

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

In the Matter of the Accusation Against:

Keyvan Amiri-Khorheh, M.D.

Physician's and Surgeon's
Certificate No. A 55422

Respondent.

Case No. 800-2019-059826

DECISION

The attached Stipulated Surrender of License 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 May 16, 2023.

IT IS SO ORDERED May 9, 2023.

MEDICAL BOARD OF CALIFORNIA



Reji Varghese
Interim Executive Director

1 ROB BONTA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 ROBERT W. LINCOLN
Deputy Attorney General
4 State Bar No. 316290
California Department of Justice
5 600 West Broadway, Suite 1800
San Diego, CA 92101
6 P.O. Box 85266
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8 *Attorneys for Complainant*

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

13 In the Matter of the Accusation Against:

Case No. 800-2019-059826

14 **KEYVAN AMIRI-KHORHEH, M.D.**
15 **1661 Interlachen Rd., Apt. 286A**
Seal Beach, CA 90740

OAH No. 2022110278

**STIPULATED SURRENDER OF
LICENSE AND DISCIPLINARY ORDER**

16 **Physician's and Surgeon's Certificate No.**
17 **A 55422**

Respondent.

18
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. Reji Varghese (Complainant) is the Interim Executive Director of the Medical Board
23 of California (Board). He brought this action solely in his official capacity and is represented in
24 this matter by Rob Bonta, Attorney General of the State of California, by Robert W. Lincoln,
25 Deputy Attorney General.

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CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation No. 800-2019-059826, agrees that cause exists for discipline and hereby surrenders his Physician's and Surgeon's Certificate No. A 55422 for the Board's formal acceptance.

9. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Physician's and Surgeon's Certificate without further process.

CONTINGENCY

10. This stipulation shall be subject to approval by the Board. Respondent understands and agrees that counsel for Complainant and the staff of the Board may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Disciplinary Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Surrender of License and Disciplinary Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

12. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

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1 **ORDER**

2 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 55422, issued
3 to Respondent KEYVAN AMIRI-KHORHEH, M.D., is surrendered and accepted by the Board.

4 1. The surrender of Respondent's Physician's and Surgeon's Certificate and the
5 acceptance of the surrendered license by the Board shall constitute the imposition of discipline
6 against Respondent. This stipulation constitutes a record of the discipline and shall become a part
7 of Respondent's license history with the Board.

8 2. Respondent shall lose all rights and privileges as a physician and surgeon in
9 California as of the effective date of the Board's Decision and Disciplinary Order.

10 3. Respondent shall cause to be delivered to the Board his pocket license and, if one was
11 issued, his wall certificate on or before the effective date of the Decision and Disciplinary Order.

12 4. If Respondent ever files an application for licensure or a petition for reinstatement in
13 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
14 comply with all the laws, regulations and procedures for reinstatement of a revoked or
15 surrendered license in effect at the time the petition is filed, and all of the charges and allegations
16 contained in Accusation No. 800-2019-059826 shall be deemed to be true, correct and admitted
17 by Respondent when the Board determines whether to grant or deny the petition.

18 5. Respondent shall pay the agency its costs of investigation and enforcement in the
19 amount of \$26,375.00 prior to issuance of a new or reinstated license.

20 6. If Respondent should ever apply or reapply for a new license or certification, or
21 petition for reinstatement of a license, by any other health care licensing agency in the State of
22 California, all of the charges and allegations contained in Accusation, No. 800-2019-059826 shall
23 be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
24 Issues or any other proceeding seeking to deny or restrict licensure.


25 **ACCEPTANCE**

26 I have carefully read the above Stipulated Surrender of License and Disciplinary Order and
27 have fully discussed it with my attorney Elon Berk, Esq. I understand the stipulation and the
28 effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated

1 Surrender of License and Disciplinary Order voluntarily, knowingly, and intelligently, and agree
2 to be bound by the Decision and Disciplinary Order of the Medical Board of California.

3
4 DATED: 4/28/2023 Keyvan Amiri Khorheh
5 KEYVAN AMIRI-KHORHEH, M.D.
6 Respondent

7 I have read and fully discussed with Respondent KEYVAN AMIRI-KHORHEH, M.D., the
8 terms and conditions and other matters contained in this Stipulated Surrender of License and
9 Disciplinary Order. I approve its form and content.

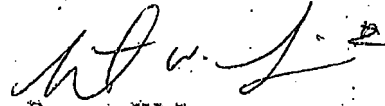
10 DATED: 4/28/23 
11 ELON BERK, ESQ.
12 Attorney for Respondent

13 ENDORSEMENT

14 The foregoing Stipulated Surrender of License and Disciplinary Order is hereby
15 respectfully submitted for consideration by the Medical Board of California of the Department of
16 Consumer Affairs.

17
18 DATED: 5/1/23

19 Respectfully submitted,
20 ROB BONTA
21 Attorney General of California
22 ALEXANDRA M. ALVAREZ
23 Supervising Deputy Attorney General

24 
25 ROBERT W. LINCOLN
26 Deputy Attorney General
27 Attorneys for Complainant

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27 371.09018.docx

Exhibit A

Accusation No. 800-2019-059826

1 ROB BONTA
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2 ALEXANDRA M. ALVAREZ
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8 *Attorneys for Complainant*

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

In the Matter of the Accusation Against:

Keyvan Amiri-Khorheh, M.D.
1661 Interlachen Rd., Apt. 286A
Seal Beach, CA 90740

Physician's and Surgeon's Certificate
No. A 55422,

Respondent.

Case No. 800-2019-059826

ACCUSATION

PARTIES

1. William Prasifka (Complainant) brings this Accusation solely in his official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs (Board).
2. On or about December 20, 1995, the Medical Board issued Physician's and Surgeon's Certificate No. A 55422 to Keyvan Amiri-Khorheh, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on July 31, 2023, unless renewed.

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1 8. Section 2236 of the Code states:

2 (a) The conviction of any offense substantially related to the qualifications,
3 functions, or duties of a physician and surgeon constitutes unprofessional conduct within
4 the meaning of this chapter. The record of conviction shall be conclusive evidence only of
5 the fact that h the conviction occurred.

6 (d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is
7 deemed to be a conviction within the meaning of this section and Section 2236.1. The
8 record of conviction shall be conclusive evidence of the fact that the conviction occurred.

8 COST RECOVERY

9 9. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
10 administrative law judge to direct a licensee found to have committed a violation or violations of
11 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
12 enforcement of the case, with failure of the licensee to comply subjecting the license to not being
13 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
14 included in a stipulated settlement.

15 FACTUAL ALLEGATIONS

16 10. The Medi-Cal Program:

17 Medi-Cal is a health care benefit program, which provides reimbursement for
18 medically necessary health care services to indigent individuals in California. Funding for Medi-
19 Cal is shared between the federal government and the State of California.

20 11. To obtain payment for services, an enrolled provider, using its unique provider
21 number, submitted claims to Medi-Cal certifying that the information on the claim form was
22 truthful and accurate and that the services provided were reasonable and necessary to the health of
23 the Medi-Cal beneficiary. Medi-Cal is a health care benefit program, as defined by Title 18,
24 United States Code, Section 24(b).

25 12. The Family PACT Program:

26 The Family PACT program provides family planning services to indigent
27 California residents through the Medi-Cal program. This program assists individuals with access
28 to family planning services, contraception, sexually transmitted infection testing and treatment,

1 HIV screening, cancer screening, and limited infertility services. The Family PACT program
2 provides blood and urine lab analysis for patients conducted at diagnostic laboratories. The
3 program also provides patients with access to prescription contraception and other prescription
4 medication from pharmacies.

5 13. Family PACT providers are public and private sector clinicians, including
6 physicians and physician assistants, who are enrolled in the Medi-Cal program, as well as the
7 Family PACT program. Medi-Cal compensates Family PACT providers, pharmacies, and
8 laboratories for medically necessary Family PACT services provided to enrolled individuals.

9 14. The Los Angeles Community Clinic:

10 Defendant H.,¹ Defendant E., and Defendant S. would direct the creation of and
11 create false patient names and false patient charts in order to submit false claims from the Los
12 Angeles Community Clinic to Medi-Cal through the Family PACT program. The false claims
13 were for office visits that never occurred, and family planning services that were never provided,
14 for patients who did not exist.

15 15. Respondent's Participation in Healthcare Fraud Conspiracy:

16 Beginning in or around January 2016, and continuing through in or around April
17 2019, in Los Angeles County, California, Respondent and Defendant H., Defendant W.,
18 Defendant E., Defendant S., and Defendant N., conspired with each other to commit health care
19 fraud.

20 16. In particular, Respondent and Defendant W. would sign encounter forms in false
21 patient charts, write prescriptions, and order lab tests for patients they knew they had not seen,
22 knowing the prescriptions and orders would be referred to other providers who would submit
23 claims based on them.

24 17. Additionally, Defendant H. would refer the prescriptions for false patients written
25 by Respondent and Defendant W., to pharmacies in exchange for cash kickbacks for the patient
26 referrals and knowing the referrals would be used by the pharmacies to submit claims. Defendant
27

28 ¹ To protect privacy of defendants involved, their names have not been included in this
pleading. Respondent is aware of the identity of all defendants referred herein.

1 H., Respondent, Defendant W., Defendant E., and Defendant S., would then submit to Medi-Cal
2 false and fraudulent claims, which falsely represented that the Los Angeles Community Clinic
3 had provided office visits and family planning services to patients through the Family PACT
4 program when, in fact, no services were provided and the patients did not exist.

5 18. As a result of the submission of false and fraudulence claims, Medi-Cal would
6 make payments to Los Angeles Community Clinic's JP Morgan Chase bank accounts, as well as
7 Defendant H.'s bank account. From in or around January 2016 through in or around April 2019,
8 the Los Angeles Community Clinic submitted approximately \$4,519,272.00 in claims for Family
9 PACT services to Medi-Cal, and was paid approximately \$4,090,554.00. From in or around
10 January 2016 through in or around April 2019, diagnostic laboratories and pharmacies submitted
11 approximately \$4,820,955.00 in claims for Family PACT diagnostic testing services and
12 prescriptions drugs to Medi-Cal for Family PACT patients referred by the Los Angeles
13 Community Clinic, and were paid approximately \$3,309,477.00.

14 19. Respondent's Overt Acts in Furtherance of Healthcare Fraud Conspiracy:

15 On or about April 12, 2018, Defendant S. submitted to Medi-Cal a false and
16 fraudulent claim for Family PACT services which was provided to a patient by Respondent. On
17 or about April 4, 2019, Respondent signed a diagnostic laboratory requisition form, ordering tests
18 for a false patient.

19 20. Respondent's Indictment and Conviction:

20 On or about September 12, 2019, the United States Attorney's Office, Central
21 District of California, filed an indictment in the matter of the *United States of America v. Keyvan*
22 *Amiri-Khorheh*, Case No. 2:19-cr-00530-AB-2. Respondent was charged with six counts
23 violating various statutes of the United States Code, including violating 18 U.S.C. § 1349,
24 Conspiracy to Commit Healthcare Fraud; 18 U.S.C. § 1347, Healthcare Fraud; 18 U.S.C. § 2.
25 Aiding and Abetting and Causing an Act to be Done; 18 U.S.C. § 982(a)(7), Criminal Forfeiture
26 (Federal health care offense); 18 U.S.C § 981(a)(1), Criminal Forfeiture; and 18 U.S.C. § 2461(c),
27 Criminal Forfeiture.

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1 demonstrates an unfitness to practice medicine, as more particularly alleged in paragraphs 10
2 through 24, above, and are here realleged as if fully set forth herein.

3 **PRAYER**

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

6 1. Revoking or suspending Physician's and Surgeon's Certificate No. A 55422, issued to
7 Keyvan Amiri-Khorheh, M.D.;

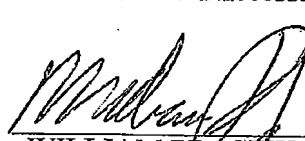
8 2. Revoking, suspending or denying approval of Keyvan Amiri-Khorheh, M.D.'s
9 authority to supervise physician assistants and advanced practice nurses;

10 3. Ordering Keyvan Amiri-Khorheh, M.D., to pay the Board the costs of the
11 investigation and enforcement of this case, and if placed on probation, the costs of probation
12 monitoring;

13 4. Ordering Respondent Keyvan Amiri-Khorheh, M.D., if placed on probation, to
14 provide patient notification in accordance with Business and Professions Code section 2228.1;
15 and

16 5. Taking such other and further action as deemed necessary and proper.

17
18 DATED: AUG 31 2022


19 WILLIAM PRASTFKA
20 Executive Director
21 Medical Board of California
22 Department of Consumer Affairs
23 State of California
24 Complainant

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