

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
(WITH NOTICE OF HEARING)

On May 26, 2015, at the direction and approval of Michael Arambula, M.D., President of the Board, three members of the Texas Medical Board ("Board") were appointed to sit as a Disciplinary Panel ("Panel") in this matter, pursuant to §164.059(a) of the Medical Practice Act ("the Act") and 22 TEX. ADMIN. CODE §187.56. Abdussamed Kose, M.D. ("Respondent") appeared in person and with counsel, Louis Leichter. 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:

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

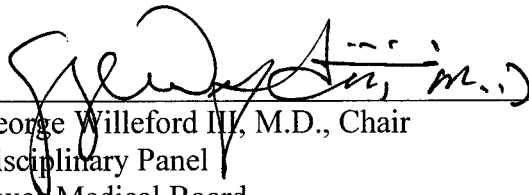
Based on the above Findings of Fact and Conclusions of Law, the Panel ORDERS that:

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

2. This Order of Temporary Suspension with Notice of Hearing is effective on the date rendered.

3. This Order of Temporary Suspension with Notice of Hearing shall remain in effect until it is superseded by an Order of the Board.

Signed and entered this may 26, 2015.


George Willeford III, M.D., Chair
Disciplinary Panel
Texas Medical Board