

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
: FINAL DECISION AND ORDER  
FAROUK Y. KHAN, M.D., :  
RESPONDENT. :

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**0005556**

Division of Legal Services and Compliance Case No. 17 MED 096

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

Farouk Y. Khan, M.D.  
1120 Cornell Avenue  
Dothan, AL 36303

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 Farouk Y. Khan, M.D. (DOB April 10, 1950), is licensed by the State of Wisconsin to practice medicine and surgery, having license number 61099-20, first issued on July 18, 2013, with registration current through October 31, 2019. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1120 Cornell Avenue, Dothan, Alabama 36303.

2. Respondent practices neurology and is currently licensed in Alabama, Florida, Illinois, Iowa, New Mexico, and North Carolina.<sup>1</sup>

3. On and prior to October 28, 2016, Respondent served as the Medical Director for three clinic locations in Alabama.

4. On October 28, 2016, the Alabama Board of Medical Examiners (AL Board) summarily suspended Respondent's Pain Management Registrations (PMRs) for all three clinic locations based in part on Respondent's admissions that he wrote prescriptions for patients who had previously obtained excessive amounts of controlled substances from other physicians for no legitimate purpose; wrote prescriptions for patients he believed were receiving excessive amounts of controlled substances; and wrote prescriptions for controlled substances in amounts that posed a danger to patients.

5. On April 14, 2017, Respondent's PMRs were revoked pursuant to Joint Stipulation and Consent Order between Respondent and the AL Board. The effective date of the revocation was stayed, and Respondent's AL Controlled Substances Certificate was placed on probation for a minimum of 18 months with the following conditions:

- a. Respondent agrees to refrain from ordering, prescribing, dispensing, or administering Schedule II and IIN controlled substances;
- b. Respondent agrees to refrain from ordering, prescribing, dispensing, or administering opioids or narcotics; and
- c. Respondent agrees to refrain from ordering, prescribing, dispensing, or administering benzodiazepines, except that he may prescribe clonazepam (adjunct therapy for epilepsy only).
- d. Respondent shall be monitored by the Board for compliance with the terms of the joint stipulation executed by the parties;
- e. Respondent shall not own, practice in, serve as the medical director for, or be employed by a pain management practice; and
- f. Respondent shall not to work in, own, or be affiliated with a methadone clinic, or provide addiction treatment services utilizing buprenorphine.

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

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<sup>1</sup> Respondent was disciplined in Florida, Illinois, and North Carolina for the same conduct at issue here.

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 Farouk Y. Khan, M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(3)(c) by having any credential pertaining to the practice of medicine and surgery or any act constituting the practice of medicine and surgery become subject to adverse determination by any agency of this or another state, or by any federal agency or authority.

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

ORDER

1. The attached Stipulation is accepted.
2. Respondent Farouk Y. Khan, M.D., is REPRIMANDED.
3. The license to practice medicine and surgery in Wisconsin of Farouk Y. Khan, M.D., (license number 61099-20) is LIMITED as follows:
  - a. Respondent is to maintain full and complete compliance with all terms, limitations, and conditions imposed by the AL Board.
  - b. Respondent shall provide the Board with a copy of any document issued by the AL Board which alters the conditions of Respondent's practice of medicine in the State of Alabama, including any document advising reinstatement of full licensure.
  - c. In the event Respondent plans to practice medicine and surgery in the State of Wisconsin, he shall notify the Board of his intentions and practice address at least 90 days prior to his anticipated practice date. At that time, the Board may consider whether alternate or additional limitations upon Respondent's license may be appropriate.
  - d. Upon Respondent providing proof sufficient to the Board, or its designee, that he has successfully complied with all terms and conditions of the April 14, 2017 Order of the AL Board, and that his Alabama license has been restored to full, unrestricted status, the Board or its designee shall issue an Order removing this limitation.
4. Within 365 days from the date of this Order, Farouk Y. Khan, M.D., shall pay COSTS of this matter in the amount of \$764.00.

5. Costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

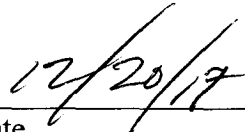
Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

6. In the event Respondent violates any term of this Order, Respondent's license (no. 61099-20), or Respondent's right to renew his license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Board may, in addition and/or in the alternative refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

7. 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 :  
 :  
FAROUK Y. KHAN, M.D., :  
RESPONDENT. :

DEC 04 2017  
DIVISION OF SAFETY  
STIPULATION  
0005556

Division of Legal Services and Compliance Case No. 17 MED 096

Respondent Farouk Y. 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.

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

Stipulation


In the matter of disciplinary proceedings against  
Farouk Y. Khan, M.D., Case No. 17 MED 096

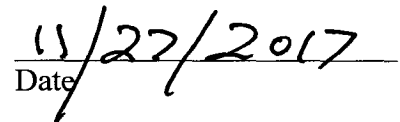
of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

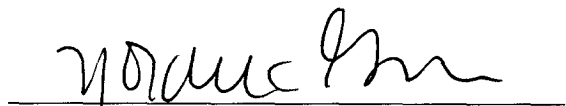
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes 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.

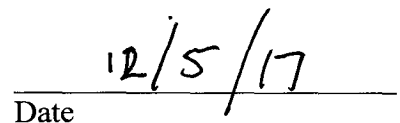
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.

  
Farouk Y. Khan, M.D., Respondent  
1120 Cornell Avenue  
Dothan, AL 36303  
License no. 61099-20

  
Date

  
Yolanda Y. McGowan, Attorney  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

  
Date