

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

FILED

JUN 23 2022

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA, *ex rel.*)
OKLAHOMA STATE BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)
)
Plaintiff,)
)
v.)
)
TALAL AHMED ZAHOOR, M.D.,)
LICENSE NO. MD 35378,)
)
Defendant.)

Case No. 21-06-6017

**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 Talal Ahmed Zahoor, M.D. (“Defendant”), Oklahoma medical license no. 35378, who appears in person, and through counsel, Elizabeth A. “Libby” Scott (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, 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, Talal Ahmed Zahoor, 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 an evidentiary hearing on the allegations made against him. Defendant hereby voluntarily waives his right to a full hearing, admits to certain of the allegations below, 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 may be reviewed and discussed with him 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 him in a subsequent disciplinary hearing. Defendant will be free to defend himself and no inferences will be made from his willingness to have this Order accepted by the Board. The Parties stipulate

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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 and Recognition of Allegations

The Plaintiff, Defendant, and the Board staff each stipulate that the Plaintiff has made the following allegations against Defendant:

1. In Oklahoma, Defendant holds medical license no. 35378.
2. 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".
3. 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.
4. 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.
5. 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.
6. 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.
7. 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

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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.

8. 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.
9. 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.
10. 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."

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Conclusions of Law

11. The Board has jurisdiction over the subject matter and is a duly authorized agency of the State of Oklahoma empowered to license and oversee activities of physicians and surgeons in Oklahoma. 59 O.S. § 480 *et seq.* and Okla. Admin. Code §§ 435:5-1-1 *et seq.*
12. 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.
13. 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.
14. 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.
15. Based on the foregoing, the Defendant is guilty of unprofessional conduct as follows:
 - a. 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) and OAC 435:10- 7-4(2) and (6);
 - b. 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);
 - c. Indiscriminate or excessive prescribing, dispensing or administering of Controlled or Narcotic drugs in violation of OAC 435:10-7-4(1);
 - d. 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).

Orders


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

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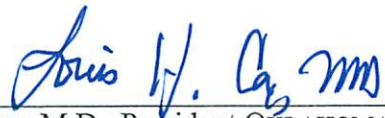
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1. The Board hereby adopts the Agreement of the Parties in this Order Accepting Voluntary Submittal to Jurisdiction, including the findings of fact and conclusions of law stated herein.
2. Defendant is hereby **REPRIMANDED**.
3. It is further ordered that should TALAL AHMED ZAHOOR, M.D. ever apply for reinstatement of his medical license in Oklahoma, the following terms shall be required prior to being considered:
 - a. He shall get an assessment for chemical dependency by a Board approved provider preapproved by the Board Secretary:
 - b. He shall get an assessment for clinical skills and competency by a Board approved provider preapproved by the Board Secretary:
 - c. Defendant will not practice pain management:
 - d. Defendant must appear before the Board upon completion of his assessments for further consideration.
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.
5. A copy of this Order shall be provided to Defendant as soon as it is processed.

Dated this 23rd day of June, 2022.



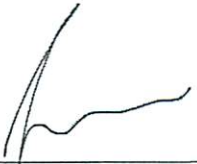
 Billy H. Stout, M.D., Board Secretary
 OKLAHOMA STATE BOARD OF
 MEDICAL LICENSURE AND SUPERVISION



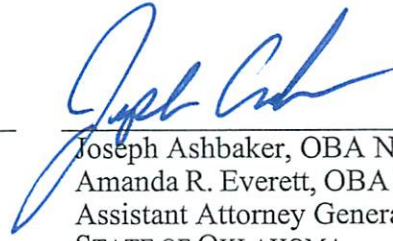
 Louis Cox, M.D., President OKLAHOMA
 STATE BOARD OF
 MEDICAL LICENSURE AND SUPERVISION

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Talal Ahmed Zahoor, M.D.
Oklahoma License No. 35378
Defendant



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Attorney for Defendant

ACKNOWLEDGMENT

STATE OF OKLAHOMA)
) ss.
COUNTY OF _____)

This instrument was acknowledged before me on the _____ day of _____,
_____, by [Defendant]_____.

Notary Public
Commission Expiration: _____

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Certificate of Service

This is to certify that on the 23rd day of June, 2022, a true and correct copy of this Order was transmitted as indicated, postage prepaid, to the following:

U.S. Certified Mail

Talal Ahmed Zahoor, M.D.
2216 Martin Luther King Blvd.
Oklahoma City, Oklahoma 73111

Defendant

U.S. First Class Mail, and E-Mail

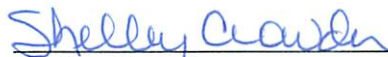
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***Attorney for Plaintiff,
Oklahoma State Board of Medical
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Shelley Crowder

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