

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

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

Plaintiff,)

vs.)

TALAL AHMED ZAHOOR, M.D.,)
LICENSE NO. MD 35378,)

Defendant.)

FILED

MAR 16 2022

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 21-06-6017

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 TALAL AHMED ZAHOOR, 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 35378. 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. ALLEGATIONS OF UNPROFESSIONAL CONDUCT

3. On June 2, 2021, a complaint was filed online. The complainant, a physician in Texas, reporting regarding a mutual patient K.C., stated, “PMP Aware on this doctor for one patient shows prescriptions for Fentanyl 50mcg/hr patch # 10, Oxycodone HCL 30mg tablet #150 per month. This has been going on for about a year. I am very concerned that this practice is a “pill mill”.
4. Upon investigation it was found that Defendant was working for OU Edmond. Board Investigator Melissa Davis, R.N. subpoenaed the patient record for patient K.C. Investigator Davis then spoke with Defendant on June 22, 2021. When asked where to serve subpoena Defendant stated he doesn’t have a clinic and he saw the patient out of his

home office. When asked where, Defendant stated he didn't have it anymore. He said he came to OK to help with Covid then stated he came to OK to do Dermatology Research & Locums, states he's a Hospitalist and spent 8 months working Covid.

5. Investigator Davis again spoke with Defendant on July 26, 2021, and informed him that staff had a new subpoena for ten additional medical records. Defendant asked that Investigator Davis submit the subpoena via email stating that he was in Florida and really had no intention of returning to Oklahoma City. He further stated that he had all his patient records in a storage in Oklahoma City.
6. Board Staff received medical record on K.C. on August 6, 2021. Each visit note is identical with the exception of some added comments on some. The notes are not signed. There are no urine drug screen results, and the notes appear to be incomplete. It appears from the record that Defendant checked K.C.'s PMP with exception of two dates Jan 1, 2020, and Jan 6, 2020.
7. On August 13, 2021, staff was still waiting to hear back from Defendant. Investigator Davis checked the PMP and found Defendant wrote a prescription for I.A. only once for Oxycodone HCL 20mg, qty 56/14 days and Defendant picked it up himself at Henry Roberts Express Pharmacy in Ardmore, OK.
8. On November 9, 2021, Investigator Davis spoke with Dr. Sarah Elizabeth Ayres, MD 105 S Bryant Ave, Edmond, OK. Dr. Ayers pulled the chart on Defendant and stated that he made an appointment on July 7, 2020, at which time he stated he has taken Adderall in the past and he was studying for boards. Dr. Ayers said she checked the OK PMP and didn't see any Red Flags. She said the pharmacist did call her when Defendant went to fill it at Discount Pharmacy Edmond, OK, stating his TX PMP shows he had been getting Oxycodone and Fentanyl in Plano, TX and Adderall once. Dr. Ayres stated she would send her office note to Investigator Davis.
9. Investigator Davis then spoke with a Pharmacist at Hospital Discount Pharmacy, 104 S Bryant Ave, Edmond, OK 73034. She sent a copy of the Adderall prescription and stated the dosages on the Oxycodone 30mg with 120 quantity and Fentanyl 50 to 30 mcg with 2 to 3 boxes with quantity 15 patches in a box. The prescribing doctor was Muhammad Zulqarnain in Plano, TX.
10. The remaining records were received except the record for I.A. On November 9, 2021, Investigator Melissa Davis, R.N. and Chief Investigator Larry Carter attended a Zoom Interview with Defendant and his Attorney Elizabeth Scott. The interview lasted approximately 1 hour. Defendant started with some background information stating he was licensed in Oklahoma since December 5, 2019. He stated he was an Optimum Care Contractor and did some initial work at OU Dermatology Research and has helped with the COVID pandemic at OU as a Hospitalist. When asked about a script for Oxycodone he wrote, had filled and picked up from Henry Roberts Express Pharmacy 1316 12th NW, Ardmore, OK 73401, he stated it was for his mother I.A. He said that she fell and hurt her foot. He also stated he realizes he should not have. When asked about a script for Adderall he received from Dr. Elizabeth Ayres in Edmond, OK, he stated he was

studying for boards and denied having a diagnosis to justify Adderall and denied ever having taken it before. When asked if he has ever had any medical conditions/diagnosis and taking medications he denied this until Investigator Davis asked if he had ever taken Oxycodone and Fentanyl. Defendant then stated he had jaw surgery (implants) about 2 years ago and stated he hadn't taken those medications in a month. In spite of previously stating he had no intention of returning to Oklahoma, he now states he would like to renew his OK license and do more work here. Defendant admits to seeing pain management patients in his home address of 505 E. Sheridan Ave, Apt 2141, OKC.

11. The records subpoenaed in this case were sent for expert review to determine whether Defendant's treatment and charting met the standard of care within the community. The expert concluded that out of the eight (8) records reviewed, there was only one in which he felt the care was appropriate. That was patient M.F. In the remaining seven (7) cases the expert found that Defendant titrated patients to dangerous levels of MME with almost no supporting clinical information to justify such in the record. In several of the cases the underlying cause of the patient's pain could have been due to a serious medical condition such as a malignancy or some other anatomical issue, yet Defendant used the patient's financial status as the reason for not pursuing further investigation. The expert concluded that he "cannot in good conscience support the practice of this physician as meeting the requirements for basic, safe and effective medical practice."

III. VIOLATIONS

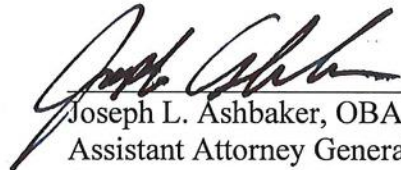
12. Based on the foregoing, the Defendant is guilty of unprofessional conduct as follows:
 - a. Habitual intemperance or the habitual use of habit-forming drugs in violation of 59 O.S. §509(4);
 - b. Dishonorable or immoral conduct which is likely to deceive, defraud, or harm the public in violation of 59 O.S. §509(8);
 - c. Prescribing, dispensing or administering of controlled substances or narcotic drugs in excess of the amount considered good medical practice in violation of 59 O.S. §509(16)(a);
 - d. 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 59 O.S. §509(18);
 - e. OAC Title 435: 10-7-4. Unprofessional Conduct:
 - f. Indiscriminate or excessive prescribing, dispensing or administering of Controlled or Narcotic drugs in violation of OAC 435:10-7-4(1);
 - g. 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 standard in violation of OAC 435:10-7-4(2);

- h. Dispensing, prescribing or administering a Controlled substance or Narcotic drug without medical need in violation of OAC 435:10-7-4(6);
- i. Conduct likely to deceive, defraud, or harm the public in violation of OAC 435:10-7-4(11);
- j. Prescribing, selling, administering, distributing, ordering, or giving any drug legally classified as a controlled substance or recognized as an addictive dangerous drug to a family member or to himself or herself. Provided that this paragraph shall not apply to family members outside the second degree of consanguinity or affinity. Provided further that this paragraph shall not apply to medical emergencies when no other medical doctor is available to respond to the emergency in violation of OAC 435:10-7-4(26).

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.



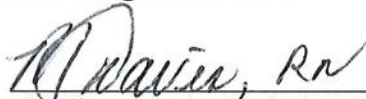
Joseph L. Ashbaker, OBA No. 19395
Assistant Attorney General
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION
313 NE 21ST Street
Oklahoma City, Oklahoma 73105
405/522.2974
405/522.4536 – Facsimile

VERIFICATION

I, Melissa Davis, under penalty of perjury, under the laws of the State of Oklahoma, state as follows:

1. I have read the above Complaint regarding the Defendant, TALAL AHMED ZAHOOR, M.D.; and

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



Melissa Davis, R.N., Investigator
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION

Date: 3-16-22
