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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE

Department of State

2004 JUL 29 PM 1:02

PROHIBITORY

Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs

vs.

Abdulbari Farooqi, MD
Respondent

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Docket No. 1078 49-04
File No. 03-49-04005

CONSENT AGREEMENT AND ORDER

The Commonwealth and Respondent stipulate as follows in settlement of the above-captioned case.

1. This matter is before the State Board of Medicine ("Board") pursuant to the Medical Care Availability and Reduction of Error (MCARE Act), Act of March 20, 2002, P.L. 154, No. 13, 40 P.S. §§1303.101-1303.910 and the Medical Practice Act, Act of December 20, 1985, P.L. 457, No. 112, as amended ("Act"), 63 P.S. §§422.1 – 422.51a.

2. At all relevant and material times, Abdulbari Farooqi, MD ("Respondent") held a license to practice Medicine in the Commonwealth of Pennsylvania, license number

MD-063365-L.

3. Respondent admits that the following facts are true:

a. Respondent's license is current through December 31, 2004 and may be renewed thereafter upon the filing of the appropriate documentation and payment of the necessary fees.

b. Respondent's last known address on file with the Board is 510 Ridgeview Lane, Villanova, PA 19085.

c. On or about August 2, 2002, a Complaint was filed in a civil suit naming the Respondent as a Defendant.

d. On or about April 16, 2003, the Commonwealth received notification from another source that Respondent was named as a Defendant in a civil suit.

e. On or about May 12, 2004, the Commonwealth notified Respondent that he was not in compliance with the reporting requirements of Section 903 of the MCARE Act.

f. Since October 2, 2002, Respondent has failed to comply with the reporting requirements of Section 903 of the MCARE Act.

4. The actions of Respondent, described above, violated the MCARE Act at 40 P.S. §1303.903 because Respondent failed to report to the Board within 60 days of receiving notice of a complaint in a medical professional liability action that is filed against Respondent.

5. The participants consent to issuance of the following Order in settlement of this matter:

a. Respondent violated the MCARE Act at 40 P.S. §1303.903 because Respondent failed to report to the Board within 60 days of receipt of notice of a complaint in a medical professional liability action that is filed against Respondent.

b. Respondent shall pay a **CIVIL PENALTY** of two hundred and fifty dollars (\$250.00) by cashier's check, certified check, U.S. Postal money order or attorney's check, made payable to "Commonwealth of Pennsylvania."

Respondent shall return the full civil penalty with the signed Consent Agreement.

6. Respondent acknowledges receipt of an Order to Show Cause in this matter.

Respondent knowingly and voluntarily waives the right to an administrative hearing in this matter, and to the following rights related to that hearing: to be represented by counsel at the hearing; the right to present witnesses and testimony in defense or in mitigation of any sanction that may be imposed for a violation; to cross-examine witnesses and to challenge evidence presented by the Commonwealth; to present legal arguments by means of a brief; and to take an appeal from any final adverse decision.

7. This Consent Agreement is between the Commonwealth and Respondent only.


Except as otherwise noted, this Agreement is to have no legal effect unless and until the Office of General Counsel approves the contents as to form and legality and the Board issues the stipulated Order.

8. Should the Board not approve this Consent Agreement, presentation to and consideration of this Consent Agreement and other documents and matters by the Board shall not prejudice the Board or any of its members from further participation in the adjudication of this matter. The participants waive any objection to a Board member's consideration of this Agreement in the event that the member participated in a prior decision to prosecute this matter. This paragraph is binding on the participants even if the Board does not approve this Consent Agreement.

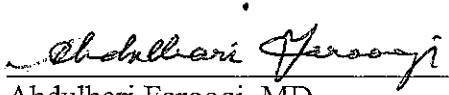
9. Respondent agrees, as a condition of entering into this Consent Agreement, not to seek modification at a later date of the Stipulated Order adopting and implementing this Consent Agreement without first obtaining the express written concurrence of the Prosecution Division.

10. This agreement contains the whole agreement between the participants. There are no other terms, obligations, covenants, representations, statements or conditions, or otherwise, of any kind whatsoever concerning this agreement.

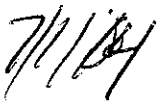
11. Respondent verifies that the facts and statements set forth in this Agreement are true and correct to the best of Respondent's knowledge, information and belief. Respondent understands that statements in this Agreement are made subject to the criminal penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.



Andrew B. Kramer
Senior Prosecutor in Charge
Department of State



Abdulbari Farooqi, MD
Respondent

DATED: 

DATED:

ORDER

AND NOW, this 27th day of July, 2004, the State Board of Medicine adopts and approves the foregoing Consent Agreement and incorporates the terms of paragraph 5, which shall constitute the Board's Order and is now issued in resolution of this matter.

This Order shall take effect immediately.

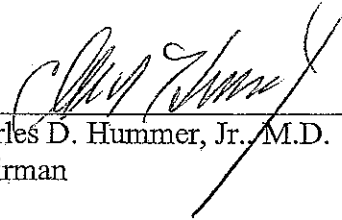
BY ORDER:

**BUREAU OF PROFESSIONAL AND
OCCUPATIONAL AFFAIRS**

STATE BOARD OF MEDICINE



Basil Merenda
Commissioner



Charles D. Hummer, Jr., M.D.
Chairman

Date of mailing:
For the Commonwealth:

7-29-04
Andrew B. Kramer, Esquire
P. O. Box 2649
Harrisburg, PA 17105-2649

For Respondent:

Abdulbari Farooqi, MD
510 Ridgeview Lane
Villanova, PA 19085