

**BEFORE THE ARIZONA MEDICAL BOARD**

In the Matter of

**WAHID A. IBRAHIM, M.D.**

Holder of License No. 30413 for the Practice of  
Allopathic Medicine in the State of Arizona

**Docket No. 06A-30413-MDX**

Case No. MD-040675

**FINDINGS OF FACT,  
CONCLUSIONS OF LAW AND  
ORDER FOR REVOCATION OF  
LICENSE**

On August 9, 2006 this matter came before the Arizona Medical Board ("Board") for oral argument and consideration of the Administrative Law Judge ("ALJ") Brian Brendan Tully's proposed Findings of Fact and Conclusions of Law and Recommended Order involving Wahid A. Ibrahim, M.D. ("Respondent"). Respondent was notified of the Board's intent to consider this matter at the Board's public meeting. Respondent did not appear and was not represented by counsel. The State was represented by Assistant Attorney General Dean E. Brekke. Christine Cassetta, of the Solicitor General's Section of the Attorney General's Office provided legal advice to the Board.

The Board having considered the ALJ's report and the entire record in this matter hereby issues the following Findings of Fact, Conclusion of Law and Order.

**FINDINGS OF FACT**

1. The Arizona Medical Board ("Board") is the duly constituted authority for licensing and regulating the practice of allopathic medicine in the State of Arizona.
2. Respondent is the holder of License No. 30413 for the practice of allopathic medicine in Arizona.
3. On March 23, 2004 the Board voted to summarily suspend Respondent's license for a violation of a Board Order.
4. The Board has previously opened investigation number MD-02-S010 based upon Respondent's self-report to the Board that he was in treatment for substance abuse.

1           5.       On February 25, 2003 Respondent entered into a confidential, non-disciplinary  
2 Stipulated Rehabilitation Agreement ("SRA") with the Board. The SRA imposed drug monitoring  
3 requirements on Respondent. Respondent entered the Board's Monitored Aftercare Program  
4 ("MAP").

5           6.       The Board initiated case number MD-04-0675 as a result of Respondent's  
6 alleged non-compliance with many of the terms of the SRA, including (a) failure to provide a  
7 copy of the SRA to Kingman Regional Medical Center; (b) submission of false 12-step meeting  
8 logs to the Board; (c) failure to submit to random bodily fluid testing on several occasions;  
9 (d) failure to timely obtain a primary care physician; (e) failure to attend mandatory group  
10 meeting sessions; and (f) failure to submit required documentation to the Board.

11           7.       Due to concerns arising from Respondent's non-compliance with the SRA, the  
12 Board's Executive Director issued an Interim Order requiring Respondent to undergo an in-  
13 patient evaluation. Respondent subsequently underwent the inpatient evaluation at a Board  
14 approved facility.

15           8.       On March 22, 2005 the Board received the results of that evaluation. The  
16 evaluation did not find that Respondent had relapsed. However, it recommended further in-  
17 patient treatment to re-orient Respondent to the substance abuse recovery principals. In  
18 addition, the psychometric portion of the evaluation found Respondent had significant cognitive  
19 deficiencies. As a result of these cognitive deficiencies, the evaluation opined that Respondent  
20 is not safe to practice medicine.

21           9.       After the Summary Suspension Order was entered, Respondent traveled to  
22 Jordan for several months. When he returned to Arizona, the Board was informed that on July  
23 30, 2005, Respondent had attempted to prescribe medication in violation of the Summary  
24 Suspension Order. The pharmacist refused to fill the prescription. The pharmacist knew that  
25

1 Respondent's license had been suspended. The pharmacist reported the incident in writing to  
2 the Board.

3 10. Subsequently, the Board conducted a pharmacy survey and found that  
4 Respondent had self-prescribed several medications from approximately June 15, 2004 until  
5 March 22, 2005, in violation of the SRA. Paragraph 11 of the SRA states: "except in an  
6 Emergency, Physician shall take not medications unless the PCP or other health care provider  
7 to whom the PCP refers Physician prescribes the Medication. Physician shall not self-prescribe  
8 any Medications."

9 11. By letter dated October 12, 2005 mailed to Respondent's Jordanian address  
10 Kathleen Muller, the Board's Physicians Health Program manager, advised Respondent that an  
11 investigation under Case NO. MD-05-1022 had been opened. The allegations were that  
12 Respondent had self-prescribed numerous medications in violation of the SRA. Ms. Muller  
13 requested Respondent submit a complete narrative response to the allegations, together with  
14 supporting documentation, by October 31, 2005. Respondent failed to respond to Ms. Muller's  
15 letter.<sup>1</sup>

16 12. The evidence of record supports the Board's emergency action of summarily  
17 suspending Respondent's license to protect the public health, safety and welfare.

18 13. Respondent currently resides in Amman, Jordan. By email dated September 9,  
19 2005 sent to Board Staff, Respondent stated that he would be practicing in Jordan and not in  
20 the United States.

21 14. Respondent's failure to comply with the provisions of the SRA establishes that he  
22 cannot achieve sufficient rehabilitation necessary to practice medicine safely in Arizona.

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1 The Board did not allege unprofessional conduct by Respondent, pursuant to A.R.S. § 32-1401(27)(dd), for failing to respond to the Board's inquiry.

1 **CONCLUSIONS OF LAW**

2 1. The Board possesses jurisdiction over Respondent and the subject matter in this  
3 case.

4 2. The Board has the burden of proof in this matter. A.R.S. § 41-1092.07(G)(2).  
5 The standard of proof is a preponderance of the evidence. A.A.C. R2-19-119(A).

6 3. The conduct and circumstances described in the above Findings constitute  
7 unprofessional conduct by Respondent. A.R.S. § 32-1401(27)(r) ("Violating a formal order,  
8 probation, consent agreement or stipulation issued or entered into by the board or its executive  
9 director under this chapter.").

10 4. The conduct and circumstances described in the above Findings constitute  
11 unprofessional conduct by Respondent ("[k]nowingly making a false or misleading statement to  
12 the board or on a form required by the board or in a written correspondence, including  
13 attachment, with the board.") A.R.S. § 32-1401(27)(jj).

14 5. The conduct and circumstances described in the above Findings indicate that  
15 Respondent is mentally or physically unable to safely engage in the practice of medicine.  
16 A.R.S. § 32-1451(A).

17 6. The conduct and circumstances described in the above Findings support the  
18 Board's summary suspension of Respondent's medical license to protect the public health,  
19 safety and welfare, pursuant to A.R.S. §§ 32-1451(D) and 41-1092.11(B).

20 7. The conduct and circumstances described in the above Findings warrant  
21 disciplinary action against Respondent pursuant to A.R.S. § 32-1451(M).

22 **ORDER**

23 Based upon the Findings of Fact and Conclusions of Law as adopted, the Board hereby  
24 enters the following Order:

1 Respondent's license No. 3829 to practice allopathic medicine in the State of Arizona  
2 is revoked on the effective date of this Order and Respondent shall return his wallet card and  
3 certificate of licensure to the Board.

4  
5 **RIGHT TO PETITION FOR REHEARING OR REVIEW**

6 Respondent is hereby notified that he has the right to petition for a rehearing or  
7 review by filing a petition with the Board's Executive Director within thirty (30) days after  
8 service of this Order. A.R.S. § 41-1092.09. The petition must set forth legally sufficient  
9 reasons for granting a rehearing. A.C.C. R4-16-102. Service of this order is effective five  
10 (5) days after date of mailing. If a motion for rehearing is not filed, the Board's Order  
11 becomes effective thirty-five (35) days after it is mailed to Respondent.

12 Respondent is further notified that the filing of a motion for rehearing is required  
13 to preserve any rights of appeal to the Superior Court.

14 Dated this 11<sup>th</sup> day of August, 2006.

15  
16 (SEAL)



ARIZONA MEDICAL BOARD

17  
18 By: Timothy C. Miller  
19 Timothy C. Miller, J.D.  
20 Executive Director

21 Original of the foregoing filed this  
11<sup>th</sup> day of August, 2006, with:

22 Arizona Medical Board  
23 9545 East Doubletree Ranch Road  
24 Scottsdale, AZ 85258  
25

1 Copy of the foregoing filed this  
\_\_\_ day of \_\_\_\_\_, 2006, with:

2 Cliff J. Vanell, Director  
3 Office of Administrative Hearings  
4 1400 W. Washington, Ste. 101  
Phoenix, AZ 85007

5 Executed copy of the foregoing mailed  
6 this 11<sup>th</sup> day of August,  
2006, to:

7 Wahid A. Ibrahim, M.D.  
8 (address of record)

9 Executed copy of the foregoing mailed  
10 this 11<sup>th</sup> day of August, 2006, to:

11 Dean Brekke  
12 Assistant Attorney General  
13 Office of the Attorney General  
14 CIV/LES  
15 1275 W. Washington  
16 Phoenix, Arizona 85007

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