

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
MEDICAL EXAMINING BOARD

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IN THE MATTER OF THE  
APPLICATION FOR LICENSE OF

MOHAMAD A. HAKIM, M.D.,

ORDER DENYING APPLICATION  
FOR MEDICAL LICENSE

Applicant.

Application Number 243340

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TO: Mohamad A. Hakim, MD  
P.O. Box 28322  
Atlanta, GA 30358

On November 14, 2007, the Wisconsin Medical Board considered the applicant's claim of examination error in regard to his failure to pass his oral examination for licensure. As set forth more fully herein and in the Notice of Decision; Error Examination Claim, the MEB has determined that the decision does not result in a grade change. Accordingly, based upon all of the information presented, the Board now finds and makes the following final decision denying the applicant's application for licensure to practice medicine and surgery in the state of Wisconsin.

The basis for this decision is set forth as follows:

Filing of Application

1. On January 12, 2006, the applicant, Mohamad A. Hakim, submitted an application to the Wisconsin Medical Examining Board (MEB) for a license to practice medicine and surgery in the state of Wisconsin.
2. Upon review of his application, it was determined that the applicant would be required to complete an oral examination pursuant to § Med 1.06(1)(a), because he had been subject to adverse formal action during the course of his medical education, postgraduate training, hospital practice or other medical employment. Specifically, the history of the applicant's medical education and postgraduate training showed the following adverse formal actions.

Failure of Step 1 of the United States Medical Licensing Examination (USMLE) on three attempts in 1993 and 1994.

Failure of Step 2 of the USMLE on four attempts in 1993, 1994 and 2006.

Failure of Step 3 of the USMLE on two attempts in 2004 and 2006.

Incomplete anesthesia residency training program at the University of Miami/Jackson Medical Center, Miami, Florida, in 2001-2002, due to termination for violating the program personnel rules regarding a false statement in an application for employment. The Associate Program Director further indicates that approximately 2 to 3 months into the residency it became apparent that anesthesia was not an appropriate specialty career and that the applicant resigned from the position as January 18, 2002.

Incomplete surgical residency training program at Hahnemann University Hospital, Philadelphia, Pennsylvania, in 1999-2000, and removal from the clinical arena after 6 months due to poor clinical performance. The information from the Designated Institutional Official stated that according to the Program Director at the time, "His clinical performance was so poor that the faculty demanded that we remove him from the clinical arena." The remainder of the training year was completed in research in the Department of Pathology in a non-training activity. The verification indicates that none of the training year was satisfactorily completed and that no certificate of completion can or will be granted for the time spent

at the institution.

3. On October 18, 2006, the applicant appeared before a two-person panel of the MEB for an initial oral examination pursuant to § Med 1.06(4), Wis. Admin. Code. The panel scored the applicant's initial oral examination as "failed" and recommended that he should be examined by the full board which shall then make the final decision.
4. On December 20, 2006, the MEB conducted a full board oral examination. The purpose of the oral examination was to test the applicant's knowledge of the practical application of medical principles and techniques of diagnosis.
5. On December 22, 2006, the MEB issued a final decision on the applicant's initial oral examination finding, based upon his responses to clinical questions, that he did not demonstrate sufficient clinical knowledge of medical principles and techniques of diagnosis and treatment. The applicant was informed by a decision of MEB that he did not pass his oral examinations and was not eligible for licensure, but that he could challenge the grading of his examination or retake the examination.

#### Claim of Examination Error (First Attempt)

6. On January 22, 2007, the applicant submitted a request for board review of examination error pursuant to § Med 1.10, Wis. Admin. Code, which requires the applicant to describe the mistakes that were made in the examination content, procedures, or scoring, including the specific questions or procedures claimed to be in error, and the facts which the applicant intends to prove, including reference text citations or other supporting evidence for the claim of error.
7. The MEB reviewed the information that the applicant submitted in support of his claim of examination error and did not find any mistake in the content, procedures or scoring of the examination. The MEB noted that the information submitted by the applicant was a mere recital of medical text to supplement his examination responses and therefore did not result in a grade change in the scoring of the examination.
8. On March 27, 2007, the MEB issued a final decision affirming the determination that the applicant had failed the required oral examination and that he was eligible for licensure. The applicant was informed of his right to reapply and retake the examination.

#### Second Oral Examination

9. On April 15, 2007, the applicant submitted a request for a second examination in accordance with the Notice of Right to Reexamination, pursuant to § Med 1.08 (1), Wis. Admin. Code.
10. On May 16, 2007, a panel of the MEB, consisting of two physicians who were not a part of the first examination panel, conducted the applicant's oral retake examination. This examination was again scored as failed and the application was referred for full board examination and final decision pursuant to § Med 1.06(4), Wis. Admin. Code.
11. On June 20, 2007, the applicant appeared before the full board for an oral examination (second attempt) and final decision on his application for licensure. The applicant was asked standard clinical practice questions for the purpose of assessing his clinical knowledge and skills.
12. On July 2, 2007, after review and consideration of the applicant's responses to the clinical questions, the MEB issued a decision which scored the examination as "failed" based upon the unsatisfactory responses provided by the applicant. The written decision of the MEB informed the applicant that he would not be admitted to any further examinations, in accordance with § Med 1.08(1) until he had successfully completed an ACGME accredited postgraduate training program of twelve (12) months in a board-approved facility.

#### Claim of Examination Error (Second Attempt)

13. On July 17, 2007, the applicant submitted a claim of examination regarding the grading of his second attempt to pass the required oral examinations on the basis that his responses included all the essential steps listed in a respected medical textbook.
14. On August 15, 2007, the MEB reviewed the information which the applicant submitted in support of his claim of examination error. The MEB did not find any mistake in the examination content, procedures or scoring of the oral examination and found that in comparing the excerpt from the medical text book to the transcript of the applicant's responses, that his responses were inadequate and incomplete. The basis for this decision is set forth more fully in the Notice of Decision, Examination Error Claim. (Attached hereto as Exhibit 1).

ORDER

NOW, THEREFORE, IT IS ORDERED that the application of MOHAMAD A. HAKIM, M.D. (appln.#243340) is hereby DENIED on the basis that he has failed to achieve a passing grade in the examinations required under § Med 1.08, Wis. Admin. Code.

This Order is effective upon the date of signing.

STATE OF WISCONSIN  
WISCONSIN MEDICAL EXAMINING BOARD

Sandra L. Osborn , M.D.  
Secretary

11-14-2007

**PLEASE TAKE NOTICE THAT THIS CONSTITUTES NOTICE OF DENIAL OF AN APPLICATION FOR  
LICENSURE**

**NOTICE OF RIGHT TO HEARING**

**Pursuant to § Med 1.10(3) if a Notice of Denial is issued following the board review of an examination error claim, the applicant may request a hearing before an Administrative Law Judge pursuant to RL 1.05, Wis. Admin. Code. The applicant may have a right to a hearing on the denial of the licensure requested if a request for a hearing is filed in accordance with the provisions of the Wisconsin Administrative Code. The request for a hearing must be received in the office of the Department of Regulation and Licensing within 45 days of the date of this notice. The request must include the applicant's name and address, the type of license for which the applicant applied, the reason why the applicant is requesting a hearing, the facts which the applicant intends to prove at a hearing, and the explanation of the mistake of law or fact the applicant believes was made by the board. Within 45 days of receipt of a request for a hearing, the board shall grant or deny the request, but the request will be granted if the foregoing requirements are met. If the request for hearing is granted, the applicant will be notified of the time, place and nature of the hearing. If the request for a hearing is denied, the applicant will be notified in writing of the reason for denial.**

**NOTICE OF RIGHT TO WITHDRAW REQUEST FOR A HEARING**

**A request for a hearing may be withdrawn at anytime. Upon the filing of a request for withdrawal, the credentialing authority shall issue an order affirming the withdrawal of the request for hearing on the denial. Such a withdrawal shall be with prejudice and the applicant will not be allowed to re file a request for a hearing unless otherwise expressly stated in the order.**

November 14, 2007

Mohamad A. Hakim, MD  
P.O. Box 28322  
Atlanta, GA 30358

Re: **Notice of Decision; Examination Error Claim**

Dear Dr. Hakim:

PLEASE TAKE NOTICE that, pursuant to § Med 1.10, Wis. Admin Code, the Wisconsin Medical Examining Board has reviewed your Examination Error Claim. In support of your claim of error in the grading of your oral examination you contend that your responses were consistent with the essential steps listed in a respected medical textbook, *Current Management in Child Neurology*, Bernard L. Maria, M.D. 3<sup>rd</sup> edition (2005, page 504. You have requested that the MEB compare your recorded answers with the table of guidelines for medical care found in that textbook.

The MEB has reviewed the material you submitted and a transcript of your responses to the clinical questions. Based upon the information of record, including the materials which you presented in support of your claim, it has been determined that you did not establish an error in the scoring of your oral examination, therefore, the decision dated July 2, 2007, which scored your oral examination (second attempt) as “failed” is hereby AFFIRMED.

The basis for this decision is set forth as follows:

In comparison to Table 78-1 of Guidelines for Treatment of Pediatric Generalized Convulsive Status Epilepticus (GCSE) from the textbook *Current Management in Child Neurology*, your response did not include the required elements listed for stabilization including: notation of time, vital signs including patient temperature, ECG monitoring, frequent suctioning, nasal oxygen, antipyretics, obtaining IV access, pulse oximetry, blood for laboratory tests, or comments as to determining causation, AEDs toxicology or antiepileptic drug levels.

In comparison to Table 78-1 of Guidelines for Treatment of Pediatric Generalized Convulsive Status Epilepticus (GCSE) from the textbook *Current Management in Child Neurology*, your response did not include the required elements listed for treatment, including all of the appropriate medications or appropriate dosages.

The legal basis for this decision is § 448.05(1)(c), Wis. Stats., and § Med 1.10, Wis. Admin. Code, and hereby constitutes the final decision denying your claim of examination error.

WISCONSIN MEDICAL EXAMINING BOARD

\_\_\_\_\_  
Sandra Osborn, M.D.  
Secretary

\_\_\_\_\_  
Date

cc: Darwin Tichnor, Office of Education and Examinations  
Tamie Buckingham, Credentialing Specialist