

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

**In the Matter of the Accusation
Against:**

Bushra Ali Akber, M.D.

**Physician's and Surgeon's
Certificate No. A 96502**

Respondent.

Case No.: 800-2019-061475


DECISION

The attached Stipulated Settlement and Disciplinary Order 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 December 30, 2021.

IT IS SO ORDERED: November 30, 2021.

MEDICAL BOARD OF CALIFORNIA



**Laurie Rose Lubiano, J.D., Chair
Panel A**

1 ROB BONTA
Attorney General of California
2 ROBERT BELL
Supervising Deputy Attorney General
3 TRINA L. SAUNDERS
Deputy Attorney General
4 State Bar No. 207764
California Department of Justice
5 300 So. Spring Street, Suite 1702
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6 Telephone: (213) 269-6516
Facsimile: (916) 731-2117
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 BUSHRA ALI AKBER, M.D.
6649 Amethyst Ave., P.O. Box 8206,
Rancho Cucamonga, CA 91701-1500

14 Physician's and Surgeon's Certificate No.
15 A 96502,

16 Respondent.

Case No. 800-2019-061475

OAH No. 2021030179

17 **STIPULATED SETTLEMENT AND**
18 **DISCIPLINARY ORDER**

19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 **PARTIES**

22 1. William Prasifka (Complainant) is the Executive Director of the Medical Board of
23 California (Board). He brought this action solely in his official capacity and is represented in this
24 matter by Rob Bonta, Attorney General of the State of California, by Trina L. Saunders, Deputy
25 Attorney General.

26 2. Respondent Bushra Ali Akber, M.D. (Respondent) is represented in this proceeding
27 by attorney Raymond J. McMahon, Esq., whose address is, 5440 Trabuco Road, Irvine,
28 California 92620.

1 10. For the purpose of resolving the Accusation without the expense and uncertainty of
2 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a prima
3 facie case for the charges in the Accusation, and that Respondent hereby gives up her right to
4 contest those charges.

5 11. Respondent agrees that her Physician's and Surgeon's Certificate is subject to
6 discipline and she agrees to be bound by the Board's imposition of discipline as set forth in the
7 Disciplinary Order below.

8 CONTINGENCY

9 12. This stipulation shall be subject to approval by the Medical Board of California.
10 Respondent understands and agrees that counsel for Complainant and the staff of the Medical
11 Board of California may communicate directly with the Board regarding this stipulation and
12 settlement, without notice to or participation by Respondent or her counsel. By signing the
13 stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek
14 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
15 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary
16 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
17 action between the parties, and the Board shall not be disqualified from further action by having
18 considered this matter.

19 13. Respondent agrees that if she ever petitions for early termination or modification of
20 probation, or if an accusation and/or petition to revoke probation is filed against her before the
21 Board, all of the charges and allegations contained in Accusation No. 800-2019-061475 shall be
22 deemed true, correct and fully admitted by respondent for purposes of any such proceeding or any
23 other licensing proceeding involving Respondent in the State of California.

24 14. This Stipulated Settlement and Disciplinary Order is intended by the parties herein to
25 be an integrated writing representing the complete, final, and exclusive embodiment of the
26 agreements of the parties in the above-entitled matter.

27 15. The parties understand and agree that Portable Document Format (PDF) and facsimile
28 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile

1 signatures thereto, shall have the same force and effect as the originals.

2 16. In consideration of the foregoing admissions and stipulations, the parties agree that
3 the Board may, without further notice or opportunity to be heard by the Respondent, issue and
4 enter the following Disciplinary Order:

5 **DISCIPLINARY ORDER**

6 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 96502 issued
7 to Respondent Bushra Ali Akber, M.D., is revoked. However, the revocation is stayed and
8 Respondent is placed on probation for five (5) years on the following terms and conditions:

9 1. **EDUCATION COURSE.** Within 60 calendar days of the effective date of this
10 Decision, and on an annual basis thereafter, Respondent shall submit to the Board or its designee
11 for its prior approval educational program(s) or course(s) which shall not be less than 40 hours
12 per year, for each year of probation. The educational program(s) or course(s) shall be aimed at
13 correcting any areas of deficient practice or knowledge, specifically related to HIPPA,
14 professional boundaries and ethics, and shall be Category I certified. The educational program(s)
15 or course(s) shall be at Respondent's expense and shall be in addition to the Continuing Medical
16 Education (CME) requirements for renewal of licensure. Following the completion of each
17 course, the Board or its designee may administer an examination to test Respondent's knowledge
18 of the course. Respondent shall provide proof of attendance for 65 hours of CME of which 40
19 hours were in satisfaction of this condition.

20 2. **PROFESSIONALISM PROGRAM (ETHICS COURSE).** Within 60 calendar days of
21 the effective date of this Decision, Respondent shall enroll in a professionalism program, that
22 meets the requirements of Title 16, California Code of Regulations (CCR) section 1358.1.
23 Respondent shall participate in and successfully complete that program. Respondent shall
24 provide any information and documents that the program may deem pertinent. Respondent shall
25 successfully complete the classroom component of the program not later than six (6) months after
26 Respondent's initial enrollment, and the longitudinal component of the program not later than the
27 time specified by the program, but no later than one (1) year after attending the classroom
28 component. The professionalism program shall be at Respondent's expense and shall be in

1 addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

2 A professionalism program taken after the acts that gave rise to the charges in the
3 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
4 or its designee, be accepted towards the fulfillment of this condition if the program would have
5 been approved by the Board or its designee had the program been taken after the effective date of
6 this Decision.

7 Respondent shall submit a certification of successful completion to the Board or its
8 designee not later than 15 calendar days after successfully completing the program or not later
9 than 15 calendar days after the effective date of the Decision, whichever is later.

10 3. PROFESSIONAL BOUNDARIES PROGRAM. Within 60 calendar days from the
11 effective date of this Decision, Respondent shall enroll in a professional boundaries program
12 approved in advance by the Board or its designee. Respondent, at the program's discretion, shall
13 undergo and complete the program's assessment of Respondent's competency, mental health
14 and/or neuropsychological performance, and at minimum, a 24 hour program of interactive
15 education and training in the area of boundaries, which takes into account data obtained from the
16 assessment and from the Decision(s), Accusation(s) and any other information that the Board or
17 its designee deems relevant. The program shall evaluate Respondent at the end of the training
18 and the program shall provide any data from the assessment and training as well as the results of
19 the evaluation to the Board or its designee.

20 Failure to complete the entire program not later than six (6) months after Respondent's
21 initial enrollment shall constitute a violation of probation unless the Board or its designee agrees
22 in writing to a later time for completion. Based on Respondent's performance in and evaluations
23 from the assessment, education, and training, the program shall advise the Board or its designee
24 of its recommendation(s) for additional education, training, psychotherapy and other measures
25 necessary to ensure that Respondent can practice medicine safely. Respondent shall comply with
26 program recommendations. At the completion of the program, Respondent shall submit to a final
27 evaluation. The program shall provide the results of the evaluation to the Board or its designee.
28 The professional boundaries program shall be at Respondent's expense and shall be in addition to

1 the Continuing Medical Education (CME) requirements for renewal of licensure.

2 The program has the authority to determine whether or not Respondent successfully
3 completed the program.

4 A professional boundaries course taken after the acts that gave rise to the charges in the
5 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
6 or its designee, be accepted towards the fulfillment of this condition if the course would have
7 been approved by the Board or its designee had the course been taken after the effective date of
8 this Decision.

9 Respondent shall not practice medicine until Respondent has successfully completed the
10 program and has been so notified by the Board or its designee in writing.

11 4. PSYCHIATRIC EVALUATION. Within 30 calendar days of the effective date of
12 this Decision, and on whatever periodic basis thereafter may be required by the Board or its
13 designee, Respondent shall undergo and complete a psychiatric evaluation (and psychological
14 testing, if deemed necessary) by a Board-appointed board certified psychiatrist, who shall
15 consider any information provided by the Board or designee and any other information the
16 psychiatrist deems relevant, and shall furnish a written evaluation report to the Board or its
17 designee. Psychiatric evaluations conducted prior to the effective date of the Decision shall not
18 be accepted towards the fulfillment of this requirement. Respondent shall pay the cost of all
19 psychiatric evaluations and psychological testing.

20 Respondent shall comply with all restrictions or conditions recommended by the evaluating
21 psychiatrist within 15 calendar days after being notified by the Board or its designee.

22 Respondent shall not engage in the practice of medicine until notified by the Board or its
23 designee that Respondent is mentally fit to practice medicine safely. The period of time that
24 Respondent is not practicing medicine shall not be counted toward completion of the term of
25 probation.

26 5. PSYCHOTHERAPY. Within 60 calendar days of the effective date of this Decision,
27 Respondent shall submit to the Board or its designee for prior approval the name and
28 qualifications of a California-licensed board certified psychiatrist or a licensed psychologist who

1 has a doctoral degree in psychology and at least five years of postgraduate experience in the
2 diagnosis and treatment of emotional and mental disorders. Upon approval, Respondent shall
3 undergo and continue psychotherapy treatment, including any modifications to the frequency of
4 psychotherapy, until the Board or its designee deems that no further psychotherapy is necessary.

5 The psychotherapist shall consider any information provided by the Board or its designee
6 and any other information the psychotherapist deems relevant and shall furnish a written
7 evaluation report to the Board or its designee. Respondent shall cooperate in providing the
8 psychotherapist with any information and documents that the psychotherapist may deem
9 pertinent.

10 Respondent shall have the treating psychotherapist submit quarterly status reports to the
11 Board or its designee. The Board or its designee may require Respondent to undergo psychiatric
12 evaluations by a Board-appointed board certified psychiatrist. If, prior to the completion of
13 probation, Respondent is found to be mentally unfit to resume the practice of medicine without
14 restrictions, the Board shall retain continuing jurisdiction over Respondent's license and the
15 period of probation shall be extended until the Board determines that Respondent is mentally fit
16 to resume the practice of medicine without restrictions.

17 Respondent shall pay the cost of all psychotherapy and psychiatric evaluations.

18 6. MONITORING - PRACTICE. Within 30 calendar days of receiving notice from the
19 Board permitting Respondent to practice medicine, Respondent shall submit to the Board or its
20 designee for prior approval as a practice monitor(s), the name and qualifications of one or more
21 licensed physicians and surgeons whose licenses are valid and in good standing, and who are
22 preferably American Board of Medical Specialties (ABMS) certified. A monitor shall have no
23 prior or current business or personal relationship with Respondent, or other relationship that could
24 reasonably be expected to compromise the ability of the monitor to render fair and unbiased
25 reports to the Board, including but not limited to any form of bartering, shall be in Respondent's
26 field of practice, and must agree to serve as Respondent's monitor. Respondent shall pay all
27 monitoring costs.

28 The Board or its designee shall provide the approved monitor with copies of the Decision(s)

1 and Accusation(s), and a proposed monitoring plan. Within 15 calendar days of receipt of the
2 Decision(s), Accusation(s), and proposed monitoring plan, the monitor shall submit a signed
3 statement that the monitor has read the Decision(s) and Accusation(s), fully understands the role
4 of a monitor, and agrees or disagrees with the proposed monitoring plan. If the monitor disagrees
5 with the proposed monitoring plan, the monitor shall submit a revised monitoring plan with the
6 signed statement for approval by the Board or its designee.

7 Within 60 calendar days of notification from the Board that you are able to practice
8 medicine, and continuing throughout probation, Respondent's practice shall be monitored by the
9 approved monitor. Respondent shall make all records available for immediate inspection and
10 copying on the premises by the monitor at all times during business hours and shall retain the
11 records for the entire term of probation.

12 If Respondent fails to obtain approval of a monitor within 60 calendar days of the date the
13 Board sends notice to Respondent that she may practice medicine, Respondent shall receive a
14 notification from the Board or its designee to cease the practice of medicine within three (3)
15 calendar days after being so notified. Respondent shall cease the practice of medicine until a
16 monitor is approved to provide monitoring responsibility.

17 The monitor(s) shall submit a quarterly written report to the Board or its designee which
18 includes an evaluation of Respondent's performance, indicating whether Respondent's practices
19 are within the standards of practice of medicine, and whether Respondent is practicing medicine
20 safely, billing appropriately or both. It shall be the sole responsibility of Respondent to ensure
21 that the monitor submits the quarterly written reports to the Board or its designee within 10
22 calendar days after the end of the preceding quarter.

23 If the monitor resigns or is no longer available, Respondent shall, within 5 calendar days of
24 such resignation or unavailability, submit to the Board or its designee, for prior approval, the
25 name and qualifications of a replacement monitor who will be assuming that responsibility within
26 15 calendar days. If Respondent fails to obtain approval of a replacement monitor within 60
27 calendar days of the resignation or unavailability of the monitor, Respondent shall receive a
28 notification from the Board or its designee to cease the practice of medicine within three (3)

1 calendar days after being so notified. Respondent shall cease the practice of medicine until a
2 replacement monitor is approved and assumes monitoring responsibility.

3 In lieu of a monitor, Respondent may participate in a professional enhancement program
4 approved in advance by the Board or its designee that includes, at minimum, quarterly chart
5 review, semi-annual practice assessment, and semi-annual review of professional growth and
6 education. Respondent shall participate in the professional enhancement program at Respondent's
7 expense during the term of probation.

8 7. NOTIFICATION. Within seven (7) days of the effective date of this Decision, the
9 Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the
10 Chief Executive Officer at every hospital where privileges or membership are extended to
11 Respondent, at any other facility where Respondent engages in the practice of medicine,
12 including all physician and locum tenens registries or other similar agencies, and to the Chief
13 Executive Officer at every insurance carrier which extends malpractice insurance coverage to
14 Respondent. Respondent shall submit proof of compliance to the Board or its designee within 15
15 calendar days.

16 This condition shall apply to any change(s) in hospitals, other facilities or insurance carrier.

17 8. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE
18 NURSES. During probation, Respondent is prohibited from supervising physician assistants and
19 advanced practice nurses.

20 9. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws, all rules
21 governing the practice of medicine in California and remain in full compliance with any court
22 ordered criminal probation, payments, and other orders.

23 10. QUARTERLY DECLARATIONS. Respondent shall submit quarterly declarations
24 under penalty of perjury on forms provided by the Board, stating whether there has been
25 compliance with all the conditions of probation.

26 Respondent shall submit quarterly declarations not later than 10 calendar days after the end
27 of the preceding quarter.

28 11. GENERAL PROBATION REQUIREMENTS.

1 Compliance with Probation Unit

2 Respondent shall comply with the Board's probation unit.

3 Address Changes

4 Respondent shall, at all times, keep the Board informed of Respondent's business and
5 residence addresses, email address (if available), and telephone number. Changes of such
6 addresses shall be immediately communicated in writing to the Board or its designee. Under no
7 circumstances shall a post office box serve as an address of record, except as allowed by Business
8 and Professions Code section 2021, subdivision (b).

9 Place of Practice

10 Respondent shall not engage in the practice of medicine in Respondent's or patient's place
11 of residence, unless the patient resides in a skilled nursing facility or other similar licensed
12 facility.

13 License Renewal

14 Respondent shall maintain a current and renewed California physician's and surgeon's
15 license.

16 Travel or Residence Outside California

17 Respondent shall immediately inform the Board or its designee, in writing, of travel to any
18 areas outside the jurisdiction of California which lasts, or is contemplated to last, more than thirty
19 (30) calendar days.

20 In the event Respondent should leave the State of California to reside or to practice,
21 Respondent shall notify the Board or its designee in writing 30 calendar days prior to the dates of
22 departure and return.

23 12. INTERVIEW WITH THE BOARD OR ITS DESIGNEE. Respondent shall be
24 available in person upon request for interviews either at Respondent's place of business or at the
25 probation unit office, with or without prior notice throughout the term of probation.

26 13. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
27 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
28 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is

1 defined as any period of time Respondent is not practicing medicine as defined in Business and
2 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct
3 patient care, clinical activity or teaching, or other activity as approved by the Board. If
4 Respondent resides in California and is considered to be in non-practice, Respondent shall
5 comply with all terms and conditions of probation. All time spent in an intensive training
6 program which has been approved by the Board or its designee shall not be considered non-
7 practice and does not relieve Respondent from complying with all the terms and conditions of
8 probation. Practicing medicine in another state of the United States or Federal jurisdiction while
9 on probation with the medical licensing authority of that state or jurisdiction shall not be
10 considered non-practice. A Board-ordered suspension of practice shall not be considered as a
11 period of non-practice.

12 In the event Respondent's period of non-practice while on probation exceeds 18 calendar
13 months, Respondent shall successfully complete the Federation of State Medical Board's Special
14 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program
15 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model
16 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

17 Respondent's period of non-practice while on probation shall not exceed two (2) years.

18 Periods of non-practice will not apply to the reduction of the probationary term.

19 Periods of non-practice for a Respondent residing outside of California will relieve
20 Respondent of the responsibility to comply with the probationary terms and conditions with the
21 exception of this condition and the following terms and conditions of probation: Obey All Laws;
22 General Probation Requirements; Quarterly Declarations; Abstain from the Use of Alcohol and/or
23 Controlled Substances; and Biological Fluid Testing.

24 14. COMPLETION OF PROBATION. Respondent shall comply with all financial
25 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the
26 completion of probation. Upon successful completion of probation, Respondent's certificate shall
27 be fully restored.

28 15. VIOLATION OF PROBATION. Failure to fully comply with any term or condition

1 of probation is a violation of probation. If Respondent violates probation in any respect, the
2 Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and
3 carry out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke Probation,
4 or an Interim Suspension Order is filed against Respondent during probation, the Board shall have
5 continuing jurisdiction until the matter is final, and the period of probation shall be extended until
6 the matter is final.

7 16. LICENSE SURRENDER. Following the effective date of this Decision, if
8 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy
9 the terms and conditions of probation, Respondent may request to surrender his or her license.
10 The Board reserves the right to evaluate Respondent's request and to exercise its discretion in
11 determining whether or not to grant the request, or to take any other action deemed appropriate
12 and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent
13 shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its
14 designee and Respondent shall no longer practice medicine. Respondent will no longer be subject
15 to the terms and conditions of probation. If Respondent re-applies for a medical license, the
16 application shall be treated as a petition for reinstatement of a revoked certificate.

17 17. PROBATION MONITORING COSTS. Respondent shall pay the costs associated
18 with probation monitoring each and every year of probation, as designated by the Board, which
19 may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of
20 California and delivered to the Board or its designee no later than January 31 of each calendar
21 year.

22 18. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for
23 a new license or certification, or petition for reinstatement of a license, by any other health care
24 licensing action agency in the State of California, all of the charges and allegations contained in
25 Accusation No. 800-2019-061475 shall be deemed to be true, correct, and admitted by
26 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or
27 restrict license.

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5 ACCEPTANCE


6 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
7 discussed it with my attorney, Raymond J. McMahon, Esq. I understand the stipulation and the
8 effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated
9 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be
10 bound by the Decision and Order of the Medical Board of California.

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DATED: 7/21/21 
BUSHRA ALI AKBER, M.D.
Respondent

16 I have read and fully discussed with Respondent Bushra Ali Akber, M.D. the terms and
17 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
18 I approve its form and content.

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DATED: 7/21/2021 
RAYMOND J. MCMAHON, ESQ.
Attorney for Respondent

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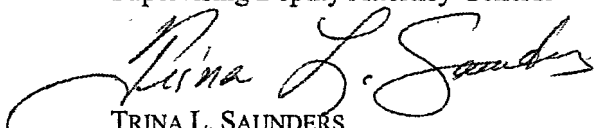
ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California.

DATED: July 22, 2021

Respectfully submitted,

ROB BONTA
Attorney General of California
ROBERT BELL
Supervising Deputy Attorney General



TRINA L. SAUNDERS
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2019-061475

1 XAVIER BECERRA
Attorney General of California
2 E. A. JONES III
Supervising Deputy Attorney General
3 TRINA L. SAUNDERS
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7 *Attorneys for Complainant*

8 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 800-2019-061475

12 Bushra Ali Akber, M.D.
13 250 West First Street, Suite 352
Claremont, CA 91711

A C C U S A T I O N

14 Physician's and Surgeon's Certificate
15 No. A 96502,

16 Respondent.

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20 1. William Prasifka (Complainant) brings this Accusation solely in his official capacity
21 as the Executive Director of the Medical Board of California, Department of Consumer Affairs
22 (Board).

23 2. On or about July 21, 2006, the Medical Board issued Physician's and Surgeon's
24 Certificate Number A 96502 to Bushra Ali Akber, M.D. (Respondent). The Physician's and
25 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
26 herein and will expire on December 31, 2021, unless renewed.

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1 JURISDICTION

2 3. This Accusation is brought before the Board under the authority of the following
3 laws. All section references are to the Business and Professions Code (Code) unless otherwise
4 indicated.

5 4. Section 2004 of the Code states:

6 The board shall have the responsibility for the following:

7 (a) The enforcement of the disciplinary and criminal provisions of the Medical Practice Act.

8 (b) The administration and hearing of disciplinary actions.

9 (c) Carrying out disciplinary actions appropriate to findings made by a panel or an
10 administrative law judge.

11 (d) Suspending, revoking, or otherwise limiting certificates after the conclusion of
12 disciplinary actions.

13 (e) Reviewing the quality of medical practice carried out by physician and surgeon
14 certificate holders under the jurisdiction of the board.

15 (f) Approving undergraduate and graduate medical education programs.

16 (g) Approving clinical clerkship and special programs and hospitals for the programs in
17 subdivision (f).

18 (h) Issuing licenses and certificates under the board's jurisdiction.

19 5. Section 820 of the Code states:

20 Whenever it appears that any person holding a license, certificate or permit under this
21 division or under any initiative act referred to in this division may be unable to
22 practice his or her profession safely because the licentiate's ability to practice is
23 impaired due to mental illness, or physical illness affecting competency, the licensing
24 agency may order the licentiate to be examined by one or more physicians and
25 surgeons or psychologists designated by the agency. The report of the examiners
26 shall be made available to the licentiate and may be received as direct evidence in
27 proceedings conducted pursuant to Section 822.

28 6. Section 822 of the Code states:

If a licensing agency determines that its licentiate's ability to practice his or her
profession safely is impaired because the licentiate is mentally ill, or physically ill
affecting competency, the licensing agency may take action by any one of the
following methods:

(a) Revoking the licentiate's certificate or license.

(b) Suspending the licentiate's right to practice.

1 (c) Placing the licentiate on probation.

2 (d) Taking such other action in relation to the licentiate as the licensing agency in its
3 discretion deems proper.

4 The licensing section shall not reinstate a revoked or suspended certificate or license
5 until it has received competent evidence of the absence or control of the condition
6 which caused its action and until it is satisfied that with due regard for the public
7 health and safety the person's right to practice his or her profession may be safely
8 reinstated.

9 **SECTION 822 CAUSE FOR ACTION**

10 (Mental Impairment)

11 7. Respondent is subject to an action under section 822 of the Code in that her ability to
12 practice medicine is impaired due to mental illness. The circumstances are as follows:

13 8. During the course of a Board investigation, Respondent voluntarily agreed to undergo
14 a psychiatric evaluation by a Board-approved evaluator.

15 9. On or about June 26, 2020, the Board received a report from the independent medical
16 examiner retained in this matter. Following review of Respondent's mental health records, items
17 related to the Board's investigation, and a face-to-face evaluation of Respondent, the evaluator
18 opined that Respondent suffers from a mental illness that impacts her ability to safely engage in
19 the practice of medicine. During her in-person evaluation, Respondent admitted to having an
20 inappropriate relationship with a patient, among other admissions related to her mental health.
21 The evaluator also opined that Respondent is currently unable to safely practice medicine. He
22 stated that she is just getting stabilized and being treated for an illness that she has most likely had
23 for several years, if not most of her adult life. The evaluator found that Respondent does not
24 understand doctor-patient boundaries and could therefore seriously affect a psychiatric patient's
25 mental condition. He ultimately determined that Respondent requires ongoing psychiatric
26 treatment, needs to continue taking psychotropic medications, and needs to be monitored by a
27 psychiatrist for signs of depression and anxiety, in addition to her bipolar disorder. In order to
28 practice medicine safely Respondent also needs to take several classes for HIPPA, boundary
violations, and ethics.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:

1. Revoking or suspending Physician's and Surgeon's Certificate Number A 96502, issued to Bushra Ali Akber, M.D.;
2. Revoking, suspending or denying approval of her authority to supervise physician assistants and advanced practice nurses;
3. If placed on probation, ordering her to pay the Board the costs of probation monitoring; and
4. Taking such other and further action as deemed necessary and proper.

DATED: **DEC 18 2020**



WILLIAM PRASIFKA
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California

Complainant