FILED

APR 17 2015

KS State Board of Healing Arts

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of	)	
MUHAMMED AKRAM, P.A.	)	
	)	**KSBHA Docket No.15-HA00073**
Applicant for Kansas License	)	
	)	

FINAL ORDER DENYING REINSTATEMENT OF LICENSURE

NOW on this 10th day of April 2015, comes before the Kansas State Board of Healing Arts ("Board") the application of Muhammed Akram, P.A. ("Applicant") for reinstatement of his license to practice as a physician assistant in the State of Kansas. Applicant appears in person and by and through counsel James T. McIntyre of the Law Offices of James T. McIntyre. Jessica A. Bryson, Associate Litigation Counsel, appears on behalf of the Respondent Board.

Pursuant to the authority granted to the Board by K.S.A. 65-28a01 *et seq.* and in accordance with the provisions of the Kansas Administrative Procedure Act K.S.A. 77-501 *et seq.*, the Board hereby enters this Final Order in the above-captioned matter. After reviewing the agency record, hearing the statements and arguments of the parties, and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order:

1. Applicant was previously licensed to engage in the practice as a physician assistant in the State of Kansas, having been issued License No. 15-01015 on approximately April 23, 2005. His license was cancelled for failure to renew on January 1, 2013.

2. On or about November 4, 2013, Applicant submitted an application for reinstatement of his Kansas license to practice as a physician assistant. Such was application deemed complete and filed with the Board on February 26, 2015.

3. On or about March 10, 2015, Associate Litigation Counsel filed a Response in Opposition to Application to Reinstate License to Practice as a Physician Assistant ("Response"). The allegations contained in the Response are incorporated by reference herein.

4. The Board finds that Applicant plead guilty to three felony offenses on or about September 10, 2011. These offenses were Conspiracy to Defraud the U.S. Department of Agriculture, Food Stamp Fraud, and Wire Fraud.

5. The Board finds that on or about December 28, 2011, Applicant answered "no" on his renewal application to the question that asked if he had been arrested, charged or convicted of any felony in the last twelve months.

6. The Board finds that on or about September 28, 2011, Applicant was terminated from his position as a physician assistant at Galichia Heart Hospital in Wichita due to his felony convictions which were a violation of the code of conduct.

7. The Board finds that on or about December 28, 2011, Applicant answered "no" on his renewal application to the question that asked whether any action had been taken against his privileges related to his profession as a healthcare provider.

8. The Board further finds that as a result of Applicant's "no" answers on his application for renewal, Applicant's license was renewed for the period of January 1, 2012 to December 31, 2012.

9. The Board finds that on or about December 7, 2011, Applicant was sentenced to serve eighteen (18) months imprisonment and three (3) years of supervised release. Applicant served his sentence of imprisonment from July 24, 2012 to August 21, 2013.

10. The Board finds that Applicant benefited financially from his crimes. The Board further finds that Applicant was dishonest in answering the renewal application questions when

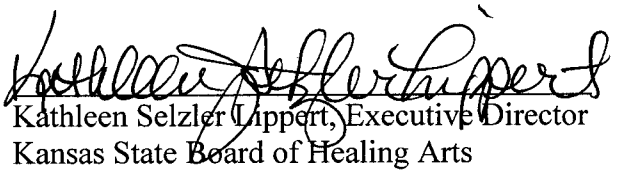
he failed to answer "yes" to the questions regarding prior felony convictions and his termination from Galichia Heart Hospital.

11. The Board concludes that Applicant violated K.S.A. 65-28a05(d), in that he has been convicted of a felony offense.

12. The Board further concludes that Applicant violated K.S.A. 65-28a05(a), as further defined by K.A.R. 100-28a-8(b) and K.S.A. 65-28a05(b), in that Applicant obtained his license for the renewal period of January 1, 2012 to December 31, 2012, by means of fraud, misrepresentation, or concealment or material facts.

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that Applicant's application for reinstatement of license to practice as a physician assistant in the State of Kansas is hereby **DENIED.**

IT IS SO ORDERED THIS 17 DAY OF APRIL, 2015, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



Kathleen Selzler Lippert, Executive Director
Kansas State Board of Healing Arts

NOTICE OF RIGHTS

PLEASE TAKE NOTICE that this is a Final Order. A Final Order is effective upon service, and service of a Final Order is complete upon mailing. Pursuant to K.S.A. 77-529, Licensee may petition the Board for Reconsideration of a Final Order within fifteen (15) days following service of the final order. Additionally, a party to an agency proceeding may seek judicial review of a Final Order by filing a petition in the District Court, as authorized by K.S.A. 77-601, *et seq.* Reconsideration of a Final Order is not a prerequisite to judicial review. A petition for judicial review is not timely unless filed within **30 days** following service of the Final Order. A copy of any petition for judicial review must be served upon Kathleen Selzler Lippert, the Board's Executive Director, at 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I, hereby certify that a true copy of the foregoing **FINAL ORDER DENYING REINSTATEMENT OF LICENSURE** was served this 17th day of April, 2015 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Muhammed Akram, P.A.
Confidential
Wichita, KS 67226

James T. McIntyre
Law Offices of James T. McIntyre
6235 W. Kellogg Drive
Wichita, KS 67209

And a copy was hand-delivered to:

Jessica A. Bryson, Associate Litigation Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Katy Lenahan, Licensing Administrator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

And the original was filed with the office of:

Kathleen Selzler Lippert, Executive Director
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

for Cathy Brown, Executive Assistant