

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

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IN THE MATTER OF THE APPLICATION  
FOR SOUTH DAKOTA MEDICAL  
LICENSURE SUBMITTED BY  
AHMED A.M. ZAZA, MD

FINDINGS OF FACT AND  
CONCLUSIONS OF LAW

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WHEREAS, the investigative review panel of the South Dakota Board of Medical and Osteopathic Examiners having performed due diligence with regard to the application of Ahmed A.M. Zaza MD, for licensure, and the South Dakota Board of Medical and Osteopathic Examiners, being fully advised of the premises, hereby makes and enters its:

**FINDINGS OF FACT**

1. Ahmed A.M. Zaza, MD, hereinafter called Applicant, signed and submitted his initial application for licensure. He provided affirmative answers on the application, and provided an explanation that during the course of his PET fellowship, allegations of domestic violence were made against him. The hospital owned the building where the applicant resided, and the alleged domestic violence took place at this residence. The hospital administration suspended his privileges without pay for two weeks, pending court proceedings, and the suspension was reported to the New York State Department of Health.
2. Applicant reported that during the court proceedings the allegations were unsubstantiated and he was reinstated back to full clinical, academic and research duties and full privileges and he received his pay for the two weeks of suspension.
3. Board staff sent Applicant a letter informing him that he was under investigation, and requesting that he contact all the pertinent agencies and authorize them to send copies of all the documents and the results of the psychiatric screening required by the hospital to the Board office.
4. Applicant responded and informed the Board staff that he did not believe he could authorize the pertinent agencies to send the documents to the Board, and he instructed the Board staff to "feel free" to contact each agency to request the records and documents.
5. Applicant was sent a letter requesting that he meet in person with member of the Board's Investigative Review Panel. The applicant informed the Board staff that he did not plan to travel in the months of May, June or July so it would be difficult to attend a meeting.
6. Applicant was informed that the Investigative Review Panel would like to bring closure to the investigation, and another request with another date for a meeting was offered.

7. Applicant informed the Board that he no longer was needed for the position in South Dakota and asked to reschedule the meeting.
8. The Investigative Review Panel and the applicant were not able to schedule a meeting that was mutually convenient. Applicant was sent a final letter offering five (5) available meeting dates and informed that if Applicant did not respond to the letter within one (1) month, the application file would be permanently closed.
9. Applicant did not respond to the final letter.

### CONCLUSIONS OF LAW

1. The Board has jurisdiction over the application for licensure under the provisions of SDCL Chapter 36-4C.
2. The Applicant has the burden of proving that he is qualified, competent and is of good moral character. Applicant did not meet this burden.
3. Applicant did not authorize the pertinent agencies to sent copies of the requested documents and reports, and told the Board staff they should "feel free" to request the information and documents.
3. The Applicant was offered at least seven (7) possible dates for a meeting with the Investigative Review Panel. In responses to the Board staff, Applicant indicated that "he did not plan on traveling during the months of May, June, or July" and "he was out of the country during the month of August".
5. Applicant did not respond to the final letter.
6. The application of Dr. Ahmed A.M. Zaza is hereby considered closed for failure to cooperate with the Board's investigation.

IT IS HEREBY ORDERED that the Findings of Fact and Conclusions of Law herein are approved.

Dated this 12<sup>th</sup> day of November, 2009

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS



Robert L. Ferrell, MD  
President, SDBMOE

**THE SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS**

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IN THE MATTER OF THE INITIAL  
APPLICATION FOR A SOUTH  
DAKOTA MEDICAL LICENSE  
SUBMITTED BY  
AHMED A.M. ZAZA, MD

ORDER TO CLOSE  
APPLICATION FILE FOR  
FAILURE TO COOPERATE  
WITH THE BOARD'S  
INVESTIGATION

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The above-entitled matter having come before the South Dakota Board of Medical and Osteopathic Examiners, and the Board having been informed that an investigation was initiated by members of the Board's Investigative Review Panel due to information reported on the initial application; and that multiple meeting dates were offered to the Applicant, and he did not meet with the Panel or respond to its final request for a meeting date; and the Board being fully advised in the premises and having heretofore made and entered its Findings Of Fact And Conclusions Of Law;

IT IS THEREFORE ORDERED that the application file of Ahmed A.M. Zaza, MD, is permanently closed for failure to cooperate with the Board's investigation, and

IT IS FURTHER ORDERED that its Findings of Fact and Conclusions of Law and the Order are public documents and will be reported as the Board deems necessary, and placed in the investigative file for further investigation and consideration should the applicant submit another application for licensure in the future.

Dated this 12<sup>th</sup> day of November, 2009

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS



Robert L. Ferrell, MD  
President, SDBMOE