

BEFORE THE BOARD OF OSTEOPATHIC MEDICINE

IN THE MATTER OF:

Alan Vaughn Emamdee D.O.
License No.: A-1819-14

Case No. O-17-9-COM

Respondent.

INTERIM SETTLEMENT AGREEMENT AND ORDER ON LICENSURE

This matter having come before the New Mexico Board of Osteopathic Medicine (“the Board”) by agreement between the Prosecutor and the Respondent, Alan Emamdee D.O., through counsel, Molly Schmidt-Nowara, each having agreed to the terms set forth below, the Board being fully advised finds and orders:

1. **Jurisdiction.** Respondent is a Licensed Osteopathic Physician and is subject to the jurisdiction of the Board pursuant to The Osteopathic Medicine Act § 61-10-1 through 61-10-22 NMSA 1978, (the “Act”)
2. **Violations:** The Board voted to summarily suspend Respondent’s license to practice Osteopathic Medicine and further voted to issue an NCA in case number O-17-9-COM, on December 8th, 2017, based on the conduct contained within the charges pleaded in *State of New Mexico v Alan Emmalee*, No. D-1116-CR-2017-01042.
3. **Stipulation:** Until the criminal charges are resolved, the parties knowingly, intentionally and voluntarily agree and stipulate that the proceedings before the Board shall be stayed, all time limits shall be waived, and Respondent’s license to practice Osteopathic Medicine shall be immediately suspended.


4. **Waivers:** Respondent acknowledges, agrees and stipulates to the following waivers:
- A. Respondent waives any and all time limitations set forth in the Uniform Licensing Act (ULA), §§ 61-1-1 through 61-1-33; NMSA 1978, as amended, including but not limited to all rights to have this matter heard and the NCA issued within the time frame established in the ULA.
 - B. Respondent waives the right to have a hearing on the Summary Suspension of his license.
 - C. Respondent waives any right to assert a claim of bias or to move to excuse any Board member from the Board member's consideration of this Agreement.
 - D. Respondent's waiver of these rights is made knowingly, intentionally, and voluntarily.

ORDER

- A. Respondent's license to practice Osteopathic Medicine is suspended until further order of the Board.
- B. The NCA shall not issue until resolution of the criminal matter pursuant to the waivers agreed to above.
- C. Respondent shall comply with this suspension and shall **CEASE AND DESIST** from the practice of Osteopathic Medicine in New Mexico within three (3) business days of receipt of this order.
- D. Respondent shall return his license to the Board through certified mailing, return receipt requested within three business days of receipt of this order.

IT IS SO ORDERED.

Agreed and accepted by Respondent:



Alan Vaughn
Alan Vaughn, Esq., D. O.

12/21/17

Date

/s/ Molly Schmidt-Nowara

Molly Schmidt-Nowara, Attorney for Respondent.

12/21/17

Date

Reviewed, approved and ordered by the Board:

Chair

Date

Submitted by:

/s/ Susan Sullivan AAG 12-14-17

Administrative Prosecutor