



**BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS**

<b>In the Matter of</b>	)	
<b>FARHAAD R. RIYAZ, M.D.</b>	)	
	)	<b>KSBHA Docket No. 24-HA00003</b>
	)	
<b>Kansas License No. 04-43878</b>	)	

---

**FINAL ORDER**

On October 13, 2023, this matter came before the Kansas State Board of Healing Arts (“Board”) for a Conference Hearing on a Summary Order filed against Farhaad R. Riyaz, M.D. (“Licensee” or “Dr. Riyaz”) license to practice medicine and surgery in Kansas. Licensee appeared in person, *pro se*. The Board appeared through Bradley Taylor, Associate Litigation Counsel. Dr. Abebe, Dr. Durrett, Dr. Gould, Dr. Bradbury, Kathy Wolfe Moore, and James McSweyn were recused.

Under the authority granted to the Board by the Kansas Healing Arts Act, K.S.A. 65-2801 *et seq.*, and in accordance with the provisions of the Kansas Administrative Procedure Act, (“KAPA”), K.S.A. 77-501 *et seq.*, the Board enters this Final Order. After reviewing the agency record, hearing the arguments of the parties, and being duly advised in the premises, the Board makes the following findings, conclusions, and orders.

**PROCEDURAL HISTORY**

On July 19, 2023, the Board issued a Summary Order finding Dr. Riyaz violated K.S.A. 65-2836(c) by being convicted of a felony and revoking Dr. Riyaz’s license to practice medicine and surgery in Kansas. Prior to the Summary Order becoming a Final Order of the Board, on or about July 19, 2023, Dr. Riyaz timely filed a Request for Hearing seeking Board review of the Summary Order.

**CONFIDENTIAL**

A Notice of Hearing was filed and served on September 20, 2023, and October 2, 2023, setting a Conference Hearing on the Summary Order. No objection to the Notice of Hearing was filed.<sup>1</sup>

---

<sup>1</sup> In advance of the oral arguments, the Board was provided the entire agency record to facilitate a comprehensive understanding of the underlying matter, including all exhibits, briefs, and motions filed by the parties in advance of oral arguments. The entire agency record was considered by the Board in rendering its decision.

---

**Final Order**  
***In the Matter of Farhaad R. Riyaz, MD;***  
**KSBHA Docket No. 24-HA00003**

**FINDINGS OF FACT**

1. Dr. Riyaz was first issued Kansas active license no. 04-43878 to practice medicine and surgery on September 11, 2020.
2. His license expired on July 31, 2022, and is currently cancelled for failure to renew.
3. On or about December 13, 2021, Dr. Riyaz was charged with one count of Mail Fraud, in violation of 18 U.S.C. §§ 1341 and 1342, in the United States District Court for the Eastern District of Virginia.
4. In general terms, Dr. Riyaz would purchase expensive items from Amazon, and after the products arrived, initiate the return process with Amazon by claiming products arrived late, never arrived at all, arrived only in part, were defective, or some other allowable reason under Amazon’s return policies. But he retained the original high-end product. To execute this scheme, he used multiple online accounts with Amazon, used multiple email addresses, and multiple credit cards.
5. On or about December 31, 2021, Dr. Riyaz plead guilty to one count of Mail Fraud, a felony, pursuant to 18 U.S.C. § 1341.
6. He was sentenced on March 22, 2022, to the following: imprisonment for one day, criminal monetary penalties, \$312,964.38 in restitution, supervised release for three years, standard conditions of supervision, and special conditions of supervision including six months of home confinement, fine of \$20,000, **CONFIDENTIAL** 200 hours of community service, **CONFIDENTIAL**
7. Dr. Riyaz acknowledged his wrongful and unprofessional conduct to the Board **CONFIDENTIAL**  
**CONFIDENTIAL**

8. **CONFIDENTIAL**

- 9.
- 10.
- 11.

CONFIDENTIAL

12.

13. On or about June 16, 2023, Dr. Riyaz's probation and supervised release was terminated early as he had complied with all the rules and regulations and was no longer in need of supervision.

14. Dr. Riyaz also complied with the terms of his Michigan's Board of Medicine Consent Order dated July 20, 2022, and effective July 20, 2023, he was discharged from probation.

15.

CONFIDENTIAL

16.

17.

18. Based on the Board's opportunity to observe and consider Dr. Riyaz's testimony, including questioning by the Board, the Board finds Dr. Riyaz to be credible.

19.

CONFIDENTIAL

20. Dr. Riyaz has been sufficiently rehabilitated to warrant the public's trust.

---

**Final Order**

***In the Matter of Farhaad R. Riayz, MD;***

**KSBHA Docket No. 24-HA00003**

## CONCLUSIONS OF LAW AND POLICY

### I. The Law

Under K.S.A. 65-2836(c), a licensee's license shall be revoked where the licensee has been convicted of a felony, whether or not related to the practice of the healing arts, unless a 2/3 majority of the board members present and voting determine by clear and convincing evidence that such licensee will not pose a threat to the public in such person's capacity as a licensee and that such person has been sufficiently rehabilitated to warrant public trust.

Clear and convincing evidence is "evidence that causes the factfinder to believe that the truth of the facts asserted is highly probable." *In the Matter of L.J. Buckner*, 308 Kan. 427, 447 (2018).

### II. Conclusions of Law

This is a case in which a Kansas licensed physician, has been convicted of a federal felony, specifically Mail Fraud, for which it is appropriate that he face serious consequences. However, revocation is not the legally or practically appropriate consequence under the facts of this case. Dr. Riyaz's recognition of his wrongful conduct, remorse, **CONFIDENTIAL** and other rehabilitative measures, are the appropriate measures to affect the goals of the Healing Arts Act, consistent with K.S.A. 65-2836(c). Under K.S.A. 65-2836(c), the core findings that rebut the presumption of revocation of licensure in this case are: (1) Licensee will not pose a threat to the public in his capacity as a doctor; and (2) Licensee's rehabilitation is sufficient to warrant public trust.

Based on the facts of this case, and the rationale described in this Final Order, 2/3 majority of the Board members present and voting agrees and finds by clear and convincing evidence that Dr. Riyaz will not pose a threat to the public as a physician and he has been sufficiently rehabilitated to warrant the public trust. *See* K.S.A. 65-2836(c). **CONFIDENTIAL** at the hearing and evidenced submitted showed Dr. Riyaz's unprofessional and illegal **CONFIDENTIAL**. And, although not dispositive, such illegal conduct did not directly impact patient care. Regardless, at the Conference Hearing, Dr. Riyaz showed a comprehensive understanding on how this situation developed, demonstrated accountability and remorse, and showed his rehabilitative efforts since that time. **CONFIDENTIAL** ;

# CONFIDENTIAL

In determining whether Dr. Riyaz is sufficiently rehabilitated from his actions to warrant public trust, the Board considered whether Dr. Riyaz appreciated the wrongfulness of his actions, whether he is committed to never repeating such actions, and whether there is significant danger that he will repeat similar actions. The Board found by clear and convincing evidence, that he understands the wrongfulness of his conduct, has rehabilitated himself, and there is very little danger that he will commit similar bad acts as a member of the medical profession again. **CONFIDENTIAL**

**CONFIDENTIAL**

**CONCLUSION**

Dr. Riyaz violated K.S.A 65-2836(c), in that he was convicted of a felony. Accordingly, there is a presumption of revocation of licensure. However, in this case, Dr. Riyaz has overcome that presumption. On October 13, 2023, at the Conference Hearing on the Summary Order, 2/3 majority of the Board members present and voting found Dr. Riyaz had proven, by clear and convincing evidence, that he does not pose a threat to the public in his capacity as a doctor and he has been sufficiently rehabilitated to warrant the public trust. Therefore, the Board vacates the Summary Order.

**ORDER**

**IT IS THEREFORE ORDERED** that the Summary Order filed in this matter is **VACATED**.

**IT IS SO ORDERED** this 13<sup>th</sup> day of November 2023.

**KANSAS STATE BOARD OF HEALING ARTS**

*Susan Gile*

\_\_\_\_\_  
Susan Gile, Executive Director

**NOTICE OF APPEAL 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. Under K.S.A. 77-529, parties 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 Susan Gile, Executive Director, Kansas State Board of Healing Arts, 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** was served, by depositing the same in the United States mail, postage prepaid, and emailed on this 13<sup>th</sup> day of November 2023, addressed to:

Farhaad R. Riyaz, M.D.

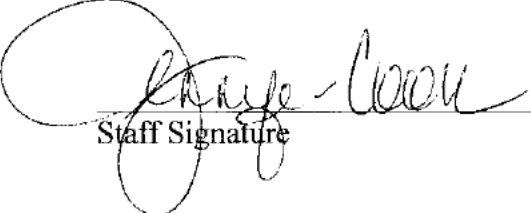
**CONFIDENTIAL**

*Licensee*

A copy was hand delivered to:

Bradley Taylor, Associate Litigation Counsel  
Todd Hiatt, Litigation Counsel  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
Topeka, Kansas 66612  
Bradley.taylor@ks.gov  
Todd.hiatt@ks.gov

And the original was filed with the office of the Executive Director.

  
Staff Signature

---

**Final Order**  
***In the Matter of Farhaad R. Riyaz, MD;***  
**KSBHA Docket No. 24-HA00003**