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

	FILED
STATE OF OKLAHOMA)
EX REL. THE OKLAHOMA BOARD) OCT 0 3 2001
OF MEDICAL LICENSURE)
AND SUPERVISION,) OKLAHOMA STATE BOARD OF
	MEDICAL LICENSURE & SUPERVISION
Plaintiff	j
v.) Case No. 01-09-2394
AHMER HUSSAIN, M.D.,	,)
LICENSE NO. 18988,)
)
Defendant.	,)

COMPLAINT

COMES NOW the 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, and for its Complaint against the Defendant, Ahmer Hussain, M.D., Oklahoma license no. 18988, alleges and states as follows:

- 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, Ahmer Hussain, M.D., holds Oklahoma license no. 18988. On or about November 2, 2000, Defendant was charged with the crime of MISDEMEANOR ASSAULT AND BATTERY, in violation of 21 O.S. §644(B), in the District Court of Latimer County, State of Oklahoma. On or about January 25, 2001, Defendant plead guilty to the charge of MISDEMEANOR ASSAULT AND BATTERY, and received a one (1) year deferred sentence and a fine.
- 3. On or about May 7, 2001, Defendant submitted his Application for Renewal of Oklahoma License. On his application, Defendant was asked the following question:

"Since the last renewal or initial licensure (whichever is most recent), have you ever been charged with or convicted of a felony or misdemeanor?"

In response to this question, Defendant answered "No."

4. Title 59 O.S. §508 provides as follows:

"Whenever any license has been procured or obtained by fraud or misrepresentation...it shall be the duty of the Board to revoke such license..."

Section 508 further provides as follows:

"Use of fraudulent information to obtain a license shall be a misdemeanor offense, punishable, upon conviction, by the imposition of a fine of not less than One Thousand Dollars (\$1,000.00), or by imprisonment in the State Penitentiary for not more than one (1) year, or by both such fine and imprisonment."

- 5. Defendant is guilty of unprofessional conduct in that he:
 - A. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. § 509 (9) and OAC 435:10-7-4 (11).
 - B. Engaged in fraud or misrepresentation in applying for or procuring a medical license or in connection with applying for or procuring periodic reregistration of a medical license in violation of OAC 435:10-7-4(8).
 - C. Failed to report to the Board any adverse action taken against him by another licensing jurisdiction (United States or foreign), by any governmental agency, by any law enforcement agency, or by any court for acts or conduct similar to acts or conduct that would constitute grounds for action as defined in this section in violation of OAC 435:10-7-4(33).
 - D. Violated any provision of the medical practice act or the rules and regulations of the Board or of an action, stipulation, or agreement of the Board in violation of OAC 435:10-7-4(39) and 59 O.S. §509(14).

- E. Was convicted or confessed to a crime involving violation of the laws of this state in violation of 59 O.S. §509(8).
- F. Engaged in the use of any false, fraudulent, or deceptive statement in any document connected with the practice of medicine and surgery in violation of OAC 435:10-7-4(19).

Conclusion

WHEREFORE, plaintiff requests that 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 the revocation or suspension of the Defendant's license to practice as a physician and surgeon in the State of Oklahoma, the assessment of costs and fees incurred in this action, and any other appropriate action with respect to Defendant's license to practice as a physician and surgeon in the State of Oklahoma.

Dated this 3d day of October, 2001 at 8'30 a.m.

Respectfully submitted,

Elizabeth A. Scott, OBA #12470

Assistant Attorney General

State of Oklahoma

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Attorney for the State of Oklahoma ex rel. Oklahoma State Board of Medical Licensure and Supervision