BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

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| In the Matter of the Statement of Issues Against:<br><br>Ahmed Hassan Mohamed<br><br>Applicant. | Case No. 800-2025-116368 |

## DECISION

The attached Proposed Decision is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on February 12, 2026.

IT IS SO ORDERED January 13, 2026.

MEDICAL BOARD OF CALIFORNIA

Richard E. Thorp, M.D., Chair
Panel B

# BEFORE THE
# MEDICAL BOARD OF CALIFORNIA
# DEPARTMENT OF CONSUMER AFFAIRS
# STATE OF CALIFORNIA

## In the Matter of the Statement of Issues Against:

## AHMED HASSAN MOHAMED,

## Respondent.

## Case No. 800-2025-116368

## OAH No. 2025070312

## PROPOSED DECISION

Joseph D. Montoya, Administrative Law Judge (ALJ), Office of Administrative Hearings (OAH), State of California, heard this matter on November 20, 2025, by videoconference.

Deputy Attorney General Monica L. Dobson represented Complainant. Respondent Ahmed Hassan Mohamed appeared with his attorneys, Henry R. Fenton and Benjamin J. Fenton, Fenton Jurkowitz Law Group LLP.

Oral and documentary evidence was received. The record was closed and the matter was submitted for decision on the hearing date.

## FACTUAL FINDINGS

### The Parties and Jurisdiction

1. Complainant Reji Varghese filed and maintained the Statement of Issues (SOI) in this matter while acting in his official capacity as Executive Director of the Medical Board of California (Board).

2. Respondent submitted an application for a Physician's and Surgeon's Certificate to the Board on or about September 3, 2024 (Application).

3. The Board denied the Application by a letter sent to Respondent on February 6, 2025. The denial letter set forth the Board's grounds for denying the Application, and it notified Respondent of his right to contest the denial through an administrative hearing.

4. On February 17, 2025, Respondent's attorney submitted a written request for a hearing to contest the denial. After the SOI was served on Respondent, he submitted a timely Notice of Defense.

5. All jurisdictional requirements have been met.

### The Grounds Asserted for Denial of the Application

6. The letter denying the Application stated that grounds for denial existed "pursuant to California Business and Professions Code, Sections 480(a)(1), 2221(a), 2234, 2234(e), 2236, and 2239(a) due to your August 12, 2024, misdemeanor conviction of Vehicle Code 23103(a) per 23103.5, wet reckless driving, and for dishonest and contradictory statements made to the Board during the investigation of your arrest and conviction." (Ex. 5, p. A24.)

7. The SOI alleges five causes for denial of licensure, based on Respondent's arrest and conviction for "wet" reckless driving; an incident involving alcohol at the hospital that employed Respondent in 2022, and inconsistent statements made by Respondent to the Board pertaining to his arrest and conviction. The five causes for denial are conviction of a crime substantially related to the duties, functions, and qualifications of a physician; use of alcohol in a manner dangerous to Respondent or others; dishonest or corrupt acts; violation of the Medical Practice Act, and general unprofessional conduct.

## Respondent's Conviction for the Crime of "Wet" Reckless Driving

### THE CONVICTION

8. On August 12, 2024, Respondent was convicted of violating Vehicle Code section 23103, subdivision (a), with Vehicle Code section 23103.5, reckless driving involving alcohol, commonly known as "wet reckless" driving. Respondent's misdemeanor conviction was entered in the Superior Court of California, County of Los Angeles, pursuant to Respondent's no contest plea.

9. The court placed Respondent on summary probation for one year, with conditions that required Respondent to take a three-month alcohol education program, to pay fines, fees, penalties and assessments totaling $1,873, and to comply with other terms typical of probation grants. (Ex. 15, p. A100; testimony of Respondent.)

### THE FACTS AND CIRCUMSTANCES OF RESPONDENT'S CRIME

10. The facts and circumstances of Respondent's crime are as follows. On August 25, 2023, officers of the Los Angeles Police Department (LAPD) were

summoned by firefighters of the Los Angeles Fire Department (LAFD), who requested back-up for a driver who was suspected of driving under the influence (DUI) and who was acting in a belligerent manner. (Ex. 8, p. A47.)

11. Two LAPD officers received the LAFD radio call for assistance at approximately 11:30 a.m. When they arrived upon the scene, the police officers were directed to Respondent's location. They observed him to be unsteady on his feet, foaming at his mouth, with the odor of alcohol on his breath, and belligerent to and noncompliant with officers' direction.

12. The LAFD firefighters related to the police officers that they had been driving near downtown Los Angeles when they saw Respondent's vehicle swerving in and out of lanes and they observed that the rear wheels were not engaged. The firefighters turned on their emergency lights, and approached the vehicle, concerned the driver might be experiencing a medical emergency.

13. The firefighters approached the vehicle, and they smelled the strong odor of alcohol, and they noted that the car's parking brakes were engaged, which explained why the firefighters saw the car traveling without its rear wheels engaged. They saw a half-filled wine bottle in the driver's cupholder. The firefighters attempted to assist the driver—Respondent—and he became belligerent with them; this is when they decided to summon police officers.

14. The police officers questioned Respondent, using a standard questionnaire that sought information such as when he had last eaten or slept, where he had been going when stopped, if he had consumed alcohol. Respondent had trouble understanding or answering the questions, seeming to deflect many of the

questions. Respondent stated he was going to his cousin's house and claimed he did not consume any alcohol.

15. The police officers attempted to conduct field sobriety tests but Respondent refused to participate in the tests and would not provide a breath sample. Based in part on their observations of Respondent, the police determined that Respondent was under the influence. Respondent was taken to jail and a warrant was obtained to draw his blood for a blood alcohol test. Respondent initially agreed to cooperate with the blood test, but then refused to provide the blood sample.

16. Video from a police officer's body worn camera depicted the events before Respondent was taken to the jail. The video showed Respondent acting belligerently to police officers. He referred more than once, to a female officer as a bitch, when she was asking him the standard questions that would be asked of any drunk driving suspect.

## The 2022 Incident at Cedars-Sinai Medical Center

17. Respondent was employed at Cedars-Sinai Medical Center (Cedars-Sinai) in September 2022 as a resident anesthesiologist. On or about September 5, 2022, several wine bottles were found in a call room that Respondent had used. This triggered an investigation by Cedars-Sinai.

18. On November 1, 2022, Roya Yumul, M.D., the Program Director for Anesthesiology transmitted a memorandum to Respondent, the subject of which was "Investigation Results: Inappropriate Conduct and Action Plan/Expectations." (Ex. 11, p. A90.)

19. The memorandum states, in pertinent part, that Respondent had made several inconsistent statements about where he was on September 5, 2022. It was noted that when Respondent met with Human Resources, he denied the wine bottles were his, and denied ever being at Cedars-Sinai while under the influence of alcohol. It was further noted that when Respondent met with Dr. Yumul and another physician in October 2022, Respondent admitted he may have been under the influence of alcohol while at the Cedars-Sinai campus on the date in question.

20. Dr. Yumul stated that "it was found that it is more likely than not that you were under the influence of alcohol while on Cedars-Sinai premises on September 5, 2022. In addition, it was found that you made untruthful statements during the investigation interviews." (Ex. 11, p. A90.)

21. Respondent was placed on an action plan that required him to complete a fitness for duty assessment to be performed by a psychologist, and to review hospital polices such as the Drug Free and Alcohol Free Workplace policy. Other obligations were imposed on him.

22. On November 30, 2022, Dr. Yumul transmitted a Return to Work and Action Plan letter to Respondent. As part of the Action Plan, Respondent was obligated to attend at least two Alcoholics Anonymous (AA) meetings per week, and he was assigned a work site monitor; other requirements were imposed.

## Respondent's Statements to the Board

23. In October 2024, Respondent wrote a letter to the Board to explain what happened with his arrest and conviction. Salient statements he made include:

That he was going home from a brunch at his friend's home when he was stopped.

That he had consumed three mimosas.

He stated he previously told the police he had several drinks at brunch.

He stated he failed field sobriety tests.

He stated he was not provided a chance to take a breath test.

24. On December 23, 2024, Respondent was interviewed by an investigator for the Board about his arrest and criminal conviction. Contrary to what he said in his letter, he told the investigator, Flor Flatley, that he had hosted the brunch and had gone out to buy more juice for mimosas. When she pointed out he had told police he was going to his cousin's, he said his cousin lived with him. Respondent told Flatley that he consumed four or five drinks before he departed on his errand. He first claimed he could not recall anything before the police arrived, but changed that story, admitting he did recall things from before the police arrived. He stated he was arrested for failing field sobriety tests, but then stated he had not consented to the tests at the scene, but consented to the tests at the jail. He said he initially refused a blood test at the jail but then consented later. When questioned about the half-empty wine bottle in his car, Respondent claimed it had opened and spilled without explaining how that happened. When confronted with the statements of the police describing Respondent as belligerent and argumentative, he denied such behavior and claimed the police were nasty and disrespectful.

25. In an effort to support his claim of not recalling part of the incident that led to his arrest, Respondent told Flatley that he went to a gas station to buy juice, and he believed he fell asleep in his car, at the gas station. (Ex. 17, pp. A135-A137.)

26. Respondent told Flatley that he drinks occasionally, on weekends or on a day off, describing himself as a social drinker, generally drinking wine or sometimes bourbon. (Ex. 17, pp. A125-A126.)

## Respondent's Testimony

27. Respondent lived in a Kenyan refugee camp before he came to the United States. He graduated from the University of Minnesota Medical School in 2021, the first person in his family to have a college education. As noted above, he was a resident in anesthesiology at Cedars-Sinai. He was terminated by the program effective March 1, 2025, in part because he could not obtain a license from the Board given the investigation into his criminal conviction; lack of licensure made him ineligible to continue his residency. However, the termination was also the result of his failure to report his arrest and conviction to his employer.

28. Respondent testified that he has stopped drinking, claiming a sobriety date of August 27, 2023. He denies having a substance abuse problem. Respondent denied ever being under the influence at work. He has completed the requirements of his criminal probation. He testified to attending AA meetings describing them as "extremely" helpful. As to the September 2022 incident at Cedars-Sinai, he testified that one day his home Wi-Fi went out so he went to Cedars-Sinai to obtain internet access. He had consumed some alcohol earlier and went to the call room to take a nap; he was not on call that day.

29. Respondent testified that he was going from a friend's apartment to his own when he was arrested, which contradicts his statements to the police and Flatley. He admitted he did not provide a breath sample, and denied refusing to give a blood sample, testifying he asked the nurse about washing her hands and she deemed this to be a refusal.

30. When questioned about the wine bottle in his car on the day of his arrest, Respondent said a friend had left it in the car and some had been consumed. He admitted telling the police he spilled it, which was inaccurate.

31. As noted above, Respondent testified that he has a sobriety date of August 27, 2023. When confronted with his statements to Flatley about being a social drinker, he claimed he was talking about the time before his arrest. The transcript of the interview indicates clearly that he was talking in the present tense.

32. Regarding participation in AA, Respondent said he has been attending twice per week since August 24, which was contradicted by statements he made to Flatley in his December 2024 interview. He testified he has a sponsor, but didn't identify that person, and he could not say which of the 12 steps he is on. He also testified he had been seeking a sponsor approximately two weeks before the hearing.

33. Respondent acknowledged that in 2022 he received a copy of Cedars-Sinai's drug and alcohol policies, and that they required him to report his arrest and conviction to Cedars-Sinai, which he failed to do for over one year.

## Other Matters

34. Respondent did not offer any character references or the testimony of those who might be able to verify his efforts at sobriety.

35. Respondent's testimony lacked credibility, because he contradicted past statements to the police and to the Board. In turn, his past statements themselves lacked credibility, given their often-contradictory claims.

## LEGAL CONCLUSIONS

1. Jurisdiction to proceed in this matter pursuant to Business and Professions Code section 2004, subdivisions (a) through (d), and (h), was established, based on Factual Findings 1 through 5. (Further statutory references are to the Business and Professions Code.)

2. The burden was on Respondent to prove by a preponderance of the evidence that his application for licensure as a Physician and Surgeon should be granted. (*Martin v. Alcoholic Beverage Control Appeals Board* (1950) 52 Cal.2d 259.) Preponderance of the evidence means evidence that has more convincing force than that opposed to it. (*People ex rel. Brown v. Tri-Union Seafoods, LLC* (2009) 171 Cal.App.4th 1549, 1567.)

3. Respondent was convicted of a crime that is substantially related to the duties, functions, and qualification of a Physician and Surgeon, based on Factual Findings 8 through 16, section 2236, subdivision (a), and California Code of Regulations, title 16 (CCR), section 1360.

4. Cause was established to deny Respondent's application for licensure pursuant to sections 480, subdivision (a)(1), 2221,subdivision (a), and 2236, subdivision (a), because he was convicted of a crime that is substantially related to the duties, qualifications, and functions of a Physician and Surgeon, based on Factual Findings 8 through 16 and Legal Conclusion 3.

5. Cause was established to deny Respondent's application for licensure pursuant to sections 2221, subdivision (a), 2234, and 2239, subdivision (a), because he consumed alcohol to an extent, or in such a manner as to be dangerous or injurious to himself or others, including the public. This Conclusion is based on Factual Findings 8 through 16.

6. Cause was established to deny Respondent's application for licensure pursuant to sections 2221 and 2234, subdivision (e), because Respondent engaged in dishonesty and deceit in his communications to the Board about his arrest and conviction, and he engaged in dishonesty and deceit in his communications to his former employer. This Conclusion is based on Factual Findings 17 through 26.

7. Cause was established to deny Respondent's application for licensure pursuant to sections 2221 and 2234, subdivision (a), by his violation of provisions of the Medical Practice Act, based on Legal Conclusions 3 through 6, and their factual predicates.

8. Cause was established to deny Respondent's application for licensure pursuant to sections 2221 and 2234 in that he has engaged in general unprofessional conduct, that is, conduct which breaches the rules or ethical standards of the medical profession, and he has engaged in conduct unbecoming a member in good standing of the medical profession. This Conclusion is based on Factual Findings 8 through 26, and 33.

9. Respondent denied having a problem with alcohol, but that is contradicted by the evidence in this case. In September 2022 his employer determined that there was evidence that he had used alcohol on medical center grounds; wine bottles were found in a call room that Respondent occupied. Less than one year later

he was arrested for DUI, with a half bottle of wine in his car. Respondent told the investigator, Flatley, that when he drinks he drinks wine, or bourbon. Respondent's arrest does not appear to be a "one off" aberrant event.

10. Respondent has not been honest with the Board or his former employer about these incidents. He withheld information about his arrest and conviction from his employer, even though he was on notice he was obligated to disclose the matter. His statements to the Board have been contradictory and dishonest.

11. It is troubling that despite a claim that he has been participating in AA meetings twice per week for over a year, Respondent doesn't know what step he is on. And, it appears he does not have a sponsor despite claiming to have one. These inconsistencies do not engender confidence that what appears to be a real problem with alcohol will be brought under control anytime soon.

12. More is required of a physician than technical skills. A physician's honesty, integrity, sobriety, and propriety must be unquestioned; if not, the physician's charts, reports, and recommendations will have no currency. On this record, it cannot be found that Respondent is such a person.

13. Respondent may re-apply for licensure at such time as the law allows. He must then demonstrate that he is a sober individual of honesty and integrity.

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## ORDER

The application of Respondent Ahmed Hassan Mohamed for licensure as a Physician and Surgeon is denied.

DATE: 12/22/2025

Joseph Montoya

JOSEPH D. MONTOYA
Administrative Law Judge
Office of Administrative Hearings