

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

FILED

NOV 15 2001

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA)
EX REL. THE OKLAHOMA BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)

Plaintiff,)

v.)

Case No. 01-09-2394

AHMER HUSSAIN, M.D.,)
LICENSE NO. 18988)

Defendant.)

FINAL ORDER OF REPRIMAND

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") on November 8, 2001, at the office of the Board, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Elizabeth A. Scott, Assistant Attorney General, appeared for the plaintiff and defendant appeared in person and through counsel, Robert Sartin.

The Board *en banc* after hearing arguments of counsel, reviewing the exhibits admitted and the sworn testimony of witnesses, and being fully advised in the premises, found that there is clear and convincing evidence to support the following Findings of Fact, Conclusions of Law and Orders:

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.*

2. 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.

3. Defendant, Ahmer Hussain, M.D., holds Oklahoma license no. 18988.

4. 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.

5. 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."

6. Defendant is guilty of unprofessional conduct in that he:
 - A. 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).

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 is guilty of unprofessional conduct in that he:
 - A. 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).

3. The Board further found that the Defendant should be reprimanded based upon violation of OAC 435:10-7-4(19).


Order

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

1. Ahmer Hussain, M.D., Oklahoma license no. 18988, is hereby **FORMALLY REPRIMANDED**.

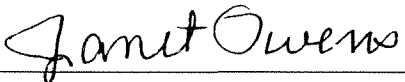
2. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and costs, investigation costs, staff time, salary and travel expenses, witness fees and attorney's fees.

Dated this 15 day of November, 2001.


Gerald C. Zumwalt, M.D., Secretary
Oklahoma State Board of Medical
Licensure and Supervision

CERTIFICATE OF SERVICE

I certify that on the 16 day of November, 2001, I mailed, via first class mail, postage prepaid, a true and correct copy of this Order to Robert Sartin, Barrow, Gaddis, Griffith & Grimm, 610 S. Main, Suite 300, Tulsa, OK 74119-1248.


Janet Owens