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IN AND BEFORE THE STATE BOARD OF MEDICAL EXAMINERS

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel
STATE BOARD OF MEDICAL
EXAMINERS,

Plaintiff,

vs.

PARVIZ MODABER, M.D.,
Medical License No. 9836,

Defendant.

FINAL ORDER

This cause comes on for hearing before the Oklahoma Board of Medical Examiners en banc on September 5, 1986, at 5104 North Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Daniel J. Gamino, Attorney, appeared for the Plaintiff, and the Defendant, Parviz Modaber, M.D., did not appear in person but appeared by letter dated August 26, 1986, without counsel, and waived his right to representation by legal counsel.

The Board of Medical Examiners en banc heard the testimony and reviewed the exhibits, and being fully advised in the premises, the Board of Medical Examiners therefore finds as follows:

FINDINGS OF FACT

1. That Parvis Modaber, M.D., holds Oklahoma Medical License No. 9836.
2. That the Board of Medical Examiners en banc has jurisdiction over the subject matter herein and that notice has been given in all respects as required by law and the rules of the Board.
3. That on specific dates from 1978 through 1984 as shown on the attached Notice of Hearing and Statement of Particulars before the State Board of Medicine of the Commonwealth of Virginia the Defendant failed to practice obstetrics and gynecology with reasonable skill and safety to the patients. The specific facts alleged in the attached Notice of Hearing and Statement of Particulars before the State Board of Medicine of the Commonwealth of Virginia are attached hereto and marked as Exhibits A and B respectively and said exhibits are incorporated herein by reference as if fully set out herein.
4. That on or around July 18, 1985, with the advice of counsel, the Defendant voluntarily entered into a Consent Order before the Virginia State Board of Medicine and was placed on a period of indefinite probation upon terms and conditions set out in the Consent Order from the State Board of Medicine of the Commonwealth of Virginia attached hereto and marked Exhibit C and

said exhibit is incorporated herein by reference as if fully set out herein.

5. That on or around October 2, 1985, the Defendant executed Stipulation for Settlement in Case No. 4526 before the Board of Medical Examiners of the State of Nevada and was placed on indefinite probation upon the terms and conditions set out in the Stipulation for Settlement attached hereto and marked as Exhibit D and the provisions of said exhibit are incorporated herein by reference as if fully set out herein.

CONCLUSION OF LAW

1. That Parviz Modaber, M.D., holding Oklahoma Medical License No. 9836, is in violation of the Oklahoma Medical Practice Act, 59 O.S. 1981, §509, Paragraph 16, to-wit:

"16. The inability to practice medicine with reasonable skill and safety to patients by reason of age, illness, drunkenness, excessive use of drugs, narcotics, chemicals, or any other type of material or as a result of any mental or physical condition."

ORDER

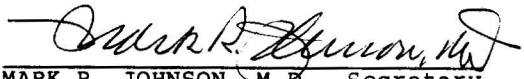
IT IS THEREFORE ORDERED BY THE Board of Medical Examiners of Oklahoma as follows:

1. That the Defendant, Parvis Modaber, M.D., holding Oklahoma Medical License 9836, be and is hereby placed on probation to the Oklahoma State Board of Medical Examiners for a period of five years beginning on September 5, 1986, under the following terms and conditions:

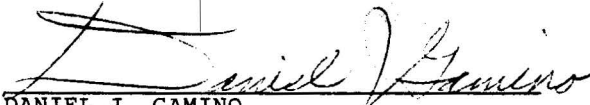
- (a) That the Defendant shall comply with all terms and conditions set out by the State Board of Medicine of the Commonwealth of Virginia as set forth in the Consent Order dated on or around July 18, 1985, which is attached hereto and incorporated by reference as if fully set out herein. That any violation of the terms or conditions set out by the State Board of Medicine of the Commonwealth of Virginia shall also serve as grounds for violation of probation proceedings by the State of Oklahoma.
- (b) That during the period of probation Defendant will furnish to the Office of the Oklahoma State Board of Medical Examiners all current legal addresses and any change of address in writing.
- (c) That the Defendant shall appear before the Oklahoma Board of Medical Examiners or any designated member thereof whenever requested to do so.
- (d) That in the event the Defendant desires to establish active medical practice or consultation privileges within the borders of the State of Oklahoma, the Defendant shall first notify the Board in writing of his intentions and personally appear before the Board en banc for a review of these matters and his present state of medical training and competence.
- (e) That the Oklahoma Board of Medical Examiners of Oklahoma retains continuing jurisdiction over this Defendant in the event of his return to active practice or consultation within the State of Oklahoma in order to make any further and additional orders

concerning training or limitation on practice at that time.

DATED this 16th day of October, 1986.


MARK R. JOHNSON, M.D., Secretary
State Board of Medical Examiners

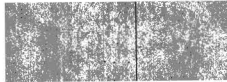
APPROVED AS TO FORM:

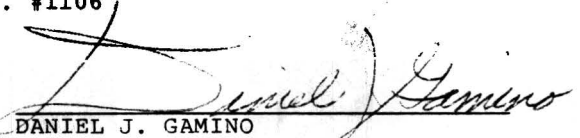

DANIEL J. GAMINO
Daniel J. Gamino & Associates, P.C.
3315 Northwest 63rd Street
Oklahoma City, Oklahoma 73116
(405) 840-3741
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF MAILING

I hereby certify that on the 7th day of October, 1986, I deposited in the U. S. Mails, postage prepaid, a true and correct copy of the above and foregoing Final Order addressed to:

Parvis Modaber, M.D.
3001 Veazey Terrace, N.W. #1106
Washington, D.C. 20008




DANIEL J. GAMINO