

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **SHAHID MALIK, M.D.**

4 Holder of License No. **31690**
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

Board Case No. MD-04-0173A

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER**

(Letter of Reprimand)

7 The Arizona Medical Board ("Board") considered this matter at its public meeting on
8 February 9, 2006. Shahid Malik, M.D., ("Respondent") appeared before the Board without legal
9 counsel for a formal interview pursuant to the authority vested in the Board by A.R.S. § 32-
10 1451(H). The Board voted to issue the following Findings of Fact, Conclusions of Law and Order
11 after due consideration of the facts and law applicable to this matter.

12 **FINDINGS OF FACT**

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

15 2. Respondent is the holder of License No. 31690 for the practice of allopathic
16 medicine in the State of Arizona.

17 3. The Board initiated case number MD-04-0173A after receiving a complaint from a
18 pharmacy that Respondent had prescribed controlled substances to an immediate family member
19 ("FM"). The complaint alleged Respondent phoned in a prescription for FM on February 5, 2004
20 and the pharmacist refused to fill the prescription after she determined Respondent had
21 prescribed to FM on thirteen other occasions from September 1, 2003 to February 11, 2004.
22 During an investigative interview with Board Staff Respondent admitted to prescribing Vicodin
23 and Klonopin as well as other medications to FM during the period alleged by the pharmacist.
24 Respondent stated he prescribed the medications because FM was in Rhode Island and he had
25 moved to Kingman, Arizona and the health insurance permitted FM to be treated only in Arizona.

1 FM's Rhode Island physician had retired and FM had no other physician. Respondent admitted
2 he had no medical record for FM.

3 4. The Board asked Respondent where he was currently practicing. Respondent
4 testified he was practicing in Las Vegas, Nevada after moving there from Arizona in December
5 2005. Respondent testified prior to that he practiced in Rhode Island for ten years. The Board
6 asked Respondent if he was familiar with the Arizona Medical Practice Act when he was licensed
7 in Arizona. Respondent testified he was not. The Board asked if Respondent was familiar with
8 the Nevada statutes. Respondent testified he knew a little about them. The Board noted
9 Respondent had undergone an internship, two residencies, and two fellowships in the course of
10 his training and asked if he was ever told during this training that he needed to be aware of the
11 laws of the state in which he practiced. Respondent testified he never read the statute that said
12 prescribing to a family member is prohibited and he unknowingly did so.

13 5. The Board asked Respondent if he treated FM as a patient in Rhode Island.
14 Respondent testified FM was never his patient and he did it as a matter of location and the
15 insurance coverage. Respondent testified he never wrote a prescription and gave it to FM. The
16 Board noted in his investigational interview with Board Staff, Respondent stated FM was never
17 his patient, except for the time when FM was in Rhode Island and he was in Arizona.
18 Respondent testified he took care of FM's medication, but did not regard FM as his patient. The
19 Board noted if a physician prescribes medication for a person it would seem the person would be
20 the physician's patient. The Board asked Respondent if it was his practice to prescribe
21 medication to a person when he does not have a doctor-patient relationship. Respondent
22 testified it was not.

23 6. The Board asked Respondent how many times he prescribed for FM. Respondent
24 testified he called in the one prescription for Vicodin when FM was in Rhode Island and he was in
25 Kingman and FM had a flare-up. Respondent testified it was this one week supply that the

1 Respondent is further notified that the filing of a motion for rehearing or review is required
2 to preserve any rights of appeal to the Superior Court.

3 DATED this 6th day of April, 2006.



4 THE ARIZONA MEDICAL BOARD

5
6
7 By *Timothy C. Miller*
8 TIMOTHY C. MILLER, J.D.
Executive Director

9 ORIGINAL of the foregoing filed this
10 7th day of April, 2006 with:

11 Arizona Medical Board
12 9545 East Doubletree Ranch Road
13 Scottsdale, Arizona 85258

14 Executed copy of the foregoing
15 mailed by U.S. Mail this
16 7th day of April, 2006, to:

17 Shadid Malik, M.D.
18 Address of Record

19
20
21
22
23
24
25
Lia McGraw

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

DATED this 13th day of June, 2006.



ARIZONA MEDICAL BOARD

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

ORIGINAL of the foregoing filed this
13th day of June, 2006 with:

The Arizona Medical Board
9545 East Doubletree Ranch Road
Scottsdale, Arizona 85258

Executed copy of the foregoing
mailed by U.S. Certified Mail this
13th day of June, 2006, to:

Shahid P. Malik, M.D.
Address of Record

Shahid P. Malik