

1 BEFORE THE ARIZONA MEDICAL BOARD

2 In the Matter of

3 **USMAN C. RAMZAN, M.D.**

4 Holder of License No. 41233
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

Case No. MD-17-0398A

**ORDER FOR PROBATION; AND
CONSENT TO THE SAME**

7 Usman C. Ramzan, M.D. ("Respondent") elects to permanently waive any right to a
8 hearing and appeal with respect to this Order for Probation; admits the jurisdiction of the
9 Arizona Medical Board ("Board"); and consents to the entry of this Order by the Board.

10 **FINDINGS OF FACT**

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

13 2. Respondent is the holder of license number 41233 for the practice of
14 allopathic medicine in the State of Arizona.

15 3. The Board initiated case number MD-17-0398A after receiving a Disciplinary
16 Action Report generated by the Federation of State Medical Boards stating that the
17 Healthcare Quality and Safety Division of the Connecticut Department of Public Health
18 ("Connecticut Board") summarily suspended Respondent's Connecticut medical license on
19 March 28, 2017 based on information received by the Connecticut Board that Respondent
20 may have a substance use disorder.

21 4. On May 15, 2017, Respondent entered into an Interim Consent Agreement
22 for Practice Restriction with the Board.

23 5. On December 19, 2017, the Connecticut Board issued a Consent Order
24 placing Respondent's Connecticut medical license on probation for a period of five years.

25 A copy of the Consent Order is attached as Exhibit 1 and incorporated herein.

1 CONCLUSIONS OF LAW

2 a. The Board possesses jurisdiction over the subject matter hereof and over
3 Respondent.

4 b. The conduct and circumstances described above constitute unprofessional
5 conduct pursuant to A.R.S. § 32-1401(27)(o) ("Action that is taken against a doctor of
6 medicine by another licensing or regulatory jurisdiction due to that doctor's mental or
7 physical inability to engage safely in the practice of medicine, the doctor's medical
8 incompetence or for unprofessional conduct as defined by that jurisdiction and that
9 corresponds directly or indirectly to an act of unprofessional conduct prescribed by this
10 paragraph. The action taken may include refusing, denying, revoking or suspending a
11 license by that jurisdiction or a surrendering of a license to that jurisdiction, otherwise
12 limiting, restricting or monitoring a licensee by that jurisdiction or placing a licensee on
13 probation by that jurisdiction.").

14 ORDER

15 IT IS HEREBY ORDERED THAT:

16 1. Respondent is placed on Probation for a period of 5 years¹ with the following
17 terms and conditions:

18 a. Compliance with Connecticut Consent Order

19 Respondent shall remain in compliance with the terms and conditions of the
20 Consent Order. Respondent shall immediately provide the Connecticut Board with a copy
21 of this Order and cause the Connecticut Board or its designee to provide written quarterly
22 reports to Board staff regarding Respondent's compliance with the Consent Order.
23 Respondent shall execute any and all authorizations necessary to allow the Connecticut
24

25 _____
¹ Respondent's probation shall be retroactive to December 19, 2017.

1 Board to communicate directly with Board staff regarding Respondent's compliance with
2 the Consent Order including immediately communicating to the Board any concerns
3 regarding Respondent's safety to practice medicine. Respondent shall immediately notify
4 Board staff if Respondent is non-compliant with any aspect of monitoring requirements of
5 the Consent Order. Respondent shall be responsible for all costs related to the Consent
6 Order and any costs related to the preparation of the quarterly reports.

7 If requested by the Connecticut Board or if Respondent engages in the practice of
8 medicine in Arizona, Respondent shall promptly enroll in Arizona's Physician Health
9 Program ("PHP") and comply with any and all recommendations made by the PHP
10 Contractor. Respondent shall notify the Board's Executive Director no less than 30 days
11 prior to engaging in the practice of medicine in Arizona.

12 Any violation of the Consent Order will be deemed non-compliance with this Order.

13 **b. Obey All Laws**

14 Respondent shall obey all state, federal and local laws, all rules governing the
15 practice of medicine in Arizona, and remain in full compliance with any court ordered
16 criminal probation, payments and other orders.

17 **c. Probation Termination**

18 Prior to the termination of Probation, Respondent must submit a written
19 request to the Board for release from the terms of this Order. Respondent's request for
20 release will be placed on the next pending Board agenda, provided a complete submission
21 is received by Board staff no less than 30 days prior to the Board meeting. Respondent's
22 request for release must provide the Board with evidence establishing that he has
23 successfully satisfied all of the terms and conditions of the Consent Order. The Board has
24 the sole discretion to determine whether all of the terms and conditions of this Order have
25

1 been met or whether to take any other action that is consistent with its statutory and
2 regulatory authority.

3 2. The Board retains jurisdiction and may initiate new action against
4 Respondent based upon any violation of this Order. A.R.S. § 32-1401(27)(r).

5 DATED AND EFFECTIVE this 16th day of April, 2018.
6

7 ARIZONA MEDICAL BOARD

8 By Patricia E. McSorley
9 Patricia E. McSorley
10 Executive Director

11 **CONSENT TO ENTRY OF ORDER**

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

15 2. Respondent acknowledges and agrees that this Order is entered into freely
16 and voluntarily and that no promise was made or coercion used to induce such entry.

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

21 4. The Order is not effective until approved by the Board and signed by its
22 Executive Director.

23 5. All admissions made by Respondent are solely for final disposition of this
24 matter and any subsequent related administrative proceedings or civil litigation involving
25 the Board and Respondent. Therefore, said admissions by Respondent are not intended
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 6. Upon signing this agreement, and returning this document (or a copy thereof)
4 to the Board's Executive Director, Respondent may not revoke the consent to the entry of
5 the Order. 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 7. This Order is a public record that will be publicly disseminated as a formal
9 disciplinary action of the Board and will be reported to the National Practitioner's Data
10 Bank and on the Board's web site as a disciplinary action.

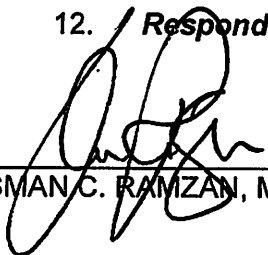
11 8. If any part of the Order is later declared void or otherwise unenforceable, the
12 remainder of the Order in its entirety shall remain in force and effect.

13 9. If the Board does not adopt this Order, Respondent will not assert as a
14 defense that the Board's consideration of the Order constitutes bias, prejudice,
15 prejudgment or other similar defense.

16 10. Any violation of this Order constitutes unprofessional conduct and may result
17 in disciplinary action. A.R.S. § § 32-1401(27)(r) ("[v]iolating a formal order, probation,
18 consent agreement or stipulation issued or entered into by the board or its executive
19 director under this chapter.") and 32-1451.

20 11. Respondent acknowledges that, pursuant to A.R.S. § 32-2501(16), he
21 cannot act as a supervising physician for a physician assistant while his license is on
22 probation.

23 12. *Respondent has read and understands the conditions of probation.*

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USMAN C. RAMZAN, M.D.

DATED: 3/3/18

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EXECUTED COPY of the foregoing mailed
this 16th day of April, 2018 to:

Usman C. Ramzan, M.D.
Address of Record

ORIGINAL of the foregoing filed
this 16th day of April, 2018 with:

Arizona Medical Board
1740 West Adams Street, Suite 4000
Phoenix, Arizona 85007

Mary Bobes
Board staff

Exhibit 1

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Usman Ramzan, M.D.

Petition No. 2016-1237

CONSENT ORDER

WHEREAS, Usman Ramzan, M.D., of Northford, Connecticut (hereinafter "respondent") has been issued license number 044658 to practice as a physician and surgeon by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 370 of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges that:

1. Prior to, and including, 2016, respondent has abused and/or used alcohol to excess. Respondent's excessive use and/or abuse of alcohol does and/or may affect his ability to practice medicine safely and effectively.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-13c, including, but not limited to, §20-13c(3).

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest this matter and agrees that for purposes of this or any future proceedings before the Connecticut Medical Examining Board (hereinafter "the Board"), this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and 20-13c of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-13c of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives his right to a hearing on the merits of this matter.
2. Respondent's license shall be placed on probation for a period of five years under the following terms and conditions:
 - a. Respondent shall participate in regularly scheduled therapy at his own expense with a licensed psychiatrist or psychologist pre-approved by the Department (hereinafter "therapist").
 - (1) Respondent shall provide a copy of this Consent Order to his therapist.

- (2) Respondent's therapist shall furnish written confirmation to the Department of his or her engagement in that capacity and receipt of a copy of this Consent Order within fifteen (15) days of the effective date of this Consent Order.
 - (3) If the therapist determines that therapy is no longer necessary, that a reduction in frequency of therapy sessions is warranted, or that respondent should be transferred to another therapist, the therapist shall advise the Department, and the Department shall pre-approve said termination of therapy, reduction in frequency of therapy sessions, and/or respondent's transfer to another therapist.
 - (4) The therapist shall submit reports monthly for the first two years of probation and quarterly for the remainder of probation, which shall address, but not necessarily be limited to, respondent's ability to practice as a physician and surgeon in an alcohol and substance free state and safely and competently. Said reports shall continue until the therapist determines that therapy is no longer necessary or the period of probation has terminated.
 - (5) The therapist shall immediately notify the Department in writing if the therapist believes respondent's continued practice poses a danger to the public, or if respondent discontinues therapy and/or terminates his or her services.
- b. Respondent shall refrain from the ingestion of alcohol in any form and the ingestion, inhalation, injection or other use of any controlled substance and/or legend drug unless prescribed or recommended for a legitimate therapeutic purpose by a licensed health care professional authorized to prescribe medications. Respondent shall inform said licensed health care professional of respondent's substance abuse history. In the event a medical condition arises requiring treatment utilizing controlled substances, legend drugs, or alcohol in any form, respondent shall notify the Department and, upon request, provide such written documentation of the treatment as is deemed necessary by the Department.
- (1) During the first two years of the probationary period, respondent at his own expense, shall submit to random observed urine screens for alcohol, controlled substances, and legend drugs twice each week; in accordance with Department Requirements for Drug and Alcohol Screens, attached hereto marked as 'Attachment A: Department Requirements for Drug and Alcohol

Screens'; during the third year, he shall submit to such screens once per week, and during the fourth and fifth years, he shall submit to such screens once every two weeks. Respondent shall submit to such screens on a more frequent basis if requested to do so by the therapist or the Department. Said screens shall be administered by a facility approved by the Department. All such random screens shall be legally defensible in that the specimen donor and chain of custody shall be identified throughout the screening process. All laboratory reports shall state that the chain of custody procedure has been followed.

- (2) Laboratory reports of random alcohol and drug screens shall be submitted directly to the Board and the Department by the testing laboratory. All such screens shall be negative for alcohol, controlled substances, and legend drugs, except for medications prescribed by respondent's physician. Respondent agrees that an EtG (Ethyl Glucuronide) test report of EtG at a level of 1000ng/mL or higher shall be deemed to constitute a positive screen for the presence of alcohol under this Consent Order. If respondent has a positive urine screen, the facility shall immediately notify the Department. All positive random drug and alcohol screens shall be confirmed by gas chromatograph/mass spectrometer testing.
- (3) Respondent understands and agrees that if he fails to submit a urine sample when requested by his monitor, such missed screen shall be deemed a positive screen.
- (4) Respondent shall notify each of his health care professionals of all medications prescribed for him by any and all other health care professionals.
- (5) Respondent is hereby advised that the ingestion of poppy seeds, mouthwash and over the counter cough or cold medicines or remedies has from time to time, been raised as a defense to a positive screen result for morphine, opiates and/or alcohol. For that reason, respondent agrees to refrain from ingesting poppy seeds in any food substances, mouthwash and over the counter cough or cold medicines or remedies during the term of this Consent Order. In the event respondent has a positive screen for morphine, opiates and/or alcohol or EtG test report at a level of 1000ng/mL or higher, respondent agrees that the

ingestion of poppy seeds and/or mouthwash and/or over the counter cough or cold medicines or remedies shall not constitute a defense to such a screen.

- c. Respondent shall attend "anonymous" or support group meetings on an average of ten times per month, and shall provide quarterly reports to the Department concerning his record of attendance.
 - d. Respondent shall provide his chief of service or employer at any hospital, clinic, facility, partnership and/or association at which he is employed or with which he is affiliated at each place where respondent practices as a physician and surgeon (hereinafter, collectively "employer") throughout the probationary period with a copy of this Consent Order within fifteen (15) days of its effective date, or within fifteen (15) days of commencement of employment at a new facility. Respondent agrees to provide reports from such employer quarterly for the entire period of probation, stating that respondent is practicing with reasonable skill and safety and in an alcohol and substance-free state.
 - e. During the period of probation, respondent's may only practice medicine in an office and practice setting that physically includes other licensed physicians on-site while respondent is practicing medicine.
3. All correspondence and reports are to be addressed to:
- Lavita Sookram, R.N., Nurse Consultant
Practitioner Compliance and Monitoring Unit
Department of Public Health
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308
4. All reports required by the terms of this Consent Order shall be due according to a schedule to be established by the Department of Public Health.
 5. Respondent shall comply with all state and federal statutes and regulations applicable to his licensure.
 6. Respondent shall pay all costs necessary to comply with this Consent Order.
 7. Any alleged violation of any provision of this Consent Order may result in the following procedures at the discretion of the Department:
 - a. The Department shall notify respondent in writing by first-class mail that the term(s) of this Consent Order have been violated, provided that no prior written consent for deviation from said term(s) has been granted.

- b. Said notification shall include the acts or omission(s) which violate the term(s) of this Consent Order.
 - c. Respondent shall be allowed fifteen (15) days from the date of the mailing of notification required in paragraph 7.a. above to demonstrate to the satisfaction of the Department that he has complied with the terms of this Consent Order or, in the alternative, that he has cured the violation in question.
 - d. If respondent does not demonstrate compliance or cure the violation within the fifteen (15) days specified in the notification of violation to the satisfaction of the Department, he shall be entitled to a hearing before the Board which shall make a final determination of the disciplinary action to be taken.
 - e. Evidence presented to the Board by either the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Consent Order.
8. If, during the period of probation, respondent practices as a physician and surgeon outside Connecticut, he shall provide written notice to the Department concerning such employment. During such time period, respondent shall not be responsible for complying with the terms of probation of this Consent Order, and such time period shall not be counted in reducing the probationary period covered by this Consent Order. Respondent may comply with the terms of probation while practicing outside Connecticut if pre-approved by the Department. In the event respondent intends to return to practice as a physician and surgeon in Connecticut, respondent shall provide the Department with thirty (30) days prior written notice and agrees to comply with all terms and conditions contained in paragraphs 3 and 4 above.
9. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of his license before the Board.
10. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Practitioner Licensing and Investigations Section of the Healthcare Quality and Safety Branch of the Department.
11. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Board.
12. This Consent Order is a public document. Respondent agrees and the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent


proceeding before the Board in which his compliance with this Consent Order or with §20-13c of the General Statutes of Connecticut, as amended, is at issue. Further, respondent understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank maintained by the United States Department of Health and Human Service and that all disciplinary actions will appear on his physician profile pursuant to Connecticut General Statutes 20-13j.

13. In the event respondent violates a term of this Consent Order, respondent agrees to immediately refrain from practicing as a physician and surgeon, upon request by the Department, for a period not to exceed 45 days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation, and to submit to and complete a medical, psychiatric or substance abuse evaluation, if requested to do so by the Department; and, that the results of the evaluation shall be submitted directly to the Department. Respondent further agrees that failure to cooperate with the Department in its investigation during said 45 day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that failure to cooperate with the Department's investigation shall be considered by the Board and shall, as a matter of law, constitute a clear and immediate danger as required pursuant to Connecticut General Statutes, sections 4-182(c) and 19a-17(c). The Department and respondent understand that the Board has complete and final discretion as to whether a summary suspension is ordered.
14. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department from taking action at a later time. The Department shall not be required to grant future extensions of time or grace periods.
15. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent understands that this Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure boards. Respondent assumes all responsibility for assessing such actions prior to the execution of this document. Further, this Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive

respondent of any rights that he may have under the laws of the State of Connecticut or of the United States.

16. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
17. Respondent permits a representative of the Department to present this Consent Order and the factual basis for this Consent Order to the Board. Respondent understands that the Board has complete and final discretion as to whether this executed Consent Order is approved or accepted. Respondent hereby waives any claim of error that could be raised that is related to or arises during the course of the Board's discussions regarding whether to approve or reject this Consent Order and/or a Board member's participation during this process, through the Board member's review or comments, including but not limited to bias or reliance on evidence outside the administrative record if this matter proceeds to a hearing on a statement of charges resulting in a proposed decision by the Board and/or a panel of the Board and a final decision by the Board.
18. Respondent understands and agrees that he is responsible for satisfying all of the terms of this Consent Order during vacations and other periods in which he is away from his residence.
19. Respondent has the right to consult with an attorney prior to signing this document.
20. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the State's Attorney's Office where the allegation occurred or Bureau Chief of the applicable unit in the Chief State's Attorney's Office. The purpose of this Consent Order is to resolve the pending administrative license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense.
21. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.


I, Usman Ramzan, M.D., have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.



Usman Ramzan, M.D.


Subscribed and sworn to before me this 15 day of November 2017.





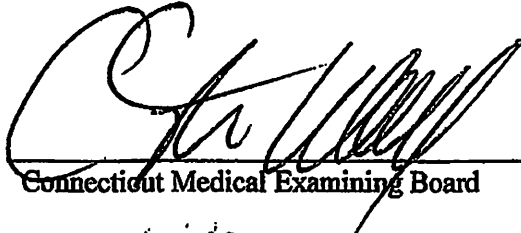
Notary Public or person authorized
by law to administer an oath or affirmation
Claudia V. Frias Dulud

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 18th day of November 2017, it is hereby accepted. CA



Christian Andresen, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

The above Consent Order having been presented to the duly appointed agent of the Connecticut Medical Examining Board on the 19th day of December 2017, it is hereby ordered and accepted.



Connecticut Medical Examining Board