LICENSE NO. M-5611

IN THE MATTER OF

THE LICENSE OF

YASSAR IFTIKHAR AHMED, MD

BEFORE THE DISCIPLINARY PANEL

OF THE

TEXAS MEDICAL BOARD

AGREED ORDER ON FORMAL FILING

On the 3 day of March, 2017, came on to be heard before the Texas Medical Board (the Board), duly in session, the matter of the license of Yassar Iftikhar Ahmed, M.D. (Respondent).

On May 9, 2016, Respondent appeared by phone and through counsel, Louis Leichter, at an Informal Show Compliance Proceeding and Settlement Conference in response to a letter of invitation from the staff of the Board. The Board’s representatives were Michael Arambula, M.D. a member of the Board, and Michael Cokinos, a member of a District Review Committee. Christopher M. Palazola represented Board staff.

The matter did not resolve and a Formal Complaint was filed at the State Office of Administrative Hearings as Docket No. 503-16-5975.MD. Respondent was represented by Peter Nolan. Heather Barham and Christopher M. Palazola represented Board Staff. Prior to a Hearing on the Merits being held in the case, the parties engaged in direct negotiations, and agreed to this Order.

BOARD CHARGES

Board Staff charged that Respondent attempted to solicit a minor through contact over the internet.

BOARD HISTORY

On June 27, 2014, the Board entered an Agreed Order suspending Respondent’s license until superseded by a subsequent board order. The action was based upon Respondent’s alleged online solicitation of a minor.

On December 2, 2016 the Board entered an Order Denying Termination of the June 27, 2014 Order.
FINDINGS

The Board finds the following:

1. General Findings:
   a. Respondent received all notice required by law. All jurisdictional requirements have been satisfied. Respondent waives any defect in notice and any further right to notice or hearing under the Medical Practice Act, Title 3, Subtitle B, Texas Occupations Code (Act) or the Rules of the Board.
   b. Respondent currently holds Texas medical license no. M-5611, which is suspended. Respondent was originally issued this license to practice in Texas on February 16, 2007. Respondent is not licensed to practice in any other state.
   c. Respondent was engaged in the practice of Internal Medicine and Infectious Diseases. Respondent was board certified in both fields, but those certifications are suspended pending resolution of this matter.
   d. Respondent is 40 years of age.

2. Specific Findings:
   a. In May 2014, Respondent was alleged to have attempted to solicit a minor through the internet.
   b. Respondent denies the allegations and was found not guilty of any offense.
   c. Respondent currently resides outside of the United States.
   d. Respondent states he has no intention of returning to Texas to practice medicine.

3. Mitigating Factor:
   To avoid further investigation, hearings, and the expense and inconvenience of litigation, Respondent agrees to the entry of this Agreed Order and to comply with its terms and conditions.
CONCLUSIONS OF LAW

Based on the above Findings, the Board concludes that:

1. The Board has jurisdiction over the subject matter and Respondent pursuant to the Act.

2. Section 164.051(a)(1) of the Act authorizes the Board to take disciplinary action against Respondent based on Respondent’s commission of an act prohibited under Section 164.052 of the Act.

3. Section 164.052(a)(5) of the Act authorizes the Board to take disciplinary action against Respondent based upon Respondent’s unprofessional or dishonorable conduct that is likely to deceive or defraud the public or injure the public.

4. Section 164.001(a)(1) of the Act authorizes the Board to suspend or revoke Respondent’s license or other authorization to practice.

5. Section 164.002(a) of the Act authorizes the Board to resolve and make a disposition of this matter through an Agreed Order.

ORDER

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS that:

1. Respondent's Texas license is REINSTATED, the SUSPENSION rescinded and Respondent is hereby RESTRICTED.

2. Respondent shall not practice medicine in the State of Texas until he completes the terms of Ordering Paragraph 4 below, and appears in person at an ISC to determine any further modifications. Following receipt of the IME specified in Ordering Paragraph No. 4 below, Respondent may request permission to appear by phone at the ISC.

3. Respondent is specifically prohibited from treating female patients, including by examination, diagnosis, prescribing for, or performing any other treatment on any female until superseded by further action of the Board.
4. Prior to seeking any modification or termination of this Order, Respondent shall undergo an independent psychiatric medical examination. This exam may take place outside of the United States. The evaluating psychiatrist must be pre-approved by the Board. To obtain approval, Respondent shall provide up to three names of psychiatrists to conduct the examination, as described in this paragraph, to the compliance department of the Board.

(a) The independent medical evaluation shall be conducted as directed by the Board, including, at a minimum:

1. Social history and background information;
2. Mental status exam;
3. Review of records and other pertinent information;
4. Current DSM multiaxial diagnosis; and

(b) The Compliance Division of the Board shall furnish a copy of this Order to the evaluating psychiatrist, who shall make a full report to the Board regarding the evaluating psychiatrist's evaluation of Respondent and recommendations.

(c) Respondent shall pay all fees charged by the evaluating psychiatrist.

(d) Respondent shall follow all recommendations made by the evaluating psychiatrist regarding care and treatment.

(e) Respondent’s failure to cooperate with the evaluating psychiatrist or failure to follow the evaluating psychiatrist’s recommendations shall constitute a violation of this Order.

(f) If Respondent has complied with the evaluating psychiatrist’s recommendations, and no recommendations concerning care or treatment remain to be completed, Respondent may apply for an Order terminating this Order, removing the restrictions of this Order, and removing any restrictions prohibiting Respondent from receipt of a letter of good standing. The parties agree that this application will be granted unless good cause is shown by the Board based upon the independent medical evaluation.

(g) An evaluating psychiatrist may not be approved unless the proposed psychiatrist agrees to provide his or her report to the Compliance Division of the Board.
(h) Board staff may furnish to the treating psychiatrist any Board information that it determines, in its discretion, may be helpful or required for the treatment of Respondent.

(i) Respondent shall execute any and all releases for medical records and authorizations necessary to effectuate the provisions of this Order.

5. At all times while under this Order, Respondent shall give a copy of this Order to all hospitals, nursing homes, treatment facilities, and other health care entities where Respondent has privileges, has applied for privileges, applies for privileges, or otherwise practices. Within thirty days of entry of this Order, Respondent shall provide to the Compliance Division of the Board documentation, including proof of delivery that the Order was delivered to all such facilities.

6. Respondent shall fully cooperate with the Board and the Board staff, including Board attorneys, investigators, compliance officers, consultants, and other employees or agents of the Board in any way involved in investigation, review, or monitoring associated with Respondent's compliance with this Order. Failure to fully cooperate shall constitute a violation of this order and a basis for disciplinary action against Respondent pursuant to the Act.

7. Respondent shall inform the Board in writing of any change of Respondent's mailing, email and/or practice address within 10 days of the address change. This information shall be submitted to the Permits Department and the Director of Enforcement for the Board. Failure to provide such information in a timely manner shall constitute a basis for disciplinary action by the Board against Respondent pursuant to the Act.

8. Any violation of the terms, conditions, or requirements of this Order by Respondent shall constitute unprofessional conduct likely to deceive or defraud the public, or to injure the public, and shall constitute a basis for disciplinary action by the Board against Respondent pursuant to the Act. Respondent agrees that 10 day notice of a Respondent Show Compliance Proceeding to address any allegation of non-compliance of this Agreed Order is adequate and reasonable notice prior to the initiation of formal disciplinary action. Respondent waives the 30-day notice requirement provided by §164.003(b)(2) of the Medical Practice Act and agrees to 10 day notice, as provided in 22 Texas Administrative Code §187.44(4).
9. Respondent shall not be permitted to supervise and delegate prescriptive authority to
physician assistants, advanced practice nurses and/or to supervise surgical assistants that are
engaged in the clinical practice of medicine.

10. This Order supersedes all prior Orders. This Order is not subject to Modification or
Termination until Respondent has completed the terms of ordering paragraphs 4 and 5.

RESPONDENT WAIVES ANY FURTHER HEARINGS OR APPEALS TO THE BOARD OR
TO ANY COURT IN REGARD TO ALL TERMS AND CONDITIONS OF THIS AGREED
ORDER. RESPONDENT AGREES THAT THIS IS A FINAL ORDER.

THIS ORDER IS A PUBLIC RECORD.

SIGNATURE PAGES FOLLOW.
I, YASSAR IFTIKHAR AHMED, MD., HAVE READ AND UNDERSTAND THIS AGREED ORDER. I UNDERSTAND THAT BY SIGNING, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THIS AGREED ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.


YASSAR IFTIKHAR AHMED, MD
Respondent

STATE OF

COUNTY OF

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SWORN TO AND ACKNOWLEDGED BEFORE ME, the undersigned Solicitor, on this 13 day of February, 2017.

Aqbal Singh Lall
Solicitor

(Notary Seal)

CHAMBERS SOLICITORS
124A HIGH STREET
SLOUGH
BERKSHIRE
SL1 1JE
SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this 3rd day of March, 2017.

Sherif Z. Zaalfran, MD, President
Texas Medical Board