

**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. )  
  
MOHAMAD KHAWANDANAH, M.D., )  
LICENSE NO. 26374, )  
  
Defendant. )

**FILED**

MAY 19 2011

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Case No. 10-08-4065

**ORDER ACCEPTING  
VOLUNTARY SUBMITTAL TO JURISDICTION**

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, Mohamad Khawandanah, M.D., Oklahoma license no. 26374, who appears in person and through counsel, Kyle N. Sweet, 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 certain of the allegations in the Complaint and Citation filed herein on January 28, 2011, 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, Mohamad Khawandanah, 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.

## ***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, Mohamad Khawandanah, M.D., holds Oklahoma license no. 26374 and is a resident in the Internal Medicine Residency Program at the University of Oklahoma Health Sciences Center in Oklahoma City, Oklahoma.

3. On or about August 25, 2010, Defendant contacted a prostitute and arranged for a "date". Defendant found the prostitute from an escort service ad on an online service called "Backpage.com". The prostitute was in fact an undercover Oklahoma City police officer.

4. Defendant met the undercover officer at the Oak Tree Inn and Suites on S. Meridian in Oklahoma City, Oklahoma. He offered to pay her \$80.00 for sexual acts. He then removed all of his clothing, at which time he was arrested by other Oklahoma City police officers.

5. On or about September 10, 2010, Defendant was charged with **PROSTITUTION-OFFERING TO ENGAGE IN AN ACT OF LEWDNESS**, a Misdemeanor, Case No. CM-2010-3794, in the District Court of Oklahoma County, State of Oklahoma.

6. On or about September 29, 2010, Defendant plead **GUILTY** to the amended charge of **OUTRAGING PUBLIC DECENCY**. He received a deferred sentence to include supervision by the District Attorney and imposition of a fine and court costs.

7. Defendant is guilty of unprofessional conduct in that he:

A. Procured, aided or abetted a criminal operation in violation of 59 O.S. §509(1).

B. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. §509(8) and OAC 435:10-7-4(11).

C. 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 59 O.S. §509(13) and OAC 435:10-7-4(39).

D. Confessed to a crime involving violation of the laws of this state in violation of 59 O.S. §509(7).

E. Committed any act of sexual abuse, misconduct, or exploitation related or unrelated to the licensee's practice of medicine and surgery in violation of OAC 435:10-7-4(23).

### *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, Mohamad Khawandanah, M.D., Oklahoma medical license no. 26374, is guilty of unprofessional conduct set forth below based on the foregoing facts:

A. Procured, aided or abetted a criminal operation in violation of 59 O.S. §509(1).

B. Engaged in dishonorable or immoral conduct which is likely to deceive, defraud or harm the public in violation of 59 O.S. §509(8) and OAC 435:10-7-4(11).

C. 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 59 O.S. §509(13) and OAC 435:10-7-4(39).

D. Confessed to a crime involving violation of the laws of this state in violation of 59 O.S. §509(7).

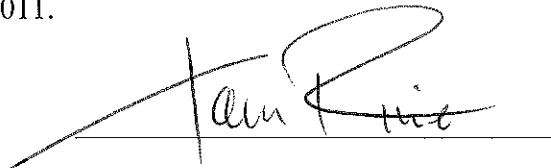
E. Committed any act of sexual abuse, misconduct, or exploitation related or unrelated to the licensee's practice of medicine and surgery in violation of OAC 435:10-7-4(23).

*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. Defendant, Mohamad Khawandanah, M.D., Oklahoma license no. 26374, is hereby **PUBLICLY REPRIMANDED**.
3. Defendant shall pay an **ADMINISTRATIVE FINE** in the amount of **\$5,000.00** to be paid on or before August 19, 2011.
4. Within one (1) year of the date of this order, Defendant shall complete a course on boundaries and ethics at a facility approved in advance in writing by the Board Secretary. Defendant shall provide to the Board Secretary proof of completion of said course.
5. 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 19 day of May, 2011.

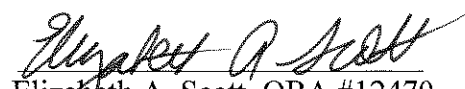


Tom Rine, President  
Oklahoma State Board of  
Medical Licensure and Supervision

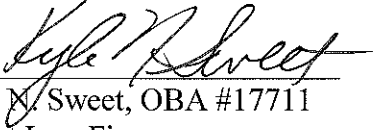
**AGREED AND APPROVED**



Mohamad Khawandanah  
License No. 26374

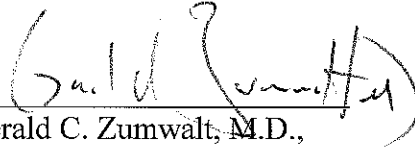


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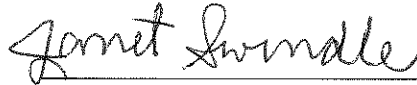
Attorney for Defendant



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

**CERTIFICATE OF MAILING**

I certify that on the 20 day of May, 2011, I mailed a true and correct copy of the Order Accepting Voluntary Submittal to Jurisdiction to Kyle N. Sweet, Sweet Law Firm, 414 N.W. 4<sup>th</sup> Street, Suite 150, Oklahoma City, OK 73102.



Janet Swindle