

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

STATE OF OKLAHOMA, *ex rel.* )  
OKLAHOMA STATE BOARD )  
OF MEDICAL LICENSURE )  
AND SUPERVISION, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
SAMIYA KHAN, M.D., )  
LICENSE NO. MD 32265, )  
 )  
Defendant. )

**FILED**

MAR 05 2020

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Case No. 19-07-5790

**ORDER ACCEPTING  
VOLUNTARY SUBMITTAL TO JURISDICTION**

The State of Oklahoma, *ex rel.* Oklahoma State Board of Medical Licensure and Supervision (“Board”), by and through the undersigned counsel for the Plaintiff, as represented by the Secretary of the Board, Billy H. Stout, M.D., and the Executive Director of the Board, Lyle Kelsey, along with Samiya Khan, M.D. (“Defendant”), Oklahoma medical license no. 32265, who appears in person, and through counsel Curtis J. Dewberry and Brian D. Blackstock of Sweet Law Firm (collectively, the “Parties”), and offer this Order Accepting Voluntary Submittal to Jurisdiction (herein, “Order” or “Agreement”) for acceptance by the Board. Okla. Admin. Code § 435:5-1-5.1.

By voluntarily submitting to jurisdiction and entering into this Order, Defendant admits to the allegations herein contained and further acknowledges that a hearing before the Board could result in some sanction under the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (“Act”). 59 O.S. § 480, *et seq.*

Defendant, Samiya Khan, M.D., states that she is of sound mind and is not under the influence of, or impaired by, any medication or drug and that she fully recognizes her right to appear before the Board for an evidentiary hearing on the allegations made against her. Defendant hereby voluntarily waives her 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 she has read and understands the terms and conditions stated herein, and that this Agreement may be reviewed and discussed with her by legal counsel prior to execution.

If the Board does not accept this Order, the Parties stipulate that it shall be regarded as null and void. Admissions by Defendant herein, if any, shall not be regarded as evidence against her in a subsequent disciplinary hearing. Defendant will be free to defend herself and no

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inferences will be made from her willingness to have this Order accepted by the Board. The Parties stipulate that neither the presentation of this Order nor the Board's consideration of this Order shall be deemed to have unfairly or illegally prejudiced the Board or its individual members and, therefore, shall not be grounds for precluding the Board nor any individual Board member from further participation in proceedings related to the matters set forth herein.

### Findings of Fact

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

1. In Oklahoma, Defendant holds medical license no. 32265, originally issued July 1, 2018.
2. On January 14, 2020, a Verified Complaint and Citation were each filed by the Board. Hearing was set for March 5, 2020. Defendant was served on January 23, 2020, by private process server license no. 32264, and an Affidavit of Service was filed on January 27, 2020.
3. The allegations set forth in the Verified Complaint include the following:
  - a. Defendant completed the Lawton Family Medicine Residency Program on June 30, 2019.
  - b. On the morning of June 19, 2019, Dr. Khan went to a nursing home to round on a patient
  - c. Dr. Khan notified the supervising faculty that the patient was doing well.
  - d. She then documented a full progress note including a physical examination of the patient.
  - e. In the evening, the supervising faculty went to evaluate the patient and learned that the patient had been away from the nursing home for the day and when asked, Dr. Khan confirmed that she had not actually seen the patient or performed the documented physical examination.
  - f. Dr. Khan initially defended her conduct and stated she intended to return to the nursing home later in the day.
  - g. The program determined that her actions misrepresented the care she actually provided and her communication with her supervising faculty were untruthful.
  - h. In addition, the documentation in the patients' medical record were fraudulent.
  - i. Because Dr. Khan is continuing at the University of Oklahoma College of Medicine for one additional year of training and will be under supervision of the faculty, the decision was made to place her on probation rather than immediately terminating her from the residency program.

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- j. In collaboration, the program directors of both programs have contributed materials related to professionalism and have mandated participation in additional training in physician ethics and professionalism.
- 4. On February 10, 2020, an Entry of Appearance was filed by Curtis J. Dewberry and Brian D. Blackstock of Sweet Law Firm as counsel for Defendant.
- 5. On February 10, 2020, an Answer was filed.

**Conclusions of Law**

- 6. The Board has jurisdiction over the subject matter and 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. 59 O.S. § 480 *et seq.* and Okla. Admin. Code §§ 435:5-1-1 *et seq.*
- 7. Notice was provided as required by law and the rules of the Board. 75 O.S. § 309; 59 O.S. § 504; Okla. Admin. Code §§ 435:3-3-5, 435:3-3-6.
- 8. The Board is authorized to suspend, revoke or order any other appropriate conditions against the license of any physician or surgeon holding a license to practice medicine in the State of Oklahoma for unprofessional conduct. 59 O.S. §§ 503, 513(A)(1). The Board's action is authorized by 59 O.S. § 509.1.
- 9. The Board is authorized to accept voluntary submittals to jurisdiction mutually agreed to by parties to a disciplinary action to resolve the action without need for a hearing. 75 O.S. § 309(E); Okla. Admin. Code § 435:5-1-5.1.
- 10. Based on the foregoing, Defendant is guilty of unprofessional conduct as follows:
  - a. conduct likely to deceive, defraud, or harm the public, pursuant to 59 O.S. § 509(8); Okla. Admin. Code § 435:10-7-4(11).

**Orders**

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

- 1. The Board hereby adopts the Agreement of the Parties in this Order Accepting Voluntary Submittal to Jurisdiction, including the findings of fact and conclusions of law stated herein.
- 2. **SAMIYA KHAN, M.D.**, Oklahoma medical license no. 32265, is formally **REPRIMANDED**.

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3. **SAMIYA KHAN, M.D.** shall comply with all of the following terms and conditions:

Specific Terms:

- a. Defendant shall personally attend and complete one (1) continuing medical education ("CME") course, approved of in advance by the Board Secretary, consisting of **one CME course in ethics**. This course is addition to Defendant's regular CME courses and shall be completed within six (6) months from the filing of this Order. Documentation of the completed CME courses must be provided to the Board Secretary and Compliance Coordinator.
- b. If Defendant is required by her training program or residency program to participate in ethics courses, Defendant may submit proof of completion to the Board Secretary and Compliance Coordinator for consideration of satisfaction of the Specific Term '3(a)' above.

Standard Terms:

- c. Defendant shall conduct her practice in compliance with the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act ("Act") as interpreted by the Board. Any question of interpretation regarding the Act or this Order shall be submitted in writing to the Board, and no action based on the subject of the question will be taken by Defendant until clarification of interpretation is received by Defendant from the Board or its authorized designee. 59 O.S. § 480, *et seq.*
  - d. Defendant shall furnish a file-stamped copy of this Order stipulating terms imposed by the Board, to each and every state in which she holds licensure or applies for licensure and to all hospitals, clinics or other facilities in which she holds or anticipates holding any form of staff privileges or employment.
  - e. Defendant will keep the Board informed of her current address.
  - f. Upon request, Defendant shall make herself available for one or more personal appearances before the Board or its authorized designee.
  - g. Failure to meet any of the terms of this Order will constitute cause for the Board to initiate additional proceedings to suspend, revoke or modify Defendant's license after due notice and hearing.
  - h. The Parties, the Board or its designee, or the Defendant may file a motion for a Board hearing and possible new Board order.
4. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees, investigation costs, staff time, salary and travel expenses, witness fees and attorney's fees.

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5. A copy of this Order shall be provided to Defendant as soon as it is processed.

Dated this 5<sup>th</sup> day of March, 2020.



Susan Chambers, M.D., President  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION



Samiya Khan, M.D.  
License MD 32265

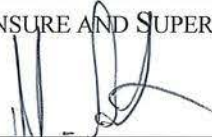
**Defendant**



Curtis J. Dewberry, OBA No. 19445  
Brian D. Blackstock, OBA No. 31943  
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**Attorneys for Defendant,  
Samiya Khan, M.D.**



Billy H. Stout, M.D., Board Secretary  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION

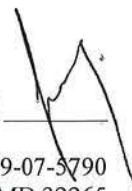


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**Attorney for Plaintiff,  
Oklahoma State Board of Medical  
Licensure and Supervision**

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Certificate of Service

This is to certify that on the 9<sup>th</sup> day of March, 2020, a true and correct copy of this Order was transmitted as indicated, postage prepaid, to the following:

U.S. Certified Mail


Samiya Khan, M.D.  
216 N.W. 151<sup>st</sup> Place  
Edmond, Oklahoma 73013

***Defendant***

U.S. First Class Mail

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***Attorneys for Defendant,  
Samiya Khan, M.D.***



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Nancy Thiemann, Legal Assistant

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