

1 BEFORE THE ARIZONA MEDICAL BOARD

2 In the Matter of

3 **INAYAT M. ALI-KAHN, M.D.**

4 License No. 12985
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

Case No. MD-04-0475A

**CONSENT AGREEMENT FOR
LETTER OF REPRIMAND AND
PROBATION**

7 **CONSENT AGREEMENT**

8 By mutual agreement and understanding, between the Arizona Medical Board
9 ("Board") and Inayat M. Ali-Kahn, M.D. ("Respondent"), the parties agreed to the following
10 disposition of this matter.

11 1. Respondent has read and understands this Consent Agreement and the
12 stipulated Findings of Fact, Conclusions of Law and Order ("Consent Agreement").
13 Respondent acknowledges that he has the right to consult with legal counsel regarding
14 this matter.

15 2. By entering into this Consent Agreement, Respondent voluntarily
16 relinquishes any rights to a hearing or judicial review in state or federal court on the
17 matters alleged, or to challenge this Consent Agreement in its entirety as issued by the
18 Board, and waives any other cause of action related thereto or arising from said Consent
19 Agreement.

20 3. This Consent Agreement is not effective until approved by the Board and
21 signed by its Executive Director.

22 4. All admissions made by Respondent are solely for final disposition of this
23 matter and any subsequent related administrative proceedings or civil litigation involving
24 the Board and Respondent. Therefore, said admissions by Respondent are not intended
25 or made for any other use, such as in the context of another state or federal government

1 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
2 any other state or federal court.

3 5. Upon signing this agreement, and returning this document (or a copy thereof)
4 to the Board's Executive Director, Respondent may not revoke the acceptance of the
5 Consent Agreement. Respondent may not make any modifications to the document. Any
6 modifications to this original document are ineffective and void unless mutually approved
7 by the parties.

8 6. This Consent Agreement, once approved and signed, is a public record that
9 will be publicly disseminated as a formal action of the Board and will be reported to the
10 National Practitioner Data Bank and to the Arizona Medical Board's website.

11 7. If any part of the Consent Agreement is later declared void or otherwise
12 unenforceable, the remainder of the Consent Agreement in its entirety shall remain in force
13 and effect.

14 8. Any violation of this Consent Agreement constitutes unprofessional conduct
15 pursuant to A.R.S. §32-1401(27)(r) – (“[v]iolating a formal order, probation, consent
16 agreement or stipulation issued or entered into by the board or its executive director under
17 this chapter.”) and may result in disciplinary action pursuant to A.R.S. §32-1451.

18 9. ***Respondent has read and understands the condition(s) of probation.***

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21 Inayat M. Ali-Kahn M.D.
22 INAYAT M. ALI-KAHN, M.D.

DATED: 4/21/06

FINDINGS OF FACT

1
2 1. The Board is the duly constituted authority for the regulation and control of
3 the practice of allopathic medicine in the State of Arizona.

4 2. Respondent is the holder of license number 12985 for the practice of
5 allopathic medicine in the State of Arizona.

6 3. The Board initiated case number MD-04-0475A after receiving a notice from
7 Banner Behavioral Health of Scottsdale ("Banner") regarding Respondent's ability to safely
8 engage in the practice of medicine.

9 4. On November 8, 2005 Banner required Respondent to undergo a
10 comprehensive evaluation by the Physician Assessment and Clinical Education (PACE)
11 program. According to PACE Respondent's overall measured abilities were in the mild
12 inefficient range while his overall attention, concentration, alertness, and awareness
13 functions were within normal limits.

14 5. Board staff conducted a review of 13 of Respondent's medical records from
15 Banner and of records from Respondent's other practice. The review revealed that
16 Respondent had no documented rationale for medication use, discontinuation of use,
17 dosage or changes, and he often used duplicate therapies without rationale. Respondent's
18 written medical records did not reflect the psychiatric assessment and plan and, in some
19 cases, abnormal laboratory results were not addressed.

20 6. A physician is required to maintain adequate legible medical records
21 containing, at a minimum, sufficient information to identify the patient, support the
22 diagnosis, justify the treatment, accurately document the results, indicate advice and
23 cautionary warnings provided to the patient and provide sufficient information for another
24 practitioner to assume continuity of the patient's care at any point in the course of
25 treatment. A.R.S. § 32-1401(2). Respondent's records were inadequate because they did

1 not document rationale for medication use or discontinuation, dosage or changes and
2 because they did not reflect the patients' psychiatric assessment and plan and in some
3 cases, whether or not he addressed abnormal laboratory results.

4 **CONCLUSIONS OF LAW**

5 1 The Board possesses jurisdiction over the subject matter hereof and over
6 Respondent.

7 2 The conduct and circumstances described above constitute unprofessional
8 conduct pursuant to A.R.S. § 32-1401 (27)(e) – (“[f]ailing or refusing to maintain adequate
9 records on a patient.”)

10 **ORDER**

11 IT IS HEREBY ORDERED THAT:

- 12 1. Respondent is issued a Letter of Reprimand for inadequate record keeping.
13 2. Respondent is placed on probation for two years with the following terms and
14 conditions:

15 A. Continuing Medical Education

16 Respondent shall within **one year** of the effective date of this Order complete the
17 PACE record keeping course and provide Board Staff with satisfactory proof of
18 attendance. The CME hours shall be in addition to the hours required for the biennial
19 renewal of medical license.

20 B. Random Chart Review

21 Board Staff or its agents shall conduct a chart review within **one year** of completion
22 of the record keeping CME. Based upon the chart review, the Board retains jurisdiction to
23 take additional disciplinary or remedial action.

24 C. Obey All Laws

1 Respondent shall obey all state, federal and local laws, all rules governing the
2 practice of medicine in Arizona, and remain in full compliance with any court order criminal
3 probation, payments and other orders.

4 D. Tolling

5 In the event Respondent should leave Arizona to reside or practice outside the
6 State or for any reason should Respondent stop practicing medicine in Arizona,
7 Respondent shall notify the Executive Director in writing within ten days of departure and
8 return or the dates of non-practice within Arizona. Non-practice is defined as any period of
9 time exceeding thirty days during which Respondent is not engaging in the practice of
10 medicine. Periods of temporary or permanent residence or practice outside Arizona or of
11 non-practice within Arizona, will not apply to the reduction of the probationary period.

12 3. This Order is the final disposition of case number MD-04-0475A.

13 DATED AND EFFECTIVE this 9th day of June, 2006.

14 (SEAL)



15 ARIZONA MEDICAL BOARD

16 By *Timothy C. Miller*
17 TIMOTHY C. MILLER, J.D.
18 Executive Director

19 ORIGINAL of the foregoing filed this
9th day of June, 2006 with:

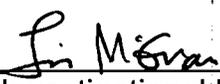
20 Arizona Medical Board
21 9545 E. Doubletree Ranch Road
22 Scottsdale, AZ 85258

23 EXECUTED COPY of the foregoing mailed
this 9th day of June, 2006 to:

24 Mr. Daniel P. Jantsch
25 Olson, Jantsch, & Bakker, P.A.
7243 North 16th Street
Phoenix AZ 85020-5203

1 EXECUTED COPY of the foregoing mailed
2 this 9th day of June, 2006 to:

3 Inayat M. Ali-Kahn, M.D.
4 Address of Record

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7 Investigational Review

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