLAHOMA STATE BOARD OF  
 MEDICAL LICENSURE & SUPERVISION

**Case No. 00-06-2205**

**VOLUNTARY SUBMITTAL TO JURISDICTION AND ORDER**

Plaintiff, the State of Oklahoma, ex rel. the Oklahoma State Board of Medical Licensure and Supervision (the "Board"), by and through its attorney, Elizabeth A. Scott, Assistant Attorney General for the State of Oklahoma, and the staff of the Board, as represented by the Secretary of the Board, Gerald C. Zumwalt, M.D., and the Executive Director of the Board, Lyle Kelsey, and the Defendant, Debabrata Saha, M.D., Oklahoma license no. 18205, who appears in person and through counsel, Chris Jordan, proffer this Agreement for acceptance by the Board *en banc* pursuant to Section 435:5-1-5.1 of the Oklahoma Administrative Code ("OAC").

***AGREEMENT AND ACKNOWLEDGMENT BY DEFENDANT***

By voluntarily submitting to jurisdiction and entering into this Order, Defendant pleads guilty to the allegations in the Complaint and Citation filed herein on July 28, 2000 and acknowledges that hearing before the Board would result in some sanction under the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (the "Act").

Defendant, Debabrata Saha, M.D., states that he is of sound mind and is not under the influence of, or impaired by, any medication or drug and that he fully recognizes his right to appear before the Board for evidentiary hearing on the allegations made against him. Defendant hereby voluntarily waives his right to a full hearing, submits to the jurisdiction of the Board and agrees to abide by the terms and conditions of this Order. Defendant acknowledges that he has read and understands the terms and conditions stated herein, and that this Agreement has been reviewed and discussed with him by his legal counsel.

## ***PARTIES' AGREEMENT AND STIPULATIONS***

Plaintiff, Defendant and the Board staff stipulate and agree as follows:

### ***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.* 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.
2. Defendant, Debabrata Saha, M.D., holds Oklahoma license no. 18205.
3. On or around January 17, 2000, the Missouri State Board of Registration for the Healing Arts entered a Settlement Agreement in the case styled State Board of Registration For the Healing Arts v. Debabrata Saha, M.D., Case No. HA01015949. That Settlement Agreement included the following Joint Findings of Fact and Joint Conclusions of Law:

### **FINDINGS OF FACT**

3. On or about May 7, 1998, Licensee pled guilty in the 13<sup>th</sup> Judicial Circuit Court of Boone County, Missouri, to making a false police report.
4. Making a false police report is a crime an essential element of which is dishonesty.
5. Making a false police report is a crime involving moral turpitude.
6. On or about May 7, 1998, Licensee pled guilty in the 13<sup>th</sup> Judicial Circuit Court of Boone County, Missouri, to trespass in the first degree.
7. Trespass in the first degree is a crime involving moral turpitude.
8. On or about May 7, 1998, Licensee pled guilty in the 13<sup>th</sup> Judicial Circuit Court of Boone County, Missouri, to property damage in the second degree.
9. Property damage in the second degree is a crime involving moral turpitude.

## CONCLUSIONS OF LAW

1. Based on the foregoing, Licensee's license is subject to disciplinary action pursuant to §334.100.2(2), RSMo Supp. 1998, which provides:
2. The board may cause a complaint to be filed ...for any one or any combination of the following causes:
  - (2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed.
4. As a result of the aforesaid Joint Findings of Fact and Conclusions of Law, the Missouri State Board of Registration for the Healing Arts issued a Public Reprimand of the Defendant Debabrata Saha, M.D. A complete copy of the Settlement Agreement entered by the Missouri State Board of Registration for the Healing Arts is attached hereto as Exhibit "A" and incorporated herein by reference.

### *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, Debabrata Saha, M.D., Oklahoma medical license 18205, is guilty of unprofessional conduct set forth below based on the foregoing facts:
  - A. Disciplinary action of another state or jurisdiction against a license based upon acts of conduct by the licensee similar to acts or conduct that would constitute grounds for action as defined in Oklahoma in violation of OAC 435:10-7-4(31).

### *Order*

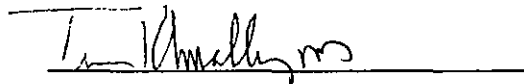
IT IS THEREFORE ORDERED by the Oklahoma State Board of Medical Licensure and Supervision as follows:

*Order*

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

1. The Board *en banc* hereby adopts the agreement of the parties in this Voluntary Submittal to Jurisdiction.
2. The Defendant, Debabrata Saha, M.D., Oklahoma license no. 18205, should be and is hereby **PUBLICLY REPRIMANDED** for the conduct set forth above.
3. Defendant shall give a copy of this Voluntary Submittal to Jurisdiction and Order to all hospitals, nursing homes, treatment facilities, and other health care entities where Defendant has privileges, has applied for privileges or applies for privileges.
4. Defendant agrees to pay the costs, including attorney's fees, for the investigation and prosecution of this action.

Dated this 28 day of September, 2000.

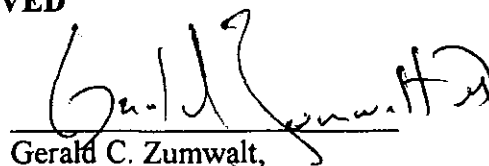


Tim Smalley, M.D., President  
Oklahoma State Board of  
Medical Licensure and Supervision


**AGREED AND APPROVED**



Debabrata Saha, M.D.  
License No. 18205




Gerald C. Zumwalt,  
Secretary & Medical Advisor  
Oklahoma State Board of  
Licensure and Supervision

  
Chris Jordan *Mo. Bar # 31546*  
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*9-19-00*

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