



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Syed J. Mustafa, MD
Master Case No.: M2016-1081
Document: Statement of Charges

Regarding your request for information about the above-named practitioner; attached is a true and correct copy of the document on file with the State of Washington, Department of Health, Adjudicative Clerk Office. These records are considered Certified by the Department of Health.

Certain information may have been withheld pursuant to Washington state laws. While those laws require that most records be disclosed on request, they also state that certain information should not be disclosed.

The following information has been withheld:

The identity of the complainant if the person is a consumer, health care provider, or employee, pursuant to RCW 43.70.075 (Identity of Whistleblower Protected) and/or the identity of a patient, pursuant to RCW 70.02.020 (Medical Records - Health Care Information Access and Disclosure)

If you have any questions or need additional information regarding the information that was withheld, please contact:

Customer Service Center
P.O. Box 47865
Olympia, WA 98504-7865
Phone: (360) 236-4700
Fax: (360) 586-2171

You may appeal the decision to withhold any information by writing to the Privacy Officer, Department of Health, P.O. Box 47890, Olympia, WA 98504-7890.

**STATE OF WASHINGTON
MEDICAL QUALITY ASSURANCE COMMISSION**

In the Matter of the License to Practice
as a Physician and Surgeon of

SYED J. MUSTAFA, MD
License No. MD00034219

Respondent.

No. M2016-1081

STATEMENT OF CHARGES

The Executive Director of the Medical Quality Assurance Commission (Commission) is authorized to make the allegations below, which are supported by the evidence contained in file number 2016-2746. The patient referred to in this Statement of Charges is identified in the attached Confidential Schedule.

1. ALLEGATIONS

1.1 On September 25, 1996, the state of Washington issued Respondent a license to practice as a physician. Respondent is board certified in Psychiatry and Child and Adolescent Psychiatry. Respondent's license is active.

1.2 Respondent has been a psychiatrist with Puget Sound Psychiatric Center (PSPC), a private practice behavioral health care organization, since 2002. Respondent is the Program Director of the PSPC Psychiatric Residency Program (Residency Program) and describes himself as the Designated Institutional Officer who has the authority and responsibility for oversight and administration of its residency programs.

1.3 The Residency Program is not accredited by the Accreditation Council for Graduate Medical Education (ACGME), the organization that sets standards for U.S. graduate medical education programs and renders accreditation decisions based on compliance with these standards.

1.4 Beginning in January 2015, the Commission's Licensing Manager and a staff attorney informed PSPC, on multiple occasions, that two applicants for limited residency licenses, Babak Akbarian and Omar Shah, could not be licensed because the Residency Program was not accredited.

1.5 Beginning in September 2015, Patient A sought treatment at PSPC. Patient A's medical records indicate both Respondent and "Omar Shah MD" saw her as a patient, and both of their names appear on each of Patient A's charts. Each medication listed in Patient A's records has both Respondent and "Omar Shah MD" listed as the prescribers. Each office visit record reflects Patient A was seen by both Respondent and "Omar Shah MD." Multiple prescriptions for Patient A are written on a PSPC prescription pad, and have both Respondent and "Omar Shah MD" identified as the providers.

1.6 On or about March 11, 2016, the PSPC website provided photographs and names of the providers of the clinic. In a section of the website entitled, "Our Psychiatrists and Other Medication Providers," there were pictures of unlicensed individuals and their names, and next to each of their names was the designation "MD." This included Omar Shah and Babak Akbarian. There were also pictures and names of physicians with expired physician and surgeon licenses, and next to each of their names was the designation "MD." As of March 2017, these unlicensed individuals are still named with their photographs on the PSPC website under "Psychiatry Residents" using the designation "MD."

1.7 Respondent has misled the public and aided and abetted individuals in the unlicensed practice of medicine by allowing and approving the use of the designation "MD" next to the individuals' names on patient records, prescriptions, and the PSPC website.

2. ALLEGED VIOLATIONS

2.1 Based on the Alleged Facts, Respondent has committed unprofessional conduct in violation of RCW 18.130.180(3), (10), and (13), which provide in part:

RCW 18.130.180 Unprofessional conduct. The following conduct, acts, or conditions constitute unprofessional conduct for any license holder or applicant under the jurisdiction of this chapter:

...

(3) All advertising which is false, fraudulent, or misleading;

...

(10) Aiding or abetting an unlicensed person to practice when a license is required;

...

(13) Misrepresentation or fraud in any aspect of the conduct of the business or profession;

....

2.2 The above violations provide grounds for imposing sanctions under RCW 18.130.160.

3. NOTICE TO RESPONDENT

The charges in this document affect the public health, safety and welfare. The Executive Director of the Commission directs that a notice be issued and served on Respondent as provided by law, giving Respondent the opportunity to defend against these charges. If Respondent fails to defend against these charges, Respondent shall be subject to discipline and the imposition of sanctions under Chapter 18.130 RCW.


DATED: March 24, 2017.

STATE OF WASHINGTON
MEDICAL QUALITY ASSURANCE COMMISSION



MELANIE DE LEON
EXECUTIVE DIRECTOR

ROBERT W. FERGUSON
ATTORNEY GENERAL



DEBRA DEFREYN, WSBA # 28317
ASSISTANT ATTORNEY GENERAL

CONFIDENTIAL SCHEDULE

This information is confidential and is NOT to be released without the consent of the individual or individuals named herein. RCW 42.56.240(1)

Patient A

