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

PROTHONOTARY

2014 MAR 21 PM 1:19

Department of State

Commonwealth of Pennsylvania :
Bureau of Professional and :
Occupational Affairs :

v. :

Docket No. 0460 -49-14
File No. 12-49-10148

Mohammed Abdul Rahman Khan, M.D. :
Respondent :

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 pursuant to the Medical Practice Act, Act of December 20, 1985, P.L. 457, No. 112, as amended ("Act"), 63 P.S. §422.1 et seq.

2. At all relevant and material times **Mohammed Abdul Rahman Khan, M.D.** ("Respondent") had a license to practice medicine in the Commonwealth of Pennsylvania, license number MD418669.

3. Respondent, while admitting no guilt or wrongdoing, agrees that if this case were to proceed to a hearing the Commonwealth would be able to prove the following:

a. Respondent's license, is currently active and set to expired on 12/31/14, and could be continually renewed thereafter upon the filing of the appropriate documentation and the payment of the necessary fees.

b. Respondent's last known address on file with the Board is 59 Linree Avenue, Reading, PA 19606.

c. Respondent last practiced in the Berks County.

d. On or about October 3, 2013, Respondent was criminally charged by the Pennsylvania Office of the Attorney General with the following charges:

(1) Two (2) Counts of Unlawful Prescription of a Controlled Substance, which are both Ungraded Felonies.

(2) Two (2) Counts of Acquisition of Controlled Substances by Misrepresentation, Fraud, Forgery, Deception or Subterfuge, which are both Ungraded Felonies.

(3) One (1) Count of Insurance Fraud, graded as a Felony in the Third Degree.

(4) One (1) Count of Criminal Conspiracy, which is an Ungraded Felony.

4. The above referenced criminal charges allegedly derive from the Respondent's conduct during the course of treating patients in the practice of medicine.

5. The respondent, in consideration of this consent agreement only, has chosen not to contest the above allegations of wrong doing during the pendency of the criminal proceedings. However, the respondent maintains his innocence and while admitting no guilt or wrongdoing, does agree that for the purposes of this proceeding before the Pennsylvania State Board of Medicine, this consent agreement shall have the same effect as if proven and ordered after a full hearing. Under any scenario, this consent agreement shall not be construed as an admission against interest in any proceeding whatsoever, including but not limited to any criminal proceeding, and in so doing and intending to be legally bound, the participants consent to issuance of the following order in settlement of this matter:

a. Respondent violated the Act at 63 P.S. §422.41 (8) as it relates to the Board's regulations at 49 Pa Code §16.92.

b. The Respondent shall **voluntarily surrender** his license, No MD418669, while his criminal matter is pending. The **voluntary surrender will be effective March 19, 2014**. Upon adoption of this Order the Respondent shall cease and desist from practicing in this Commonwealth as of **March 19, 2014**, and shall not represent himself as a licensee of the Pennsylvania State Board of Medicine in any manner whatsoever. The Respondent shall not apply to renew or reinstate his license while his criminal matter is pending. Within ten days of the adoption of this Order the Respondent shall surrender his wall certificate, registration certificate and wallet card by mailing them to Mark R. Zogby, Prosecuting Attorney, Legal Office, Department of State, 2601 North Third Street, Harrisburg, PA 17105.

6. This Consent Agreement between the Commonwealth and Respondent shall not be construed in any way to limit the Commonwealth's ability to proceed with further disciplinary action regardless of the outcome of the pending criminal charges; however, in the event that Respondent is acquitted of all criminal charges related to the above referenced criminal matter, Respondent has the right to immediately apply for licensure reinstatement, provided that Respondent gives immediate notice to the Prosecution Division and with the understanding that reinstatement is not automatic and that Respondent must comply with all licensure requirements and the Board's request for documents or information.

7. 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; 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.

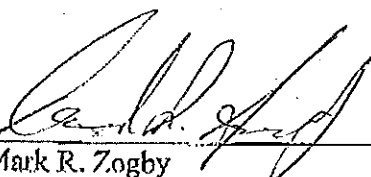
8. This Consent Agreement is between the Commonwealth and Respondent only. Except as otherwise noted, this Agreement is to have no legal effect unless and until the Office of General Counsel approves the contents as to form and legality and the Board issues the stipulated Order.

9. In the event the Board does not approve this Consent Agreement, consideration of this Consent Agreement and other documents and matters by the Board shall not prejudice the Board or any of its members from future participation in the adjudication of this matter or any future matter arising from the above mentioned criminal matter. This paragraph is binding on the participants even if the Board does not approve this Consent Agreement.

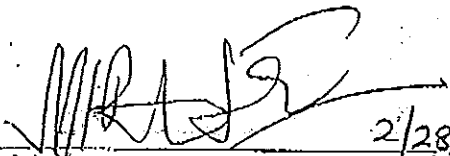
10. Respondent agrees, as a condition of entering into this Consent Agreement, not to seek modification at a later date of the stipulated Order adopting and implementing this Consent Agreement without first obtaining the express written concurrence of the Prosecution Division; however, in the event that Respondent is acquitted of the pending charges, Respondent has the right to immediately seek modification of the Order. If the Respondent seeks modification, he shall provide written notice to the Prosecution Division and any request for reinstatement of his license shall be done in accordance with paragraph 6 of this Consent Agreement.

11. 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.

12. 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.



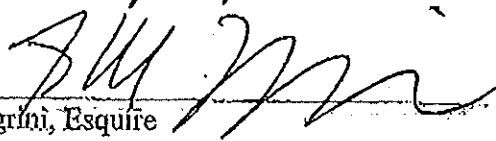
Mark R. Zogby
Prosecuting Attorney
Department of State



2/28/14
Mohammed Abdul Rahman Khan, M.D.
Respondent

DATED: 3/3/14

DATED: 2/28/14



Jay Nigrini, Esquire
Attorney for Respondent

DATED: 2/28/14

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ORDER

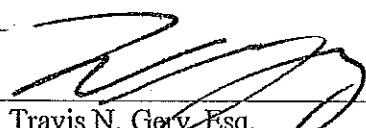
AND NOW, this 19th day of March, 2014 the State Board of Medicine
adopts and approves the foregoing Consent Agreement and incorporates the terms of paragraph
5, which shall constitute the Board's Order and is now issued in resolution of this matter.


This Order shall take effect immediately.

BY ORDER:

BUREAU OF PROFESSIONAL AND
OCCUPATIONAL AFFAIRS

STATE BOARD OF MEDICINE


Travis N. Gory, Esq.
Commissioner


Andrew J. Behnke, M.D.
Chair

For the Commonwealth:

Mark Zogby, Esquire
P.O. Box 2649
Harrisburg, PA 17105-2649

For Respondent:

Jay Nigrini, Esquire
Sodomsy and Nigrini
606 Court Street
Suite #200
Reading, PA 19601

Date of Mailing: March 24, 2014