

STATE OF RHODE ISLAND
DEPARTMENT OF HEALTH
BOARD OF MEDICAL LICENSURE AND
DISCIPLINE

No. C08-446

IN THE MATTER OF JIBRAN KHAN, M.D.
License Number MD 09516

CONSENT ORDER OF VOLUNTARY SURRENDER

The Board of Medical Licensure and Discipline (hereinafter referred to as the "Board") received notice that the Respondent engaged in illegal prescription writing practices. This matter was referred to an investigating committee of the Board. The findings of fact and conclusions of law are set forth below.

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

1. The Respondent came to the attention of the Board of Medical Licensure and Discipline through a pharmacist after a pharmacy technician recognized the Respondent as being a physician in the local community. The Respondent presented prescriptions using a fictitious name. The pharmacy technician notified the pharmacist who made inquiries at the Board of Pharmacy and the Board of Medical Licensure and Discipline. In turn, the Board alerted the United States Food and Drug Administration Office of Criminal Investigation, Rhode Island Task Force.
2. Task force agents interviewed the Respondent who confessed to writing the fraudulent prescriptions for fentanyl patches using two separate pharmacies and two different names. Additionally, Respondent admitted to taking narcotic medications from certain patients for personal use.

3. Respondent was charged by Woonsocket Police with two felony counts of possession of controlled substances in violation of the Food Drug and Cosmetic Act and the Uniform Controlled Substances Act.
4. The Respondent has violated the provisions of RIGL § 5-37-5 (26) for unprofessional conduct for violating the provisions of state and federal law related to controlled substances.

The parties agree as follows:

- (a) Respondent is a physician licensed and doing business under and by virtue of the Laws of the State of Rhode Island, allopathic license number, MD 09516;
- (b) Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board;
- (c) Respondent has read this Consent Order and understands that it is a proposal of an Investigating Committee of the Board and is subject to the final approval of the Board. This Consent Order is not binding on Respondent until final ratification by the Board.
- (d) Respondent hereby acknowledges and waives:
 - (1) The right to appear personally or by counsel or both before the Board;
 - (2) The right to produce witnesses and evidence in his behalf at a hearing;
 - (3) The right to cross-examine witnesses;
 - (4) The right to have subpoenas issued by the Board;

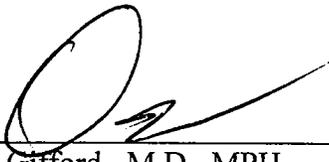
- (5) The right to further procedural steps except for those specifically contained herein;
- (6) Any and all rights of appeal of this Consent Order;
- (7) Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
- (8) Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to review adequately this Consent Order;
- (9) Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order. The signing of this Consent Order is for settlement purposes only.
- (10) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and by the Board.
- (11) Respondent agrees to surrender his license to practice medicine and enter a residential treatment facility for evaluation and treatment of narcotic prescriptions. Additionally, Respondent agrees to enter into a five year monitoring agreement with the Board and the Physician Health Committee of the Rhode Island Medical Society.
- (12) Respondent shall provide the Board with the details of his practice coverage arrangements.
- (13) Upon completion of the evaluation and with the support of the physician health committee, Respondent may apply for reinstatement

subject to any monitoring agreement that the Board, the Physician
Health Committee or medical evaluators may recommend or require.



Jibrán Khan, MD

Ratified by the Board of Medical Licensure and Discipline at a meeting held
on Aug 13th, 2008



David R. Gifford, M.D., MPH
Director of Health