

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

**FILED**

MAR 30 2022

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA, *ex rel.*, )  
THE OKLAHOMA STATE BOARD )  
OF MEDICAL LICENSURE AND )  
SUPERVISION, )

Plaintiff, )

vs. )

Case No. 21-04-5983

HASAM AL-KHOURI, M.D., )  
LICENSE NO. MD 18417, )

Defendant. )

**VERIFIED COMPLAINT**

The State of Oklahoma, *ex rel.*, the Oklahoma State Board of Medical Licensure and Supervision (“Board”), alleges and states as follows for its Complaint against HASAM AL-KHOURI, M.D. (“Defendant”):

**I. JURISDICTION**

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. Defendant holds Oklahoma medical license number 18417. The acts and omissions complained of herein were made while Defendant was acting as a physician pursuant to the medical license conferred upon him by the State of Oklahoma, and such acts and omissions occurred within the physical territory of the State of Oklahoma.

**II. BOARD HISTORY**

3. Defendant was previously on Probation for aiding and abetting CDS prescribing violations. Defendant was released from probation in November, 2015. Twelve (12) of Defendant’s patients have died of overdosing between 2010 and 2017.

**III. ALLEGATIONS OF UNPROFESSIONAL CONDUCT**

4. On March 11, 2021 a complaint was forwarded to Medical Board from the Oklahoma State Board of Pharmacy. The complaint alleged that the patient G.B. was using Xanax in conjunction with marijuana, diverting Xanax, and throwing other prescriptions away

and not using them herself. It was further alleged that G.B. was a patient of Defendant and had stated that Defendant would prescribe anything she asked him to.

5. Subsequent to this allegation Board Staff subpoenaed 10 medical records including that of patient G.B.
6. The records demonstrated several areas that Defendant routinely provides medical care that falls below the standard of care. The records show that Defendant's record keeping/charting is below the standard of care. There is often key information missing from the records demonstrating that Defendant either doesn't provide treatment which rises to the standard of care, doesn't chart care given, or both. Defendant's charts routinely contain insufficient documentation of diagnostic criteria in psychological evaluation and diagnosis of patient illnesses. His records often lack updates regarding progress, deterioration or change in diagnoses to justify medical changes and treatment decisions. They often lack review of social history, review of abuse history, psychiatric evaluation components such as current symptoms, past psychiatric history, family psychiatric history, past medical history, previous medication trials, presence or abuse of previous suicide attempts or violence. This lack of documentation results in a lack of reasoning behind decision making or treatment decisions. Defendant often demonstrates inconsistent follow up regarding UDS. There are numerous examples of lack of informed consent as patients weren't counseled on the risks and side effects of treatment with antipsychotics or other drugs. There are repeated instances where the records lack any indication of laboratory monitoring for metabolic side effects with drug treatments.
7. Staff reviewed the records and concluded the records should be sent to an expert for review. The records were sent for said review, a report of which was subsequently provided to the Board Staff. The expert determined that Defendant's treatment was below the standard of care in many instances in diagnosis, controlled substance prescribing, treatment, and documentation.

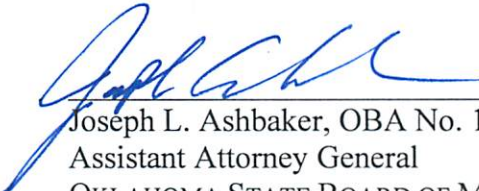
### **III. VIOLATIONS**

8. Based on the foregoing, the Defendant is guilty of unprofessional conduct as follows:
  - a. Prescribing, dispensing or administering of controlled substances or narcotic drugs in excess of the amount considered good medical practice, in accordance with published standards in violation of Title 59 § 509(16)(a),
  - b. Failure to maintain an office record for each patient which accurately reflects the evaluation, treatment and medical necessity of treatment of the patient in violation of Title 59 § 509(18):
  - c. Failure to provide a proper and safe medical facility setting and qualified assistive personnel for a recognized medical act, including but not limited to an initial in-person patient examination, office surgery, diagnostic service or any other medical procedure or treatment. Adequate medical records to support diagnosis, procedure, treatment or prescribed medications must be produced and maintained in violation of Title 59 § 509(20) and OAC 435:10-7-4(41):

- d. Indiscriminate or excessive prescribing, dispensing or administering of Controlled or Narcotic Drugs in violation of OAC 435:10-7-4(1):
- e. Prescribing, dispensing or administering of Controlled substances or Narcotic drugs in excess of the amount considered good medical practice or prescribing, dispensing or administering controlled substances or narcotic drugs without medical need in accordance with published standards OAC 435:10-7-4(2):
- f. Dispensing, prescribing or administering a Controlled substance or Narcotic drug without medical need in violation of OAC 435:10-7-4(6):
- g. Conduct likely to deceive, defraud, or harm the public in violation of OAC 435:10-7-4(11).

**CONCLUSION**

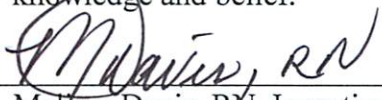
Given the foregoing, the undersigned requests the Board conduct a hearing, and, upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to the Defendant's professional license, including an assessment of costs and attorney's fees incurred in this action as provided by law.

  
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 Joseph L. Ashbaker, OBA No. 19395  
 Assistant Attorney General  
 OKLAHOMA STATE BOARD OF MEDICAL  
 LICENSURE AND SUPERVISION  
 313 NE 21<sup>ST</sup> Street  
 Oklahoma City, Oklahoma 73105  
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**VERIFICATION**

I, Melissa Davis, RN, under penalty of perjury, under the laws of the State of Oklahoma, state as follows: I have read the above Complaint regarding the Defendant, HAISSAM AL-KHOURI, M.D.; and

The factual statements contained therein are true and correct to the best of my knowledge and belief.

  
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 Melissa Davis, RN, Investigator  
 OKLAHOMA STATE BOARD OF MEDICAL  
 LICENSURE AND SUPERVISION

Date: 3-30-22  
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