

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

MOHAMMAD R. KHAN, M.D.,
RESPONDENT.

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FINAL DECISION AND ORDER

0004607

Division of Legal Services and Compliance Case No. 15 MED 210

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Mohammad R. Khan, M.D.
7150 Virginia Road Ste. #12
Crystal Lake, IL 60014

Wisconsin Medical Examining Board
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Medical Examining Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Mohammad R. Khan, M.D., (dob October 1, 1967), is licensed in the state of Wisconsin to practice medicine and surgery, having license number 52557-20, first issued on January 15, 2009, with registration current through October 31, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 7150 Virginia Road, Crystal Lake, Illinois 60014.

2. Respondent is also licensed as a physician and surgeon in the state of Illinois and holds an Illinois Controlled Substance License.

3. Respondent surrendered his DEA Registration and Illinois Controlled Substance License on March 20, 2014.

4. On January 09, 2015, the State of Illinois Department of Financial and Professional Regulation, Division of Professional Regulation (Illinois Board) issued a Consent Order (Illinois Consent Order) suspending Respondent's Illinois medical license for thirty (30) days, placed Respondent on indefinite probation for a minimum of two (2) years, and indefinitely suspended Respondent's Illinois Controlled Substance License for a minimum of one (1) year retroactive to March 20, 2014.

5. The Illinois Consent Order was based on a complaint which alleged that Respondent prescribed controlled substances to patients without taking into consideration warning signs of drug abuse, diversion and/ or clinical necessity.

6. The Illinois Consent Order placed conditions on Respondent's medical license during the probationary period which included the following:

- a. Respondent shall notify the Illinois Board in writing of any changes in employment and/ or home address and/ or telephone number within ten (10) days;
- b. Respondent shall obtain a practice monitor, who is a licensed physician and surgeon in the state of Illinois in good standing. The practice monitor may not be in practice with Respondent. Respondent shall request the practice monitor to submit quarterly reports regarding scope and performance appraisals by randomly reviewing ten (10) charts of patients and submitting independent quarterly reports to the Illinois Board evaluating the scope, appropriateness, and quality of medical care rendered by Respondent;
- c. The practice monitor shall agree to inform the Illinois Board immediately if there is evidence of inappropriate behavior, professional misconduct, a violation of Respondent's probation;
- d. Respondent shall provide quarterly reports which includes: current residence address, contact number, current practice location address and contact number; name and contact information of his practice monitor; and information regarding any arrests, criminal, or civil actions filed, including DUI and/ or other similar offenses;
- e. Respondent shall request a designated person representing any healthcare entities where Respondent is practicing and/ or holding admitting/ clinical privileges to submit quarterly reports to the Illinois Board regarding Respondent's clinical performance, attendance record and any and all other issues arising out of Respondent's practice of medicine;
- f. Respondent shall annually take and complete additional twenty (20) category I Continuing Medical Education credits directly related to addiction medicine and pain management;

- g. Respondent shall annually take and complete additional twenty (20) category I Continuing Medical Education credits directly related to internal medicine;
- h. Respondent shall annually take and complete additional ten (10) category I Continuing Medical Education credits directly related to record keeping;
- i. Respondent shall not violate the Illinois Medical Practice Act of 1987, any other federal and state laws related to the practice of medicine as well as any other federal and state laws, including but not limited any DUI arrests;
- j. If Respondent violates any of the terms and conditions of this Order, the Illinois Board may issue an Order forthwith mandating the automatic, immediate, indefinite suspension of Respondent's Illinois physician license for a minimum of twelve (12) months. This indefinite suspension shall not preclude the Illinois Board from taking any other disciplinary or other actions it deems appropriate.

7. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 448.02(3), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent Mohammad R. Khan, M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(3)(c) (October 2013) by having discipline taken by another jurisdiction against his license to practice medicine and surgery.

3. As a result of the above conduct, Mohammad R. Khan, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.

2. The license of Mohammad R. Khan, M.D., to practice medicine and surgery (license no. 52557-20) in the state of Wisconsin is LIMITED as follows:

- a. Respondent is to maintain full and complete compliance with all terms, limitations, and conditions imposed by the Illinois Board on his license to practice medicine in that state. Respondent shall notify the Department of any alleged violation of the Illinois Consent Order. Any violation of the Illinois Consent Order constitutes a violation of this Order and the Board may, without further notice or hearing, impose additional limitations or summarily

suspend his license to practice in Wisconsin as the Board determines is advisable.

- b. Respondent shall, within 48 hours of issuance, provide the Board with an authenticated copy of any document issued by the Illinois Board which continues, modifies, or removes the conditions of Respondent's continued practice of medicine in the state of Illinois, including any document granting or denying, in whole or in part, reinstatement of Respondent's license to practice medicine and surgery in the state of Illinois.
- c. Should Respondent intend to practice in Wisconsin, he shall notify the Board or its designee of his intentions and Wisconsin practice address(es) before doing so.
- d. In the event Respondent applies for hospital privileges or seeks to practice medicine and surgery in the state of Wisconsin, he shall provide a copy of the Illinois Consent Order and this Order along with any application he submits or request he makes pertaining to privileges or employment.
- e. In the event Respondent intends to practice in Wisconsin, he shall obtain a practice monitor, who is a licensed physician in the state of Wisconsin in good standing. The practice monitor may not be in practice with Respondent. Respondent shall request the practice monitor to submit quarterly reports regarding scope and performance appraisals by randomly reviewing ten (10) charts of patients and submitting independent quarterly reports to the Department Monitor evaluating the scope, appropriateness, and quality of medical care rendered by Respondent.
- f. Respondent shall submit proof of compliance with the practice monitor requirement to the Department Monitor on a quarterly basis. The form of such proof shall be determined by the Department Monitor.
- g. Respondent shall include a list of all practicing monitors with their contact information in Respondent's first quarterly report. Respondent shall notify the Department Monitor of any changes in subsequent reports.
- h. The Board will recognize Respondent's completion of the CME requirements set forth in the Illinois Consent Order as satisfying the educational requirements the Board would have otherwise ordered.
- i. This order shall remain in effect as long as the Illinois Consent Order is in effect. Respondent shall notify the Department that the Illinois Order has expired by providing the Department with written confirmation thereof from the Illinois Board.
- j. Upon Respondent providing proof sufficient to the Board, or its designee, that he has successfully complied with all terms and conditions of the Illinois Consent Order and his license has been restored to full, unrestricted status, the

Board or its designee shall issue an Order removing the limitation on Respondent's license.

3. Within 90 days from the date of this Order, Mohammad R. Khan, M.D., shall pay COSTS of this matter in the amount of \$340.00.

4. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

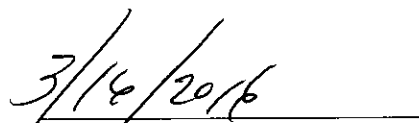
5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of costs as ordered, Respondent's license (52557-20) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs.

6. This Order is effective on the date of its signing.

WISCONSIN MEDICAL EXAMINING BOARD

by:


A Member of the Board


Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

MOHAMMAD R. KHAN, M.D.,
RESPONDENT.

STIPULATION

0004607

Division of Legal Services and Compliance Case No. 15 MED 210

Respondent Mohammad R. Khan, M.D., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondent is represented by Attorney Alan Rhine.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Medical Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



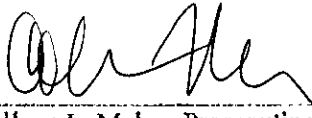
Mohammad R. Khan, M.D., Respondent
7150 Virginia Road Ste. #12
Crystal Lake, IL 60014
License no. 52557-20

3/3/16
Date



Alan Rhine, Attorney for Respondent
Law Offices of Alan Rhine
111 W. Washington Street, Ste. 1550
Chicago, IL 60602

March 4, 2016
Date



Colleen L. Meloy, Prosecuting Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

March 4, 2016
Date