

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **MUHAMMAD J. AKHTAR, M.D**

4 Holder of License No. 10007
5 For the Practice of Medicine
6 In the State of Arizona.

Case No. MD-16-1314A, MD-17-0087A

**ORDER FOR SURRENDER
OF LICENSE AND CONSENT
TO THE SAME**

7 Muhammad J. Akhtar, M.D. ("Respondent") elects to permanently waive any right to
8 a hearing and appeal with respect to this Order for Surrender of License; admits the
9 jurisdiction of the Arizona Medical Board ("Board") as well as the facts stated herein; and
10 consents to the entry of this Order by the Board.

11 **FINDINGS OF FACT**

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

14 2. Respondent is the holder of license number 10007 for the practice of
15 allopathic medicine in the State of Arizona.

16 **MD-16-1314A**

17 3. The Board initiated case number MD-16-1314A after receiving a quality of
18 care complaint regarding Respondent's care and treatment of a 55 year-old female
19 patient. Based on the complaint, Board staff requested Medical Consultant ("MC") review
20 of the patient at issue.

21 4. The MC opined that Respondent met the standard of care with regard to his
22 treatment of the patient at issue. However, the MC noted that Respondent failed to
23 complete a consultation report documenting the treatment plan or intent.

24 **MD-17-0087A**

25 5. The Board initiated case number MD-17-0087A after receiving a complaint
from a Hospital alleging that on or about January 21, 2017, Respondent appeared to be

1 impaired and was unable to give appropriate orders to a patient that could have led to
2 compromised care. Respondent was also observed to have slurred speech and unsteady
3 gait. Respondent refused to submit for drug testing, and the Hospital subsequently
4 summarily suspended his privileges.

5 6. Effective January 27, 2017 Respondent entered into an Interim Consent
6 Agreement for Practice Agreement prohibiting him from practicing medicine, and requiring
7 him to complete a health assessment by the Board's Physician Health Program ("PHP")
8 and comply with all evaluation or treatment recommendations.

9 7. Respondent subsequently completed evaluations with Board-approved
10 providers where treatment recommendations were made; however, Respondent failed to
11 comply with all recommendations for treatment.

12 8. A Medical Consultant ("MC") who reviewed Respondent's care and treatment
13 of a Hospital patient on January 20, 2017 identified a deviation from the standard of care,
14 namely that Respondent failed to further evaluate a patient's complaint of severe chest
15 pain resulted in a delay in diagnosis of stent occlusions and ongoing cardiac damage.

16 9. Respondent denies taking controlled substances without a prescription and
17 denies that his conduct endangered patient safety; but admits that he has a health
18 condition that may impair his ability to safely practice medicine and has retired from the
19 practice of medicine. Respondent requests surrender of his license.

20 CONCLUSIONS OF LAW

21 1. The Board possesses jurisdiction over the subject matter hereof and over
22 Respondent.

23 2. The conduct and circumstances described in MD-16-1314A above constitute
24 unprofessional conduct pursuant to A.R.S. § 32-1401(27)(e) ("Failing or refusing to
25 maintain adequate records on a patient.").

1 3. The conduct and circumstances described in MD-17-0087A above constitute
2 unprofessional conduct pursuant to A.R.S. § 32-1401(27)(s) ("Violating a formal order,
3 probation, consent agreement or stipulation issued or entered into by the board or its
4 executive director under this chapter.").

5 4. The Board possesses statutory authority to enter into a consent agreement
6 with a physician and accept the surrender of an active license from a physician who
7 admits to having committed an act of unprofessional conduct. A.R.S. § 32-1451(T)(2).
8

9 **ORDER**

10 IT IS HEREBY ORDERED THAT Respondent immediately surrender License
11 Number 10007, issued to Muhammad J. Akhtar, M.D., for the practice of allopathic
12 medicine in the State of Arizona, and return his certificate of licensure to the Board.

13 DATED and effective this 12th day of November, 2021.

14
15 ARIZONA MEDICAL BOARD

16 By: Patricia E. McSorley
17 Patricia E. McSorley
18 Executive Director

19 **CONSENT TO ENTRY OF ORDER**

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

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

25 3. By consenting to this Order, Respondent voluntarily relinquishes any rights
to a hearing or judicial review in state or federal court on the matters alleged, or to

1 challenge this Order in its entirety as issued by the Board, and waives any other cause of
2 action related thereto or arising from said Order.

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

5 5. All admissions made by Respondent in this Order are solely for final
6 disposition of this matter and any subsequent related administrative proceedings or civil
7 litigation involving the Board and Respondent. Therefore, said admissions by Respondent
8 are not intended or made for any other use, such as in the context of another state or
9 federal government regulatory agency proceeding, civil or criminal court proceeding, in the
10 State of Arizona or any other state or federal court.

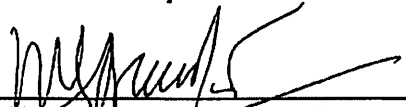
11 6. Notwithstanding any language in this Order, this Order does not preclude in
12 any way any other State agency or officer or political subdivision of this state from
13 instituting proceedings, investigating claims, or taking legal action as may be appropriate
14 now or in the future relating to this matter or other matters concerning Respondent,
15 including but not limited to, violations of Arizona's Consumer Fraud Act. Respondent
16 acknowledges that, other than with respect to the Board, this Order makes no
17 representations, implied or otherwise, about the views or intended actions of any other
18 state agency or officer or political subdivisions of the State relating to this matter or other
19 matters concerning Respondent.

20 7. Upon signing this agreement, and returning this document (or a copy
21 thereof) to the Board's Executive Director, Respondent may not revoke the consent to the
22 entry of the Order. Respondent may not make any modifications to the document. Any
23 modifications to this original document are ineffective and void unless mutually approved
24 by the parties.

1 8. This Order is a public record that will be publicly disseminated as a formal
2 disciplinary action of the Board and will be reported to the National Practitioner's Data
3 Bank and on the Board's web site as a disciplinary action.

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

7 10. *Respondent has read and understands the terms of this agreement.*

8 
9 _____
10 MUHAMMAD J. AKHTAR, M.D.


Dated: Oct 25, 2021

11 EXECUTED COPY of the foregoing mailed by
12 US Mail this 12th day of November, 2021 to:

13 Douglas O. Guffey, Esq.
14 Jaburg Wilk
15 3200 North Central Avenue, Suite 2000
16 Phoenix, Arizona 85012
17 Attorney for Respondent

18 ORIGINAL of the foregoing filed this
19 12th day of November, 2021 with:

20 The Arizona Medical Board
21 1740 West Adams, Suite 4000
22 Phoenix, Arizona 85007

23 
24 _____
25 Board staff