

LICENSE NO. BP10048004

IN THE MATTER OF
THE LICENSE OF
ABDUSSAMED KOSE, M.D.

BEFORE THE DISCIPLINARY
PANEL OF THE
TEXAS MEDICAL BOARD

ORDER OF TEMPORARY SUSPENSION
(WITHOUT NOTICE OF HEARING)

On April 15, 2015, came to be heard before the Disciplinary Panel (Panel) of the Texas Medical Board (Board), composed of Frank Denton, John Guerra, MD (appeared by phone) and Julie Attebury (appeared by phone), members of the Board duly in session, the matter of the Application for Temporary Suspension (WITHOUT NOTICE OF HEARING) of the license of Abdussamed Kose, M.D. (Respondent). Margie Johnson represented Board staff. Based on evidence submitted, the Board through this Panel makes the following Findings of Fact and Conclusions of Law and enters this Order of Temporary Suspension (WITHOUT NOTICE OF HEARING):

FINDINGS OF FACT

1. Respondent currently holds Texas Physician-in-Training (PIT) Permit No. 10048004. Respondent was originally issued this permit to participate in a residency training program from July 1, 2013 to June 30, 2015.
2. In March 2015, Respondent was in the Psychiatry Residency Program at the University of Texas Medical School at Houston.
3. On or about March 30, 2015, Respondent engaged in a chat online with an individual who represented to Respondent that she was an underage female (Minor). The online discussion between Respondent and Minor turned sexual in nature and led to Respondent travelling to Minor's home to have sex with her. Unbeknownst to Respondent, Minor was an undercover police officer posing as a minor online during an undercover sting operation to identify individuals using the Internet to meet and solicit minors for sex.
4. When Respondent arrived at Minor's home, he was arrested for Online Solicitation of a Minor, a felony offense, and taken to the Harris County jail.

5. At the time of his arrest, Respondent was in possession of several condoms.

CONCLUSIONS OF LAW

Based on the above Findings of Fact, the Panel concludes the following:

1. Section 164.059 of the Act authorizes the Disciplinary Panel to temporarily suspend or restrict the physician-in-training permit of Respondent if the Disciplinary Panel determines from the evidence that Respondent's continuation in the practice of medicine would constitute a continuing threat to the public welfare.

2. Based on evidence presented and the Findings of Fact set forth herein, the Disciplinary Panel finds that Respondent violated various sections of the Medical Practice Act, specifically:

- a. Section 164.051(a)(1) of the Act authorizes the Board to take disciplinary action against Respondent based on Respondent's commission of an act prohibited under Section 164.052 of the Act.
- b. Section 164.052(a)(5) of the Act authorizes the Board to take disciplinary action against Respondent for unprofessional or dishonorable conduct that is likely to deceive or defraud the public, as provided by Section 164.053, or injure the public, and as further defined by Board Rule 190.8(2)(R), commission of any felony whether or not there is a complaint, indictment, or conviction, specifically, Online Solicitation of a Minor, §33.021 of the Texas Penal Code.

3. Based on the evidence presented and the above Findings of Fact and Conclusions of Law, the Panel determines that Respondent's continuation in the practice of medicine would constitute a continuing threat to the public welfare.

ORDER

Based on the above Findings of Fact and Conclusions of Law, the Panel ORDERS that:

1. Respondent's Physician-in-Training Permit No. BP10048004 is hereby TEMPORARILY SUSPENDED.

2. This Order of Temporary Suspension (WITHOUT NOTICE OF HEARING) is final and effective on the date rendered.

3. Notice of this Order of Temporary Suspension (WITHOUT NOTICE OF HEARING) shall be given immediately to Respondent.

4. A hearing on the Application for Temporary Suspension (WITH NOTICE) will hereby be scheduled before a Disciplinary Panel of the Board at a date to be determined as soon as practicable, at the offices of the Board, unless such hearing is specifically waived by the Respondent.

5. This Order of Temporary Suspension (WITHOUT NOTICE OF HEARING) shall remain in effect until such time as a hearing on the Application for Temporary Suspension (WITH NOTICE OF HEARING) is conducted and a Disciplinary Panel enters an order or until superseded by a subsequent Order of the Board.

Signed and entered this 04/15/, 2015.



Frank Denton
Chair, Disciplinary Panel
Texas Medical Board