

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

In the Matter of the Petition to Revoke
Probation Against:

Amanzoopinder Kaur Samrao, M.D.

Physician's and Surgeon's
Certificate No. A 109227

Respondent.

Case No.: 800-2022-093477

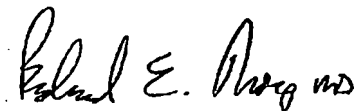
DECISION

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 September 22, 2023.

IT IS SO ORDERED: August 24, 2023.

MEDICAL BOARD OF CALIFORNIA



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

1 ROB BONTA
Attorney General of California
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Supervising Deputy Attorney General
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9 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Petition to Revoke
13 Probation Against:

14 **AMANZOOPINDER KAUR SAMRAO,**
15 **M.D.**
2635 W Lake Van Ness Cir,
16 Fresno California CA 93711-7024

17 **Physician's and Surgeon's Certificate No.**
18 **A 109227**

19 Respondent.

Case No. 800-2022-093477

OAH No. 2023050058

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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

23 **PARTIES**

24 1. Reji Varghese (Complainant) is the Executive Director of the Medical Board of
25 California (Board). He brought this action solely in his official capacity and is represented in this
26 matter by Rob Bonta, Attorney General of the State of California, by Jannsen Tan, Deputy
27 Attorney General.

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1 own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the
2 production of documents; the right to reconsideration and court review of an adverse decision;
3 and all other rights accorded by the California Administrative Procedure Act and other applicable
4 laws.

5 9. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
6 every right set forth above.

7 **CULPABILITY**

8 10. Respondent understands and agrees that the charges and allegations in Petition to
9 Revoke Probation No. 800-2022-093477, if proven at a hearing, constitute cause for imposing
10 discipline upon her Physician's and Surgeon's Certificate.

11 11. Respondent agrees that, at a hearing, Complainant could establish a prima facie case
12 or factual basis for the charges in the Petition to Revoke Probation, and that Respondent hereby
13 gives up her right to contest those charges.

14 12. Respondent does not contest that, at an administrative hearing, complainant could
15 establish a prima facie case with respect to the charges and allegations in Petition to Revoke
16 Probation No. 800-2022-093477, a true and correct copy of which is attached hereto as Exhibit A,
17 and that she has thereby subjected her Physician's and Surgeon's Certificate, No. A 109227 to
18 disciplinary action.

19 13. Respondent acknowledges the Disciplinary Order below, requiring the disclosure of
20 probation pursuant to Business and Professions Code section 2228.1, serves to protect the public
21 interest.

22 14. Respondent agrees that her Physician's and Surgeon's Certificate is subject to
23 discipline and she agrees to be bound by the Board's probationary terms as set forth in the
24 Disciplinary Order below.

25 **RESERVATION**

26 15. The admissions made by Respondent herein are only for the purposes of this
27 proceeding, or any other proceedings in which the Medical Board of California or other
28

1 professional licensing agency is involved, and shall not be admissible in any other criminal or
2 civil proceeding.

3 **CONTINGENCY**

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

14 17. Respondent agrees that if she ever petitions for early termination or modification of
15 probation, or if an accusation and/or petition to revoke probation is filed against her before the
16 Board, all of the charges and allegations contained in Petition to Revoke Probation No. 800-2022-
17 093477 shall be deemed true, correct and fully admitted by respondent for purposes of any such
18 proceeding or any other licensing proceeding involving Respondent in the State of California.

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

22 19. In consideration of the foregoing admissions and stipulations, the parties agree that
23 the Board may, without further notice or opportunity to be heard by the Respondent, issue and
24 enter the following Disciplinary Order:

25 **DISCIPLINARY ORDER**

26 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 109227
27 issued to Respondent Amanzoopinder Kaur Samrao, M.D., is revoked. However, the revocation
28 is stayed and Respondent is placed on probation for two (2) additional years in Case No. 800-

1 2016-023232 on the following terms and conditions. This new Disciplinary Order is to run
2 consecutive to the Disciplinary Order in Case No. 800-2016-023232, and extends those
3 probationary terms and conditions by two (2) years from the date the probation is set to expire,
4 irrespective of whether the order or effective date is after the current term.

5 1. ALCOHOL - ABSTAIN FROM USE. Respondent shall abstain completely from the
6 use of products or beverages containing alcohol.

7 2. CLINICAL DIAGNOSTIC EVALUATIONS AND REPORTS: On whatever
8 periodic basis thereafter as may be required by the Board or its designee, Respondent shall
9 undergo and complete a clinical diagnostic evaluation, including any and all testing deemed
10 necessary, by a Board-appointed board certified physician and surgeon. The examiner shall
11 consider any information provided by the Board or its designee and any other information he or
12 she deems relevant, and shall furnish a written evaluation report to the Board or its designee.

13 The clinical diagnostic evaluation shall be conducted by a licensed physician and surgeon
14 who holds a valid, unrestricted license, has three (3) years' experience in providing evaluations of
15 physicians and surgeons with substance abuse disorders, and is approved by the Board or its
16 designee. The clinical diagnostic evaluation shall be conducted in accordance with acceptable
17 professional standards for conducting substance abuse clinical diagnostic evaluations. The
18 evaluator shall not have a current or former financial, personal, or business relationship with
19 Respondent within the last five (5) years. The evaluator shall provide an objective, unbiased, and
20 independent evaluation. The clinical diagnostic evaluation report shall set forth, in the
21 evaluator's opinion, whether Respondent has a substance abuse problem, whether Respondent is a
22 threat to himself or herself or others, and recommendations for substance abuse treatment,
23 practice restrictions, or other recommendations related to Respondent's rehabilitation and ability
24 to practice safely. If the evaluator determines during the evaluation process that Respondent is a
25 threat to himself or herself or others, the evaluator shall notify the Board within twenty-four (24)
26 hours of such a determination.

27 In formulating his or her opinion as to whether Respondent is safe to return to either part-
28 time or full-time practice and what restrictions or recommendations should be imposed, including

1 participation in an inpatient or outpatient treatment program, the evaluator shall consider the
2 following factors: Respondent's license type; Respondent's history; Respondent's documented
3 length of sobriety (i.e., length of time that has elapsed since Respondent's last substance use);
4 Respondent's scope and pattern of substance abuse; Respondent's treatment history, medical
5 history and current medical condition; the nature, duration and severity of Respondent's
6 substance abuse problem or problems; and whether Respondent is a threat to himself or herself or
7 the public.

8 For all clinical diagnostic evaluations, a final written report shall be provided to the Board
9 no later than ten (10) days from the date the evaluator is assigned the matter. If the evaluator
10 requests additional information or time to complete the evaluation and report, an extension may
11 be granted, but shall not exceed thirty (30) days from the date the evaluator was originally
12 assigned the matter.

13 The Board shall review the clinical diagnostic evaluation report within five (5) business
14 days of receipt to determine whether Respondent is safe to return to either part-time or full-time
15 practice and what restrictions or recommendations shall be imposed on Respondent based on the
16 recommendations made by the evaluator. Respondent shall not be returned to practice until he or
17 she has at least thirty (30) days of negative biological fluid tests or biological fluid tests indicating
18 that he or she has not used, consumed, ingested, or administered to himself or herself a prohibited
19 substance, as defined in section 1361.51, subdivision (e), of Title 16 of the California Code of
20 Regulations.

21 Clinical diagnostic evaluations conducted prior to the date the Decision is adopted shall not
22 be accepted towards the fulfillment of this requirement. Respondent may coordinate with the
23 Board for a clinical diagnostic evaluation. The cost of the clinical diagnostic evaluation,
24 including any and all testing deemed necessary by the examiner, the Board or its designee, shall
25 be borne by the licensee.

26 Respondent shall not engage in the practice of medicine until notified by the Board or its
27 designee that he or she is fit to practice medicine safely. The period of time that Respondent is
28 not practicing medicine shall not be counted toward completion of the term of probation.

1 Respondent shall undergo biological fluid testing as required in this Decision at least two (2)
2 times per week while awaiting the notification from the Board if he or she is fit to practice
3 medicine safely.

4 Respondent shall comply with all restrictions or conditions recommended by the examiner
5 conducting the clinical diagnostic evaluation within fifteen (15) calendar days after being notified
6 by the Board or its designee.

7 3. NOTICE OF EMPLOYER OR SUPERVISOR INFORMATION. Within seven (7)
8 days of the effective date of this Decision, Respondent shall provide to the Board the names,
9 physical addresses, mailing addresses, and telephone numbers of any and all employers and
10 supervisors. Respondent shall also provide specific, written consent for the Board, Respondent's
11 worksite monitor, and Respondent's employers and supervisors to communicate regarding
12 Respondent's work status, performance, and monitoring.

13 For purposes of this section, "supervisors" shall include the Chief of Staff and Health or
14 Well Being Committee Chair, or equivalent, if applicable, when the Respondent has medical staff
15 privileges.

16 4. BIOLOGICAL FLUID TESTING. Respondent shall immediately submit to
17 biological fluid testing, at Respondent's expense, upon request of the Board or its designee.
18 "Biological fluid testing" may include, but is not limited to, urine, blood, breathalyzer, hair
19 follicle testing, or similar drug screening approved by the Board or its designee. Respondent shall
20 make daily contact with the Board or its designee to determine whether biological fluid testing is
21 required. Respondent shall be tested on the date of the notification as directed by the Board or its
22 designee. The Board may order a Respondent to undergo a biological fluid test on any day, at
23 any time, including weekends and holidays. Except when testing on a specific date as ordered by
24 the Board or its designee, the scheduling of biological fluid testing shall be done on a random
25 basis. The cost of biological fluid testing shall be borne by the Respondent.

26 During the first year of probation, Respondent shall be subject to 52 to 104 random tests.
27 During the second year of probation and for the duration of the probationary term, up to five (5)
28 years, Respondent shall be subject to 36 to 104 random tests per year. Only if there has been no

1 positive biological fluid tests in the previous five (5) consecutive years of probation, may testing
2 be reduced to one (1) time per month. Nothing precludes the Board from increasing the number
3 of random tests to the first-year level of frequency for any reason.

4 Prior to practicing medicine, Respondent shall contract with a laboratory or service,
5 approved in advance by the Board or its designee, that will conduct random, unannounced,
6 observed, biological fluid testing. Respondent may coordinate with the Board to obtain advanced
7 approval of the laboratory or service after the decision is adopted and prior to its effective date.

8 The laboratory or service shall meet all of the following standards:

9 (a) Its specimen collectors are either certified by the Drug and Alcohol Testing Industry
10 Association or have completed the training required to serve as a collector for the United
11 States Department of Transportation.

12 (b) Its specimen collectors conform to the current United States Department of
13 Transportation Specimen Collection Guidelines.

14 (c) Its testing locations comply with the Urine Specimen Collection Guidelines published
15 by the United States Department of Transportation without regard to the type of test
16 administered.

17 (d) Its specimen collectors observe the collection of testing specimens.

18 (e) Its laboratories are certified and accredited by the United States Department of Health
19 and Human Services.

20 (f) Its testing locations shall submit a specimen to a laboratory within one (1) business day
21 of receipt and all specimens collected shall be handled pursuant to chain of custody
22 procedures. The laboratory shall process and analyze the specimens and provide legally
23 defensible test results to the Board within seven (7) business days of receipt of the
24 specimen. The Board will be notified of non-negative results within one (1) business day
25 and will be notified of negative test results within seven (7) business days.

26 (g) Its testing locations possess all the materials, equipment, and technical expertise
27 necessary in order to test Respondent on any day of the week.

28 (h) Its testing locations are able to scientifically test for urine, blood, and hair specimens

1 for the detection of alcohol and illegal and controlled substances.

2 (i) It maintains testing sites located throughout California.

3 (j) It maintains an automated 24-hour toll-free telephone system and/or a secure on-line
4 computer database that allows the Respondent to check in daily for testing.

5 (k) It maintains a secure, HIPAA-compliant website or computer system that allows staff
6 access to drug test results and compliance reporting information that is available 24 hours a
7 day.

8 (l) It employs or contracts with toxicologists that are licensed physicians and have
9 knowledge of substance abuse disorders and the appropriate medical training to interpret
10 and evaluate laboratory biological fluid test results, medical histories, and any other
11 information relevant to biomedical information.

12 (m) It will not consider a toxicology screen to be negative if a positive result is obtained
13 while practicing, even if the Respondent holds a valid prescription for the substance.

14 Prior to changing testing locations for any reason, including during vacation or other travel,
15 alternative testing locations must be approved by the Board and meet the requirements above.

16 The contract shall require that the laboratory directly notify the Board or its designee of
17 non-negative results within one (1) business day and negative test results within seven (7)
18 business days of the results becoming available. Respondent shall maintain this laboratory or
19 service contract during the period of probation.

20 A certified copy of any laboratory test result may be received in evidence in any
21 proceedings between the Board and Respondent.

22 If a biological fluid test result indicates Respondent has used, consumed, ingested, or
23 administered to himself or herself a prohibited substance, the Board shall order Respondent to
24 cease practice and instruct Respondent to leave any place of work where Respondent is practicing
25 medicine or providing medical services. The Board shall immediately notify all of Respondent's
26 employers, supervisors and work monitors, if any, that Respondent may not practice medicine or
27 provide medical services while the cease-practice order is in effect.

28 A biological fluid test will not be considered negative if a positive result is obtained while

1 practicing, even if the practitioner holds a valid prescription for the substance. If no prohibited
2 substance use exists, the Board shall lift the cease-practice order within one (1) business day.

3 After the issuance of a cease-practice order, the Board shall determine whether the positive
4 biological fluid test is in fact evidence of prohibited substance use by consulting with the
5 specimen collector and the laboratory, communicating with the licensee, his or her treating
6 physician(s), other health care provider, or group facilitator, as applicable.

7 For purposes of this condition, the terms “biological fluid testing” and “testing” mean the
8 acquisition and chemical analysis of a Respondent’s urine, blood, breath, or hair.

9 For purposes of this condition, the term “prohibited substance” means an illegal drug, a
10 lawful drug not prescribed or ordered by an appropriately licensed health care provider for use by
11 Respondent and approved by the Board, alcohol, or any other substance the Respondent has been
12 instructed by the Board not to use, consume, ingest, or administer to himself or herself.

13 If the Board confirms that a positive biological fluid test is evidence of use of a prohibited
14 substance, Respondent has committed a major violation, as defined in section 1361.52(a), and the
15 Board shall impose any or all of the consequences set forth in section 1361.52(b), in addition to
16 any other terms or conditions the Board determines are necessary for public protection or to
17 enhance Respondent’s rehabilitation.

18 Notwithstanding the provisions above, Respondent’s period of documented business-
19 related travel outside the United States will relieve the Respondent of the responsibility to comply
20 with the requirement of biological fluid testing. Respondent shall notify the Board or its designee
21 in writing at least fifteen calendar days prior to any anticipated business-related travel outside the
22 United States. This written notification shall include documentation verifying the business
23 purpose and the length of the international travel.

24 Respondent’s total time period of relief from biological fluid testing during business-
25 related travel outside the United States shall not exceed thirty days per year.

26 Within five days of Respondent’s return to the United States following business-related
27 travel outside the United States, Respondent shall submit to a blood test screening for
28 Phosphatidyl Ethanol. Respondent shall not practice medicine after a business trip until she gets

1 tested. This test shall be subject to all the requirements of biological fluid testing set forth above.

2 5. SUBSTANCE ABUSE SUPPORT GROUP MEETINGS. Within thirty (30) days of
3 the effective date of this Decision, Respondent shall submit to the Board or its designee, for its
4 prior approval, the name of a substance abuse support group which he or she shall attend for the
5 duration of probation. Respondent shall attend substance abuse support group meetings at least
6 once per week, or as ordered by the Board or its designee. Respondent shall pay all substance
7 abuse support group meeting costs.

8 The facilitator of the substance abuse support group meeting shall have a minimum of three
9 (3) years experience in the treatment and rehabilitation of substance abuse, and shall be licensed
10 or certified by the state or nationally certified organizations. The facilitator shall not have a
11 current or former financial, personal, or business relationship with Respondent within the last five
12 (5) years. Respondent's previous participation in a substance abuse group support meeting led by
13 the same facilitator does not constitute a prohibited current or former financial, personal, or
14 business relationship.

15 The facilitator shall provide a signed document to the Board or its designee showing
16 Respondent's name, the group name, the date and location of the meeting, Respondent's
17 attendance, and Respondent's level of participation and progress. The facilitator shall report any
18 unexcused absence by Respondent from any substance abuse support group meeting to the Board,
19 or its designee, within twenty-four (24) hours of the unexcused absence.

20 Notwithstanding the provisions above, Respondent's periods of documented business-
21 related travel outside the United States will relieve Respondent of the responsibility to comply
22 with the requirement of substance abuse support group meetings. Respondent shall notify the
23 Board or its designee in writing at least fifteen calendar days prior to any anticipated business-
24 related travel outside the United States. This written notification shall include documentation
25 verifying the business purpose and the length of international travel.

26 Respondent's total time period of relief from substance abuse support group meetings
27 during business-related travel outside the United States shall not exceed thirty days per year.

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1 6. WORKSITE MONITOR FOR SUBSTANCE-ABUSING LICENSEE. Within thirty
2 (30) calendar days of the effective date of this Decision, Respondent shall submit to the Board or
3 its designee for prior approval as a worksite monitor, the name and qualifications of one or more
4 licensed physician and surgeon, other licensed health care professional if no physician and
5 surgeon is available, or, as approved by the Board or its designee, a person in a position of
6 authority who is capable of monitoring the Respondent at work.

7 The worksite monitor shall not have a current or former financial, personal, or familial
8 relationship with Respondent, or any other relationship that could reasonably be expected to
9 compromise the ability of the monitor to render impartial and unbiased reports to the Board or its
10 designee. If it is impractical for anyone but Respondent's employer to serve as the worksite
11 monitor, this requirement may be waived by the Board or its designee, however, under no
12 circumstances shall Respondent's worksite monitor be an employee or supervisee of the licensee.

13 The worksite monitor shall have an active unrestricted license with no disciplinary action
14 within the last five (5) years, and shall sign an affirmation that he or she has reviewed the terms
15 and conditions of Respondent's disciplinary order and agrees to monitor Respondent as set forth
16 by the Board or its designee.

17 Respondent shall pay all worksite monitoring costs.

18 The worksite monitor shall have face-to-face contact with Respondent in the work
19 environment on as frequent a basis as determined by the Board or its designee, but not less than
20 once per week; interview other staff in the office regarding Respondent's behavior, if requested
21 by the Board or its designee; and review Respondent's work attendance.

22 The worksite monitor shall verbally report any suspected substance abuse to the Board and
23 Respondent's employer or supervisor within one (1) business day of occurrence. If the suspected
24 substance abuse does not occur during the Board's normal business hours, the verbal report shall
25 be made to the Board or its designee within one (1) hour of the next business day. A written
26 report that includes the date, time, and location of the suspected abuse; Respondent's actions; and
27 any other information deemed important by the worksite monitor shall be submitted to the Board
28 or its designee within 48 hours of the occurrence.

1 The worksite monitor shall complete and submit a written report monthly or as directed by
2 the Board or its designee which shall include the following: (1) Respondent's name and
3 Physician's and Surgeon's Certificate number; (2) the worksite monitor's name and signature; (3)
4 the worksite monitor's license number, if applicable; (4) the location or location(s) of the
5 worksite; (5) the dates Respondent had face-to-face contact with the worksite monitor; (6) the
6 names of worksite staff interviewed, if applicable; (7) a report of Respondent's work attendance;
7 (8) any change in Respondent's behavior and/or personal habits; and (9) any indicators that can
8 lead to suspected substance abuse by Respondent. Respondent shall complete any required
9 consent forms and execute agreements with the approved worksite monitor and the Board, or its
10 designee, authorizing the Board, or its designee, and worksite monitor to exchange information.

11 If the worksite monitor resigns or is no longer available, Respondent shall, within five (5)
12 calendar days of such resignation or unavailability, submit to the Board or its designee, for prior
13 approval, the name and qualifications of a replacement monitor who will be assuming that
14 responsibility within fifteen (15) calendar days. If Respondent fails to obtain approval of a
15 replacement monitor within sixty (60) calendar days of the resignation or unavailability of the
16 monitor, Respondent shall receive a notification from the Board or its designee to cease the
17 practice of medicine within three (3) calendar days after being so notified. Respondent shall
18 cease the practice of medicine until a replacement monitor is approved and assumes monitoring
19 responsibility.

20 7. VIOLETION OF PROBATION CONDITION FOR SUBSTANCE ABUSING
21 LICENSEES. Failure to fully comply with any term or condition of probation is a violation of
22 probation.

23 A. If Respondent commits a major violation of probation as defined by section
24 1361.52, subdivision (a), of Title 16 of the California Code of Regulations, the Board shall take
25 one or more of the following actions:

26 (1) Issue an immediate cease-practice order and order Respondent to undergo a clinical
27 diagnostic evaluation to be conducted in accordance with section 1361.5, subdivision (c)(1), of
28 Title 16 of the California Code of Regulations, at Respondent's expense. The cease-practice

1 order issued by the Board or its designee shall state that Respondent must test negative for at least
2 a month of continuous biological fluid testing before being allowed to resume practice. For
3 purposes of determining the length of time a Respondent must test negative while undergoing
4 continuous biological fluid testing following issuance of a cease-practice order, a month is
5 defined as thirty calendar (30) days. Respondent may not resume the practice of medicine until
6 notified in writing by the Board or its designee that he or she may do so.

7 (2) Increase the frequency of biological fluid testing.

8 (3) Refer Respondent for further disciplinary action, such as suspension, revocation, or
9 other action as determined by the Board or its designee.

10 B. If Respondent commits a minor violation of probation as defined by section
11 1361.52, subdivision (c), of Title 16 of the California Code of Regulations, the Board shall take
12 one or more of the following actions:

13 (1) Issue a cease-practice order;

14 (2) Order practice limitations;

15 (3) Order or increase supervision of Respondent;

16 (4) Order increased documentation;

17 (5) Issue a citation and fine, or a warning letter;

18 (6) Order Respondent to undergo a clinical diagnostic evaluation to be conducted in
19 accordance with section 1361.5, subdivision (c)(1), of Title 16 of the California Code of
20 Regulations, at Respondent's expense;

21 (7) Take any other action as determined by the Board or its designee.

22 C. Nothing in this Decision shall be considered a limitation on the Board's authority
23 to revoke Respondent's probation if he or she has violated any term or condition of probation. If
24 Respondent violates probation in any respect, the Board, after giving Respondent notice and the
25 opportunity to be heard, may revoke probation and carry out the disciplinary order that was
26 stayed. If an Accusation, or Petition to Revoke Probation, or an Interim Suspension Order is filed
27 against Respondent during probation, the Board shall have continuing jurisdiction until the matter
28 is final, and the period of probation shall be extended until the matter is final.

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

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

10 9. PATIENT DISCLOSURE.
11 Before a patient's first visit following the effective date of this order and while the respondent is
12 on probation, the respondent must provide all patients, or patient's guardian or health care
13 surrogate, with a separate disclosure that includes the respondent's probation status, the length of
14 the probation, the probation end date, all practice restrictions placed on the respondent by the
15 board, the board's telephone number, and an explanation of how the patient can find further
16 information on the respondent's probation on the respondent's profile page on the board's
17 website. Respondent shall obtain from the patient, or the patient's guardian or health care
18 surrogate, a separate, signed copy of that disclosure. Respondent shall not be required to provide
19 a disclosure if any of the following applies: (1) The patient is unconscious or otherwise unable to
20 comprehend the disclosure and sign the copy of the disclosure and a guardian or health care
21 surrogate is unavailable to comprehend the disclosure and sign the copy; (2) The visit occurs in
22 an emergency room or an urgent care facility or the visit is unscheduled, including consultations
23 in inpatient facilities; (3) Respondent is not known to the patient until immediately prior to the
24 start of the visit; (4) Respondent does not have a direct treatment relationship with the patient.

25 10. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE
26 NURSES. During probation, Respondent is not prohibited from supervising physician assistants
27 and advanced practice nurses during any period in which she is employed by The Permanente
28 Medical Group (TPMG), and while practicing medicine within the scope of that employment.

1 Respondent is otherwise prohibited from supervising physician assistants and advanced practice
2 nurses.

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

6 12. QUARTERLY DECLARATIONS. Respondent shall submit quarterly declarations
7 under penalty of perjury on forms provided by the Board, stating whether there has been
8 compliance with all the conditions of probation.

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

11 13. GENERAL PROBATION REQUIREMENTS.

12 Compliance with Probation Unit

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

14 Address Changes

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

20 Place of Practice

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

24 License Renewal

25 Respondent shall maintain a current and renewed California physician's and surgeon's
26 license.

27 Travel or Residence Outside California

28 Respondent shall immediately inform the Board or its designee, in writing, of travel to any

1 areas outside the jurisdiction of California which lasts, or is contemplated to last, more than thirty
2 (30) calendar days.

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

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

9 15. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
10 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
11 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is
12 defined as any period of time Respondent is not practicing medicine as defined in Business and
13 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct
14 patient care, clinical activity or teaching, or other activity as approved by the Board. If
15 Respondent resides in California and is considered to be in non-practice, Respondent shall
16 comply with all terms and conditions of probation. All time spent in an intensive training
17 program which has been approved by the Board or its designee shall not be considered non-
18 practice and does not relieve Respondent from complying with all the terms and conditions of
19 probation. Practicing medicine in another state of the United States or Federal jurisdiction while
20 on probation with the medical licensing authority of that state or jurisdiction shall not be
21 considered non-practice. A Board-ordered suspension of practice shall not be considered as a
22 period of non-practice.

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

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

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

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

7 16. COMPLETION OF PROBATION. Respondent shall comply with all financial
8 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the
9 completion of probation. Upon successful completion of probation, Respondent's certificate shall
10 be fully restored.

11 17. VIOLATION OF PROBATION. Failure to fully comply with any term or condition
12 of probation is a violation of probation. If Respondent violates probation in any respect, the
13 Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and
14 carry out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke Probation,
15 or an Interim Suspension Order is filed against Respondent during probation, the Board shall have
16 continuing jurisdiction until the matter is final, and the period of probation shall be extended until
17 the matter is final.

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

28 ///

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

6 **ACCEPTANCE**

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

12
13 DATED: _____ 
14 AMANZOOPINDER KAUR SAMRAO, M.D.
Respondent

15 I have read and fully discussed with Respondent Amanzoopinder Kaur Samrao, M.D., the
16 terms and conditions and other matters contained in the above Stipulated Settlement and
17 Disciplinary Order. I approve its form and content.

18 DATED: 7/21/23 _____ 
19 M. BRADLEY WISHEK, ESQ.
Attorney for Respondent

20
21 **ENDORSEMENT**

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

24
25
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28

1 DATED: 7/26/2023

Respectfully submitted,

2 ROB BONTA
3 Attorney General of California
4 ALEXANDRA M. ALVAREZ
5 Supervising Deputy Attorney General

6 *Jannsen Tan*
7 JANNSEN TAN
8 Deputy Attorney General
9 *Attorneys for Complainant*

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1 ROB BONTA
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7 *Attorneys for Complainant*

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

12 In the Matter of the Petition to Revoke Probation
13 Against:

Case No. 800-2022-093477

14 **AMANZOOPINDER KAUR SAMRAO, M.D.**
The Permanente Medical Group
15 7373 West Lane
Stockton, CA 95210-3377

PETITION TO REVOKE PROBATION

16 **Physician's and Surgeon's Certificate**
17 **No. A 109227,**

18 Respondent.

19
20 **PARTIES**

21 1. Reji Varghese (Complainant) brings this Petition to Revoke Probation solely in his
22 official capacity as the Interim Executive Director of the Medical Board of California,
23 Department of Consumer Affairs (Board).

24 2. On or about August 14, 2009, the Medical Board issued Physician's and Surgeon's
25 Certificate Number A 109227 to Amanzoopinder Kaur Samrao, M.D. (Respondent). The
26 Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the
27 charges brought herein and will expire on April 30, 2025, unless renewed. On or about
28 November 17, 2022, the Board issued a cease practice order prohibiting Respondent from

1 engaging in the practice of Medicine. Pursuant to the order, Respondent shall not resume the
2 practice of medicine until notified in writing by the Board or its designee that she has completed a
3 clinical diagnostic evaluation and (30) calendar days of continuous negative biological fluid
4 testing. On or about January 10, 2023, the cease practice order was terminated upon successful
5 completion of the terms of the order.

6 3. In a disciplinary action entitled *In the Matter of Accusation Against Amanzoopinder*
7 *Kaur Samrao, M.D.*, Case No. 800-2016-023232, the Medical Board of California issued a
8 decision, effective October 25, 2019, in which Respondent's Physician's and Surgeon's
9 Certificate was revoked. However, the revocation was stayed and Respondent's Physician's and
10 Surgeon's Certificate was placed on probation for a period of four (4) years with certain terms
11 and conditions. A copy of that decision is attached as Exhibit A and is incorporated herein by
12 reference.

13 JURISDICTION

14 4. This Petition to Revoke Probation is brought before the Medical Board of California
15 (Board), Department of Consumer Affairs, under the authority of the following laws. All section
16 references are to the Business and Professions Code unless otherwise indicated.

17 5. Section 2004 of the Code provides, in pertinent part:

18 The board shall have the responsibility for the following:

19 (a) The enforcement of the disciplinary . . . provisions of the Medical Practice Act.

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

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

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

25 (e) . . . (i).

26 6. Section 2227 of the Code provides, in pertinent part:

27 (a) A licensee whose matter has been heard by an administrative law judge of
28 the Medical Quality Hearing Panel . . . , or whose default has been entered, and who
is found guilty, or who has entered into a stipulation for disciplinary action with the

board, may, in accordance with the provisions of this chapter:

(1) Have her . . . license revoked upon order of the board.

(2) Have her . . . right to practice suspended for a period not to exceed one year upon order of the board.

(3) Be placed on probation and be required to pay the costs of probation monitoring upon order of the board.

(4)

(5) Have any other action taken in relation to discipline as part of an order of probation, as the board or an administrative law judge may deem proper.

(b) Any matter heard pursuant to subdivision (a), except for warning letters, medical review or advisory conferences, professional competency examinations, continuing education activities, and cost reimbursement associated therewith that are agreed to with the board and successfully completed by the licensee, or other matters made confidential or privileged by existing law, is deemed public, and shall be made available to the public by the board pursuant to Section 803.1.

7. . . Section 1361.52, subdivision (a), of Title 16, California Code of Regulations provides, in pertinent part:

(a) A licensee who does any of the following shall be deemed to have committed a major violation of his . . . probation:

(1) Fails to undergo a required clinical diagnostic evaluation;

(2) Commits multiple minor violations of probation conditions and terms;

(3) Treats a patient or patients while under the influence of a prohibited substance;

(4) Engage in any drug or or alcohol related act that is a violation of state or federal law or regulation;

(5) Fails to undergo biological fluid testing when ordered;

(6) Uses, consumes, ingests, or administers to himself or herself a prohibited substance;

(7) Knowingly uses, makes, alters, or possesses any object or product in such a way as to defraud or attempt to defraud a biological fluid test designed to detect the presence of a prohibited substance; or

(8) Fails to comply with any term or condition of his or her probation that impairs public safety.

(b) If a licensee commits a major violation, the Board will take one or more of the following actions:

(1) Issue an immediate cease-practice order and order the licensee to undergo a clinical diagnostic evaluation at the expense of the licensee. Any order issued by the

1 Board pursuant to this subsection shall state that the licensee must test negative for at least
2 a month of continuous biological fluid testing before being allowed to resume practice.

3 (2) Increase the frequency of biological fluid testing.

4 (3) Refer the licensee for further disciplinary action, such as suspension,
5 revocation, or other action as determined by the Board.

6 (c) A licensee who does any of the following shall be deemed to have committed a
7 minor violation of his or her probation:

8 (1) Fails to submit required documentation to the Board in a timely manner;

9 (2) Has an unexcused absence at a required meeting;

10 (3) Fails to contact a worksite monitor as required; or

11 (4) Fails to comply with any term or condition of his or her probation that does not impair
12 public safety.

13 (d) If a licensee commits a minor violation, the Board will take one or more of the
14 following actions:

15 (1) Issue a cease-practice order;

16 (2) Order practice limitations;

17 (3) Order or increase supervision of licensee;

18 (4) Order increased documentation;

19 (5) Issue a citation and fine, or a warning letter;

20 (6) Order the licensee to undergo a clinical diagnostic evaluation at the expense of the
21 licensee;

22 (7) Take any other action as determined by the Board.

23 (e) Nothing in this section shall be considered a limitation on the Board's authority to
24 revoke the probation of a licensee who has violated a term or condition of that probation.

25 PROBATION CONDITIONS

26 At all times relevant to the charges brought herein, the terms and conditions of
27 Respondent's probation in Case No. 800-2016-023232 stated, in pertinent part:

28 1. ALCOHOL - ABSTAIN FROM USE. Respondent shall abstain completely from
the use of products or beverages containing alcohol.

5. BIOLOGICAL FLUID TESTING. Respondent shall immediately submit to
biological fluid testing, at Respondent's expense, upon request of the Board or its
designee. "Biological fluid testing" may include, but is not limited to, urine, blood,
breathalyzer, hair follicle testing, or similar drug screening approved by the Board or its
designee. Respondent shall make daily contact with the Board or its designee to
determine whether biological fluid testing is required. Respondent shall be tested on the

1 date of the notification as directed by the Board or its designee. The Board may order a
2 Respondent to undergo a biological fluid test on any day, at any time, including weekends
3 and holidays. Except when testing on a specific date as ordered by the Board or its
4 designee, the scheduling of biological fluid testing shall be done on a random basis. The
5 cost of biological fluid testing shall be borne by the Respondent.

6 During the first year of probation, Respondent shall be subject to 52 to 104 random
7 tests. During the second year of probation and for the duration of the probationary term,
8 up to five (5) years, Respondent shall be subject to 36 to 104 random tests per year. Only
9 if there has been no positive biological fluid tests in the previous five (5) consecutive
10 years of probation, may testing be reduced to one (1) time per month. Nothing precludes
11 the Board from increasing the number of random tests to the first-year level of frequency
12 for any reason.

13 Prior to practicing medicine, Respondent shall contract with a laboratory or service,
14 approved in advance by the Board or its designee, that will conduct random,
15 unannounced, observed, biological fluid testing. Respondent may coordinate with the
16 Board to obtain advanced approval of the laboratory or service after the decision is
17 adopted and prior to its effective date. The laboratory or service shall meet all of the
18 following standards:

19 (a) Its specimen collectors are either certified by the Drug and Alcohol Testing
20 Industry Association or have completed the training required to serve as a collector for the
21 United States Department of Transportation.

22 (b) Its specimen collectors conform to the current United States Department of
23 Transportation Specimen Collection Guidelines.

24 (c) Its testing locations comply with the Urine Specimen Collection Guidelines
25 published by the United States Department of Transportation without regard to the type of
26 test administered.

27 (d) Its specimen collectors observe the collection of testing specimens.

28 (e) Its laboratories are certified and accredited by the United States Department of
Health and Human Services.

(f) Its testing locations shall submit a specimen to a laboratory within one (1)
business day of receipt and all specimens collected shall be handled pursuant to chain of
custody procedures. The laboratory shall process and analyze the specimens and provide
legally defensible test results to the Board within seven (7) business days of receipt of the
specimen. The Board will be notified of non-negative results within one (1) business day
and will be notified of negative test results within seven (7) business days.

(g) Its testing locations possess all the materials, equipment, and technical expertise
necessary in order to test Respondent on any day of the week.

(h) Its testing locations are able to scientifically test for urine, blood, and hair
specimens for the detection of alcohol and illegal and controlled substances.

(i) It maintains testing sites located throughout California.

(j) It maintains an automated 24-hour toll-free telephone system and/or a secure on-
line computer database that allows the Respondent to check in daily for testing.

(k) It maintains a secure, HIPAA-compliant website or computer system that allows
staff access to drug test results and compliance reporting information that is available 24
hours a day.

(l) It employs or contracts with toxicologists that are licensed physicians and have
knowledge of substance abuse disorders and the appropriate medical training to interpret

1 and evaluate laboratory biological fluid test results, medical histories, and any other
2 information relevant to biomedical information.

3 (m) It will not consider a toxicology screen to be negative if a positive result is
4 obtained while practicing, even if the Respondent holds a valid prescription for the
5 substance.

6 Prior to changing testing locations for any reason, including during vacation or other
7 travel, alternative testing locations must be approved by the Board and meet the
8 requirements above.

9 The contract shall require that the laboratory directly notify the Board or its
10 designee of non-negative results within one (1) business day and negative test results
11 within seven (7) business days of the results becoming available. Respondent shall
12 maintain this laboratory or service contract during the period of probation.

13 A certified copy of any laboratory test result may be received in evidence in any
14 proceedings between the Board and Respondent.

15 If a biological fluid test result indicates Respondent has used, consumed, ingested,
16 or administered to himself or herself a prohibited substance, the Board shall order
17 Respondent to cease practice and instruct Respondent to leave any place of work where
18 Respondent is practicing medicine or providing medical services. The Board shall
19 immediately notify all of Respondent's employers, supervisors and work monitors, if any,
20 that Respondent may not practice medicine or provide medical services while the cease-
21 practice order is in effect.

22 A biological fluid test will not be considered negative if a positive result is obtained
23 while practicing, even if the practitioner holds a valid prescription for the substance. If no
24 prohibited substance use exists, the Board shall lift the cease-practice order within one (1)
25 business day.

26 After the issuance of a cease-practice order, the Board shall determine whether the
27 positive biological fluid test is in fact evidence of prohibited substance use by consulting
28 with the specimen collector and the laboratory, communicating with the licensee, his or
her treating physician(s), other health care provider, or group facilitator, as applicable.

For purposes of this condition, the terms "biological fluid testing" and "testing"
mean the acquisition and chemical analysis of a Respondent's urine, blood, breath, or hair.

For purposes of this condition, the term "prohibited substance" means an illegal
drug, a lawful drug not prescribed or ordered by an appropriately licensed health care
provider for use by Respondent and approved by the Board, alcohol, or any other
substance the Respondent has been instructed by the Board not to use, consume, ingest, or
administer to himself or herself.

If the Board confirms that a positive biological fluid test is evidence of use of a
prohibited substance, Respondent has committed a major violation, as defined in section
1361.52(a), and the Board shall impose any or all of the consequences set forth in section
1361.52(b), in addition to any other terms or conditions the Board determines are
necessary for public protection or to enhance Respondent's rehabilitation.

Notwithstanding the provisions above, Respondent's period of documented
business-related travel outside the United States will relieve the Respondent of the
responsibility to comply with the requirement of biological fluid testing. Respondent shall
notify the Board or its designee in writing at least fifteen calendar days prior to any
anticipated business-related travel outside the United States. This written notification
shall include documentation verifying the business purpose and the length of the
international travel.

1 Respondent's total time period of relief from biological fluid testing during
2 business-related travel outside the United States shall not exceed thirty days per year.

3 Within five days of Respondent's return to the United States following business-
4 related travel outside the United States, Respondent shall submit to a blood test screening
5 for Phosphatidyl Ethanol. Respondent shall not practice medicine after a business trip
6 until she gets tested. This test shall be subject to all the requirements of biological fluid
7 testing set forth above.

8 8. VIOLATION OF PROBATION CONDITION FOR SUBSTANCE ABUSING
9 LICENSEES. Failure to fully comply with any term or condition of probation is a
10 violation of probation.

11 A. If Respondent commits a major violation of probation as defined by section
12 1361.52, subdivision (a), of Title 16 of the California Code of Regulations, the Board
13 shall take one or more of the following actions:

14 (1) Issue an immediate cease-practice order and order Respondent to undergo a
15 clinical diagnostic evaluation to be conducted in accordance with section 1361.5,
16 subdivision (c)(1), of Title 16 of the California Code of Regulations, at Respondent's
17 expense. The cease-practice order issued by the Board or its designee shall state that
18 Respondent must test negative for at least a month of continuous biological fluid testing
19 before being allowed to resume practice. For purposes of determining the length of time a
20 Respondent must test negative while undergoing continuous biological fluid testing
21 following issuance of a cease-practice order, a month is defined as thirty calendar (30)
22 days. Respondent may not resume the practice of medicine until notified in writing by the
23 Board or its designee that he or she may do so.

24 (2) Increase the frequency of biological fluid testing.

25 (3) Refer Respondent for further disciplinary action, such as suspension,
26 revocation, or other action as determined by the Board or its designee.

27 B. If Respondent commits a minor violation of probation as defined by section
28 1361.52, subdivision (c), of Title 16 of the California Code of Regulations, the Board
shall take one or more of the following actions:

(1) Issue a cease-practice order;

(2) Order practice limitations;

(3) Order or increase supervision of Respondent;

(4) Order increased documentation;

(5) Issue a citation and fine, or a warning letter;

(6) Order Respondent to undergo a clinical diagnostic evaluation to be conducted in
accordance with section 1361.5, subdivision (c)(1), of Title 16 of the California Code of
Regulations, at Respondent's expense;

(7) Take any other action as determined by the Board or its designee.

C. Nothing in this Decision shall be considered a limitation on the Board's
authority to revoke Respondent's probation if he or she has violated any term or condition
of probation. If Respondent violates probation in any respect, the Board, after giving
Respondent notice and the opportunity to be heard, may revoke probation and carry out
the disciplinary order that was stayed. If an Accusation, or Petition to Revoke Probation,
or an Interim Suspension Order is filed against Respondent during probation, the Board
shall have continuing jurisdiction until the matter is final, and the period of probation shall
be extended until the matter is final.

18. VIOLATION OF PROBATION. Failure to comply with any term or condition
of probation is a violation of probation. If Respondent violates probation in any respect,

1 the Board, after giving Respondent notice and the opportunity to be heard, may revoke
2 probation and carry out the disciplinary order that was stayed. If an Accusation, or
3 Petition to Revoke Probation, or an Interim Suspension Order is filed against Respondent
4 during probation shall be extended until the matter is final.

4 **FIRST CAUSE TO REVOKE PROBATION**

5 **(Abstain from Use of Products Containing Alcohol)**

6 8. Respondent's probation is subject to revocation because she failed to abstain from
7 production containing alcohol, in violation of Probation Condition 1. The circumstances are as
8 follows:

9 9. On or about October 4, 2019, Respondent was sent a letter advising her she needed to
10 enroll and participate in FSSolutions (Vault Health) and that she needed to check their system
11 daily to determine if testing is required for that day.

12 10. On or about October 23, 2019, Respondent received a copy of the Decision with full
13 explanation of the probation conditions. On that day, she signed an
14 "Acknowledgement of Decision" indicating she understood the conditions.

15 11. On or about February 29, 2021, Respondent tested positive for the metabolites of
16 alcohol. On March 29, 2021, a citation and fine was issued for the violation.

17 12. On or about April 30, 2021, Respondent failed to submit a biological fluid sample
18 when selected. On June 22, 2021, a citation and fine was issued for the violation.

19 13. On or about October 26, 2021, November 17, 2021, and November 24, 2021,
20 Respondent failed to submit a blood sample when selected. On February 1, 2022, a citation and
21 fine was issued for the violation.

22 14. On or about November 7, 2022, the Board received laboratory results from a blood
23 sample submitted by Respondent on October 31, 2022. Laboratory results revealed she tested
24 positive for the metabolites of Phosphatidyl Ethanol (Alcohol). The Board sent Respondent a
25 letter, via US Mail and email, requesting a written explanation as to why she tested positive for
26 alcohol.

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1 15. On or about November 7, 2022, Respondent responded, via email, stating she did not
2 knowingly consume alcohol, but while traveling abroad she ordered several non-alcoholic drinks
3 that may have contained alcohol.

4 16. On or about November 8, 2022, the Board received laboratory results from a
5 biological fluid sample submitted by Respondent on November 1, 2022. Laboratory results
6 revealed she tested positive for the metabolites of alcohol. The positive laboratory results and
7 Respondent's explanation were sent to a Board Medical Review Officer (MRO), who opined the
8 PEth (blood) results were consistent with ingestion and the urinalysis result was borderline.

9 17. Respondent was scheduled for international travel to Australia from November 14,
10 2022, through November 28, 2022, with special testing scheduled upon her return.

11 18. On or about November 28, 2022, Respondent emailed the Board Analyst requesting
12 to be excused from testing from November 28, 2022, through December 2, 2022 due to her
13 cousin's hospitalization.

14 19. On or about November 29, 2022, Respondent was selected for a blood sample.
15 Respondent was instructed to submit to testing on November 29, 2022, and testing could be
16 excused from November 30, 2022, through December 2, 2022. Additionally, Respondent was
17 notified failure to submit to testing would be a violation of probation. Respondent replied, via
18 email, stating she could not submit to testing that day due to her cousin's condition.

19 SECOND CAUSE TO REVOKE PROBATION

20 (Biological Fluid Testing)

21 20. Respondent's probation is subject to revocation because she failed to submit to
22 biological fluid testing when ordered to do so, in violation of Probation Condition 5. The
23 circumstances are set forth in paragraphs 9 through 19, above, which are incorporated here by
24 reference.

25 DISCIPLINE CONSIDERATIONS

26 21. On or about March 29, 2021, the Board issued Citation Order 800-2021-076302, in
27 the amount of \$700.00, for violating Section 1364.11, subdivision (b), of Title 16, California
28

1 Code of Regulations when on February 9, 2021, she tested positive for EtG/EtS, in violation of
2 Conditions, 1, 2, 5, 8, and 18 of her probationary order. That Citation is now final.

3 22. On or about June 22, 2021, the Board issued Respondent Citation Order and
4 Abatement Order 800-2021-078717 for violating Section 1364.11, subdivision (b), of Title 16,
5 California Code of Regulations when she failed to submit to biological fluid testing when selected
6 to do so on April 30, 2021, in violation of Conditions 2, 5, and 8 of her probationary order. That
7 Citation is now final.

8 23. On or about February 1, 2022, the Board issued Respondent Citation Order and
9 Abatement Order 800-2022-084744 for violating Section 1364.11, subdivision (b), of Title 16,
10 California Code of Regulations when she failed to submit to a PEth test when selected to do so on
11 October 26, 2021, November 17, 2021, and November 24, 2021, in violation of Conditions 2 of
12 her probationary order. That Citation is now final.

13
14 **PRAYER**

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

17 1. Revoking the probation that was granted by the Medical Board of California in Case
18 No. 800-2016-023232 and imposing the disciplinary order that was stayed thereby revoking
19 Physician's and Surgeon's Certificate No. A 109227 issued to Respondent Amanzoopinder Kaur
20 Samrao, M.D.;

21 2. Revoking or suspending Physician's and Surgeon's Certificate Number A 109227,
22 issued to Amanzoopinder Kaur Samrao, M.D.;

23 3. Revoking, suspending or denying approval of Amanzoopinder Kaur Samrao, M.D.'s
24 authority to supervise physician assistants and advanced practice nurses;

25 4. If placed on probation, ordering Amanzoopinder Kaur Samrao, M.D., to pay the
26 Medical Board of California, the costs of probation monitoring; and

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4. Taking such other and further action as deemed necessary and proper.

DATED: MAR 02 2023



REJI VARGHESE
Interim Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
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:)
)
)
Amanzoopinder Kaur Samrao, M.D.)
)
Physician's and Surgeon's)
Certificate No. A 109227)
)
Respondent)
_____)

Case No. 800-2016-023232

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 October 25, 2019.

IT IS SO ORDERED: September 27, 2019.

MEDICAL BOARD OF CALIFORNIA



Kristina D. Lawson, J.D., Chair
Panel B

1 XAVIER BECERRA
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2 STEVEN D. MUNI
Supervising Deputy Attorney General
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7 *Attorneys for Complainant*

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

12
13 Case No. 800-2016-023232

14 In the Matter of the Accusation Against:
AMANZOOPINDER KAUR SAMRAO,
15 **M.D.**
The Permanente Medical Group
7373 West Lane
Stockton, CA 95210-3377

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

16 Physician's and Surgeon's Certificate No. A
17 109227

18 Respondent.

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

23 **PARTIES**

24 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
25 of California (Board). She brought this action solely in her official capacity and is represented in
26 this matter by Xavier Becerra, Attorney General of the State of California, by Jannsen Tan,
27 Deputy Attorney General.

1 2. Respondent Amanzoopinder Kaur Samrao, M.D. (Respondent) is represented in this
2 proceeding by attorney M. Bradley Wishek, whose address is: 765 University Avenue
3 Sacramento, CA 95825

4 3. On or about August 14, 2009, the Board issued Physician's and Surgeon's Certificate
5 No. A 109227 to Amanzoopinder Kaur Samrao, M.D. (Respondent). The Physician's and
6 Surgeon's Certificate will expire on April 30, 2021, unless it has been renewed.

7 **JURISDICTION**

8 4. Accusation No. 800-2016-023232 was filed before the Board, and is currently
9 pending against Respondent. The Accusation and all other statutorily required documents were
10 properly served on Respondent. Respondent timely filed her Notice of Defense contesting the
11 Accusation.

12 5. A copy of Accusation No. 800-2016-023232 is attached as exhibit A and incorporated
13 herein by reference.

14 6. Respondent is currently charged in the Superior Court of California, County of
15 Alameda, with violations of Vehicle Code section 23152, subdivisions (a) and (b), in Complaint
16 No. 19-CR-000742, arising out of the events which occurred on June 7, 2018. This stipulated
17 settlement encompasses all disciplinary action to be taken by the Board in connection with the
18 factual matters alleged in the Accusation, including the events on June 7, 2018. Should
19 Respondent be convicted of a crime in the above-referenced proceeding, such conviction(s) shall
20 not constitute a new or separate basis for the filing of an Accusation, imposition of discipline, or
21 any violation of this disciplinary order.

22 **ADVISEMENT AND WAIVERS**

23 7. Respondent has carefully read, fully discussed with counsel, and understands the
24 charges and allegations in Accusation No. 800-2016-023232. Respondent has also carefully read,
25 fully discussed with counsel, and understands the effects of this Stipulated Settlement and
26 Disciplinary Order.

27 8. Respondent is fully aware of her legal rights in this matter, including the right to a
28 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine

1 the witnesses against her; the right to present evidence and to testify on her own behalf; the right
2 to the issuance of subpoenas to compel the attendance of witnesses and the production of
3 documents; the right to reconsideration and court review of an adverse decision; and all other
4 rights accorded by the California Administrative Procedure Act and other applicable laws.

5 9. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
6 every right set forth above.

7 CULPABILITY

8 10. Respondent understands and agrees that the charges and allegations in Accusation
9 No. 800-2016-023232, if proven at a hearing, constitute cause for imposing discipline upon her
10 Physician's and Surgeon's Certificate.

11 11. For the purpose of resolving the Accusation without the expense and uncertainty of
12 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual
13 basis for the charges in the Accusation, and that Respondent hereby gives up her right to contest
14 those charges.

15 12. Respondent agrees that if she ever petitions for early termination or modification of
16 probation, or if an accusation and/or petition to revoke probation is filed against her, before the
17 Medical Board of California, all of the charges and allegations contained in Accusation No. 800-
18 2016-023232 shall be deemed true, correct and fully admitted by Respondent for purposes of that
19 proceeding or any other licensing proceeding involving Respondent in the State of California.

20 13. Respondent agrees the Disciplinary Order below, requiring the disclosure of
21 probation pursuant to Business and Professions Code section 2228.1, serves to protect the public
22 interest.

23 14. Respondent agrees that her Physician's and Surgeon's Certificate is subject to
24 discipline and she agrees to be bound by the Board's probationary terms as set forth in the
25 Disciplinary Order below.

26 RESERVATION

27 15. The admissions made by Respondent herein are only for the purposes of this
28 proceeding, or any other proceedings in which the Medical Board of California or other

1 professional licensing agency is involved, and shall not be admissible in any other criminal or
2 civil proceeding.

3 **CONTINGENCY**

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

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

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

20 **DISCIPLINARY ORDER**

21 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 109227 issued
22 to Respondent Amanzoopinder Kaur Samrao, M.D. is revoked. However, the revocation is
23 stayed and Respondent is placed on probation for four (4) years on the following terms and
24 conditions.

25 1. **ALCOHOL - ABSTAIN FROM USE.** Respondent shall abstain completely from the
26 use of products or beverages containing alcohol.

27 2. **BIOLOGICAL FLUID TESTING.** Respondent shall immediately submit to
28 biological fluid testing, at Respondent's expense, upon request of the Board or its designee.

1 "Biological fluid testing" may include, but is not limited to, urine, blood, breathalyzer, hair
2 follicle testing, or similar drug screening approved by the Board or its designee. Prior to
3 practicing medicine, Respondent shall contract with a laboratory or service approved in advance
4 by the Board or its designee that will conduct random, unannounced, observed, biological fluid
5 testing. The contract shall require results of the tests to be transmitted by the laboratory or
6 service directly to the Board or its designee within four hours of the results becoming available.
7 Respondent shall maintain this laboratory or service contract during the period of probation.

8 A certified copy of any laboratory test result may be received in evidence in any
9 proceedings between the Board and Respondent.

10 If Respondent fails to cooperate in a random biological fluid testing program within the
11 specified time frame, Respondent shall receive a notification from the Board or its designee to
12 immediately cease the practice of medicine. The Respondent shall not resume the practice of
13 medicine until the final decision on an accusation and/or a petition to revoke probation is
14 effective. An accusation and/or petition to revoke probation shall be filed by the Board within 30
15 days of the notification to cease practice. If the Respondent requests a hearing on the accusation
16 and/or petition to revoke probation, the Board shall provide the Respondent with a hearing within
17 30 days of the request, unless the Respondent stipulates to a later hearing. If the case is heard by
18 an Administrative Law Judge alone, he or she shall forward a Proposed Decision to the Board
19 within 15 days of submission of the matter. Within 15 days of receipt by the Board of the
20 Administrative Law Judge's proposed decision, the Board shall issue its Decision, unless good
21 cause can be shown for the delay. If the case is heard by the Board, the Board shall issue its
22 decision within 15 days of submission of the case, unless good cause can be shown for the delay.
23 Good cause includes, but is not limited to, non-adoption of the proposed decision, requests for
24 reconsideration, remands and other interlocutory orders issued by the Board. The cessation of
25 practice shall not apply to the reduction of the probationary time period.

26 If the Board does not file an accusation or petition to revoke probation within 15 days of the
27 issuance of the notification to cease practice or does not provide Respondent with a hearing
28 within 30 days of such a request, the notification of cease practice shall be dissolved.

1 3. CLINICAL DIAGNOSTIC EVALUATIONS AND REPORTS: Within thirty (30)
2 calendar days of the effective date of this Decision, and on whatever periodic basis thereafter as
3 may be required by the Board or its designee, Respondent shall undergo and complete a clinical
4 diagnostic evaluation, including any and all testing deemed necessary, by a Board-appointed
5 board certified physician and surgeon. The examiner shall consider any information provided by
6 the Board or its designee and any other information he or she deems relevant, and shall furnish a
7 written evaluation report to the Board or its designee.

8 The clinical diagnostic evaluation shall be conducted by a licensed physician and surgeon
9 who holds a valid, unrestricted license, has three (3) years' experience in providing evaluations of
10 physicians and surgeons with substance abuse disorders, and is approved by the Board or its
11 designee. The clinical diagnostic evaluation shall be conducted in accordance with acceptable
12 professional standards for conducting substance abuse clinical diagnostic evaluations. The
13 evaluator shall not have a current or former financial, personal, or business relationship with
14 Respondent within the last five (5) years. The evaluator shall provide an objective, unbiased, and
15 independent evaluation. The clinical diagnostic evaluation report shall set forth, in the
16 evaluator's opinion, whether Respondent has a substance abuse problem; whether Respondent is a
17 threat to himself or herself or others, and recommendations for substance abuse treatment,
18 practice restrictions, or other recommendations related to Respondent's rehabilitation and ability
19 to practice safely. If the evaluator determines during the evaluation process that Respondent is a
20 threat to himself or herself or others, the evaluator shall notify the Board within twenty-four (24)
21 hours of such a determination.

22 In formulating his or her opinion as to whether Respondent is safe to return to either part-
23 time or full-time practice and what restrictions or recommendations should be imposed, including
24 participation in an inpatient or outpatient treatment program, the evaluator shall consider the
25 following factors: Respondent's license type; Respondent's history; Respondent's documented
26 length of sobriety (i.e., length of time that has elapsed since Respondent's last substance use);
27 Respondent's scope and pattern of substance abuse; Respondent's treatment history, medical
28 history and current medical condition; the nature, duration and severity of Respondent's

1 substance abuse problem or problems; and whether Respondent is a threat to himself or herself or
2 the public.

3 For all clinical diagnostic evaluations, a final written report shall be provided to the Board
4 no later than ten (10) days from the date the evaluator is assigned the matter. If the evaluator
5 requests additional information or time to complete the evaluation and report, an extension may
6 be granted, but shall not exceed thirty (30) days from the date the evaluator was originally
7 assigned the matter.

8 The Board shall review the clinical diagnostic evaluation report within five (5) business
9 days of receipt to determine whether Respondent is safe to return to either part-time or full-time
10 practice and what restrictions or recommendations shall be imposed on Respondent based on the
11 recommendations made by the evaluator. Respondent shall not be returned to practice until he or
12 she has at least thirty (30) days of negative biological fluid tests or biological fluid tests indicating
13 that he or she has not used, consumed, ingested, or administered to himself or herself a prohibited
14 substance, as defined in section 1361.51, subdivision (e), of Title 16 of the California Code of
15 Regulations.

16 Clinical diagnostic evaluations conducted prior to the date this Decision is adopted shall not
17 be accepted towards the fulfillment of this requirement. Upon adoption of the decision and prior
18 to its effective date, Respondent may coordinate with the Board for a clinical diagnostic
19 evaluation. The cost of the clinical diagnostic evaluation, including any and all testing deemed
20 necessary by the examiner, the Board or its designee, shall be borne by the licensee.

21 Respondent shall not engage in the practice of medicine until notified by the Board or its
22 designee that he or she is fit to practice medicine safely. The period of time that Respondent is
23 not practicing medicine shall not be counted toward completion of the term of probation.
24 Respondent shall undergo biological fluid testing as required in this Decision at least two (2)
25 times per week while awaiting the notification from the Board if he or she is fit to practice
26 medicine safely.

27 Respondent shall comply with all restrictions or conditions recommended by the examiner
28 conducting the clinical diagnostic evaluation within fifteen (15) calendar days after being notified

1 by the Board or its designee.

2 4. NOTICE OF EMPLOYER OR SUPERVISOR INFORMATION. Within seven (7)
3 days of the effective date of this Decision, Respondent shall provide to the Board the names,
4 physical addresses, mailing addresses, and telephone numbers of any and all employers and
5 supervisors. Respondent shall also provide specific, written consent for the Board, Respondent's
6 worksite monitor, and Respondent's employers and supervisors to communicate regarding
7 Respondent's work status, performance, and monitoring.

8 For purposes of this section, "supervisors" shall include the Chief of Staff and Health or
9 Well Being Committee Chair, or equivalent, if applicable, when the Respondent has medical staff
10 privileges.

11 5. BIOLOGICAL FLUID TESTING. Respondent shall immediately submit to
12 biological fluid testing, at Respondent's expense, upon request of the Board or its designee.
13 "Biological fluid testing" may include, but is not limited to, urine, blood, breathalyzer, hair
14 follicle testing, or similar drug screening approved by the Board or its designee. Respondent shall
15 make daily contact with the Board or its designee to determine whether biological fluid testing is
16 required. Respondent shall be tested on the date of the notification as directed by the Board or its
17 designee. The Board may order a Respondent to undergo a biological fluid test on any day, at
18 any time, including weekends and holidays. Except when testing on a specific date as ordered by
19 the Board or its designee, the scheduling of biological fluid testing shall be done on a random
20 basis. The cost of biological fluid testing shall be borne by the Respondent.

21 During the first year of probation, Respondent shall be subject to 52 to 104 random tests.
22 During the second year of probation and for the duration of the probationary term, up to five (5)
23 years, Respondent shall be subject to 36 to 104 random tests per year. Only if there has been no
24 positive biological fluid tests in the previous five (5) consecutive years of probation, may testing
25 be reduced to one (1) time per month. Nothing precludes the Board from increasing the number
26 of random tests to the first-year level of frequency for any reason.

27 Prior to practicing medicine, Respondent shall contract with a laboratory or service,
28 approved in advance by the Board or its designee, that will conduct random, unannounced,

1 observed, biological fluid testing. Respondent may coordinate with the Board to obtain advanced
2 approval of the laboratory or service after the decision is adopted and prior to its effective date.

3 The laboratory or service shall meet all of the following standards:

4 (a) Its specimen collectors are either certified by the Drug and Alcohol Testing Industry
5 Association or have completed the training required to serve as a collector for the United
6 States Department of Transportation.

7 (b) Its specimen collectors conform to the current United States Department of
8 Transportation Specimen Collection Guidelines.

9 (c) Its testing locations comply with the Urine Specimen Collection Guidelines published
10 by the United States Department of Transportation without regard to the type of test
11 administered.

12 (d) Its specimen collectors observe the collection of testing specimens.

13 (e) Its laboratories are certified and accredited by the United States Department of Health
14 and Human Services.

15 (f) Its testing locations shall submit a specimen to a laboratory within one (1) business day
16 of receipt and all specimens collected shall be handled pursuant to chain of custody
17 procedures. The laboratory shall process and analyze the specimens and provide legally
18 defensible test results to the Board within seven (7) business days of receipt of the
19 specimen. The Board will be notified of non-negative results within one (1) business day
20 and will be notified of negative test results within seven (7) business days.

21 (g) Its testing locations possess all the materials, equipment, and technical expertise
22 necessary in order to test Respondent on any day of the week.

23 (h) Its testing locations are able to scientifically test for urine, blood, and hair specimens
24 for the detection of alcohol and illegal and controlled substances.

25 (i) It maintains testing sites located throughout California.

26 (j) It maintains an automated 24-hour toll-free telephone system and/or a secure on-line
27 computer database that allows the Respondent to check in daily for testing.

28 (k) It maintains a secure, HIPAA-compliant website or computer system that allows staff

1 access to drug test results and compliance reporting information that is available 24 hours a
2 day.

3 (l) It employs or contracts with toxicologists that are licensed physicians and have
4 knowledge of substance abuse disorders and the appropriate medical training to interpret
5 and evaluate laboratory biological fluid test results, medical histories, and any other
6 information relevant to biomedical information.

7 (m) It will not consider a toxicology screen to be negative if a positive result is obtained
8 while practicing, even if the Respondent holds a valid prescription for the substance.

9 Prior to changing testing locations for any reason, including during vacation or other travel,
10 alternative testing locations must be approved by the Board and meet the requirements above.

11 The contract shall require that the laboratory directly notify the Board or its designee of
12 non-negative results within one (1) business day and negative test results within seven (7)
13 business days of the results becoming available. Respondent shall maintain this laboratory or
14 service contract during the period of probation.

15 A certified copy of any laboratory test result may be received in evidence in any
16 proceedings between the Board and Respondent.

17 If a biological fluid test result indicates Respondent has used, consumed, ingested, or
18 administered to himself or herself a prohibited substance, the Board shall order Respondent to
19 cease practice and instruct Respondent to leave any place of work where Respondent is practicing
20 medicine or providing medical services. The Board shall immediately notify all of Respondent's
21 employers, supervisors and work monitors, if any, that Respondent may not practice medicine or
22 provide medical services while the cease-practice order is in effect.

23 A biological fluid test will not be considered negative if a positive result is obtained while
24 practicing, even if the practitioner holds a valid prescription for the substance. If no prohibited
25 substance use exists, the Board shall lift the cease-practice order within one (1) business day.

26 After the issuance of a cease-practice order, the Board shall determine whether the positive
27 biological fluid test is in fact evidence of prohibited substance use by consulting with the
28 specimen collector and the laboratory, communicating with the licensee, his or her treating

1 physician(s), other health care provider, or group facilitator, as applicable.

2 For purposes of this condition, the terms "biological fluid testing" and "testing" mean the
3 acquisition and chemical analysis of a Respondent's urine, blood, breath, or hair.

4 For purposes of this condition, the term "prohibited substance" means an illegal drug, a
5 lawful drug not prescribed or ordered by an appropriately licensed health care provider for use by
6 Respondent and approved by the Board, alcohol, or any other substance the Respondent has been
7 instructed by the Board not to use, consume, ingest, or administer to himself or herself.

8 If the Board confirms that a positive biological fluid test is evidence of use of a prohibited
9 substance, Respondent has committed a major violation, as defined in section 1361.52(a), and the
10 Board shall impose any or all of the consequences set forth in section 1361.52(b), in addition to
11 any other terms or conditions the Board determines are necessary for public protection or to
12 enhance Respondent's rehabilitation.

13 Notwithstanding the provisions above, Respondent's period of documented business-
14 related travel outside the United States will relieve the Respondent of the responsibility to comply
15 with the requirement of biological fluid testing. Respondent shall notify the Board or its designee
16 in writing at least fifteen calendar days prior to any anticipated business-related travel outside the
17 United States. This written notification shall include documentation verifying the business
18 purpose and the length of the international travel.

19 Respondent's total time period of relief from biological fluid testing during business-
20 related travel outside the United States shall not exceed thirty days per year.

21 Within five days of Respondent's return to the United States following business-related
22 travel outside the United States, Respondent shall submit to a blood test screening for
23 Phosphatidyl Ethanol. Respondent shall not practice medicine after a business trip until she gets
24 tested. This test shall be subject to all the requirements of biological fluid testing set forth above.

25 6. SUBSTANCE ABUSE SUPPORT GROUP MEETINGS. Within thirty (30) days of
26 the effective date of this Decision, Respondent shall submit to the Board or its designee, for its
27 prior approval, the name of a substance abuse support group which he or she shall attend for the
28 duration of probation. Respondent shall attend substance abuse support group meetings at least

1 once per week, or as ordered by the Board or its designee. Respondent shall pay all substance
2 abuse support group meeting costs.

3 The facilitator of the substance abuse support group meeting shall have a minimum of three
4 (3) years experience in the treatment and rehabilitation of substance abuse, and shall be licensed
5 or certified by the state or nationally certified organizations. The facilitator shall not have a
6 current or former financial, personal, or business relationship with Respondent within the last five
7 (5) years. Respondent's previous participation in a substance abuse group support meeting led by
8 the same facilitator does not constitute a prohibited current or former financial, personal, or
9 business relationship.

10 The facilitator shall provide a signed document to the Board or its designee showing
11 Respondent's name, the group name, the date and location of the meeting, Respondent's
12 attendance, and Respondent's level of participation and progress. The facilitator shall report any
13 unexcused absence by Respondent from any substance abuse support group meeting to the Board,
14 or its designee, within twenty-four (24) hours of the unexcused absence.

15 Notwithstanding the provisions above, Respondent's periods of documented business-
16 related travel outside the United States will relieve Respondent of the responsibility to comply
17 with the requirement of substance abuse support group meetings. Respondent shall notify the
18 Board or its designee in writing at least fifteen calendar days prior to any anticipated business-
19 related travel outside the United States. This written notification shall include documentation
20 verifying the business purpose and the length of international travel.

21 Respondent's total time period of relief from substance abuse support group meetings
22 during business-related travel outside the United States shall not exceed thirty days per year.

23 7. WORKSITE MONITOR FOR SUBSTANCE-ABUSING LICENSEE. Within thirty
24 (30) calendar days of the effective date of this Decision, Respondent shall submit to the Board or
25 its designee for prior approval as a worksite monitor, the name and qualifications of one or more
26 licensed physician and surgeon, other licensed health care professional if no physician and
27 surgeon is available, or, as approved by the Board or its designee, a person in a position of
28 authority who is capable of monitoring the Respondent at work.

1 The worksite monitor shall not have a current or former financial, personal, or familial
2 relationship with Respondent, or any other relationship that could reasonably be expected to
3 compromise the ability of the monitor to render impartial and unbiased reports to the Board or its
4 designee. If it is impractical for anyone but Respondent's employer to serve as the worksite
5 monitor, this requirement may be waived by the Board or its designee, however, under no
6 circumstances shall Respondent's worksite monitor be an employee or supervisee of the licensee.

7 The worksite monitor shall have an active unrestricted license with no disciplinary action
8 within the last five (5) years, and shall sign an affirmation that he or she has reviewed the terms
9 and conditions of Respondent's disciplinary order and agrees to monitor Respondent as set forth
10 by the Board or its designee.

11 Respondent shall pay all worksite monitoring costs.

12 The worksite monitor shall have face-to-face contact with Respondent in the work
13 environment on as frequent a basis as determined by the Board or its designee, but not less than
14 once per week; interview other staff in the office regarding Respondent's behavior, if requested
15 by the Board or its designee; and review Respondent's work attendance.

16 The worksite monitor shall verbally report any suspected substance abuse to the Board and
17 Respondent's employer or supervisor within one (1) business day of occurrence. If the suspected
18 substance abuse does not occur during the Board's normal business hours, the verbal report shall
19 be made to the Board or its designee within one (1) hour of the next business day. A written
20 report that includes the date, time, and location of the suspected abuse; Respondent's actions; and
21 any other information deemed important by the worksite monitor shall be submitted to the Board
22 or its designee within 48 hours of the occurrence.

23 The worksite monitor shall complete and submit a written report monthly or as directed by
24 the Board or its designee which shall include the following: (1) Respondent's name and
25 Physician's and Surgeon's Certificate number; (2) the worksite monitor's name and signature; (3)
26 the worksite monitor's license number, if applicable; (4) the location or location(s) of the
27 worksite; (5) the dates Respondent had face-to-face contact with the worksite monitor; (6) the
28 names of worksite staff interviewed, if applicable; (7) a report of Respondent's work attendance;

1 (8) any change in Respondent's behavior and/or personal habits; and (9) any indicators that can
2 lead to suspected substance abuse by Respondent. Respondent shall complete any required
3 consent forms and execute agreements with the approved worksite monitor and the Board, or its
4 designee, authorizing the Board, or its designee, and worksite monitor to exchange information.

5 If the worksite monitor resigns or is no longer available, Respondent shall, within five (5)
6 calendar days of such resignation or unavailability, submit to the Board or its designee, for prior
7 approval, the name and qualifications of a replacement monitor who will be assuming that
8 responsibility within fifteen (15) calendar days. If Respondent fails to obtain approval of a
9 replacement monitor within sixty (60) calendar days of the resignation or unavailability of the
10 monitor, Respondent shall receive a notification from the Board or its designee to cease the
11 practice of medicine within three (3) calendar days after being so notified. Respondent shall
12 cease the practice of medicine until a replacement monitor is approved and assumes monitoring
13 responsibility.

14 8. VIOLATION OF PROBATION CONDITION FOR SUBSTANCE ABUSING
15 LICENSEES. Failure to fully comply with any term or condition of probation is a violation of
16 probation.

17 A. If Respondent commits a major violation of probation as defined by section
18 1361.52, subdivision (a), of Title 16 of the California Code of Regulations, the Board shall take
19 one or more of the following actions:

20 (1) Issue an immediate cease-practice order and order Respondent to undergo a clinical
21 diagnostic evaluation to be conducted in accordance with section 1361.5, subdivision (c)(1), of
22 Title 16 of the California Code of Regulations, at Respondent's expense. The cease-practice
23 order issued by the Board or its designee shall state that Respondent must test negative for at least
24 a month of continuous biological fluid testing before being allowed to resume practice. For
25 purposes of determining the length of time a Respondent must test negative while undergoing
26 continuous biological fluid testing following issuance of a cease-practice order, a month is
27 defined as thirty calendar (30) days. Respondent may not resume the practice of medicine until
28 notified in writing by the Board or its designee that he or she may do so.

1 (2) Increase the frequency of biological fluid testing.

2 (3) Refer Respondent for further disciplinary action, such as suspension, revocation, or
3 other action as determined by the Board or its designee.

4 B. If Respondent commits a minor violation of probation as defined by section
5 1361.52, subdivision (c), of Title 16 of the California Code of Regulations, the Board shall take
6 one or more of the following actions:

7 (1) Issue a cease-practice order;

8 (2) Order practice limitations;

9 (3) Order or increase supervision of Respondent;

10 (4) Order increased documentation;

11 (5) Issue a citation and fine, or a warning letter;

12 (6) Order Respondent to undergo a clinical diagnostic evaluation to be conducted in
13 accordance with section 1361.5, subdivision (c)(1), of Title 16 of the California Code of
14 Regulations, at Respondent's expense; .

15 (7) Take any other action as determined by the Board or its designee.

16 C. Nothing in this Decision shall be considered a limitation on the Board's authority
17 to revoke Respondent's probation if he or she has violated any term or condition of probation. If
18 Respondent violates probation in any respect, the Board, after giving Respondent notice and the
19 opportunity to be heard, may revoke probation and carry out the disciplinary order that was
20 stayed. If an Accusation, or Petition to Revoke Probation, or an Interim Suspension Order is filed
21 against Respondent during probation, the Board shall have continuing jurisdiction until the matter
22 is final, and the period of probation shall be extended until the matter is final.

23 9. NOTIFICATION. Within seven (7) days of the effective date of this Decision, the
24 Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the
25 Chief Executive Officer at every hospital where privileges or membership are extended to
26 Respondent, at any other facility where Respondent engages in the practice of medicine,
27 including all physician and locum tenens registries or other similar agencies, and to the Chief
28 Executive Officer at every insurance carrier which extends malpractice insurance coverage to

1 Respondent. Respondent shall submit proof of compliance to the Board or its designee within 15
2 calendar days.

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

4 10. PATIENT DISCLOSURE.

5 Before a patient's first visit following the effective date of this order and while the respondent is
6 on probation, the respondent must provide all patients, or patient's guardian or health care
7 surrogate, with a separate disclosure that includes the respondent's probation status, the length of
8 the probation, the probation end date, all practice restrictions placed on the respondent by the
9 board, the board's telephone number, and an explanation of how the patient can find further
10 information on the respondent's probation on the respondent's profile page on the board's
11 website. Respondent shall obtain from the patient, or the patient's guardian or health care
12 surrogate, a separate, signed copy of that disclosure. Respondent shall not be required to provide
13 a disclosure if any of the following applies: (1) The patient is unconscious or otherwise unable to
14 comprehend the disclosure and sign the copy of the disclosure and a guardian or health care
15 surrogate is unavailable to comprehend the disclosure and sign the copy; (2) The visit occurs in
16 an emergency room or an urgent care facility or the visit is unscheduled, including consultations
17 in inpatient facilities; (3) Respondent is not known to the patient until immediately prior to the
18 start of the visit; (4) Respondent does not have a direct treatment relationship with the patient.

19 11. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE

20 NURSES. During probation, Respondent is not prohibited from supervising physician assistants
21 and advanced practice nurses during any period in which she is employed by The Permanente
22 Medical Group (TPMG), and while practicing medicine within the scope of that employment.
23 Respondent is otherwise prohibited from supervising physician assistants and advanced practice
24 nurses.

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

28 13. QUARTERLY DECLARATIONS. Respondent shall submit quarterly declarations

1 under penalty of perjury on forms provided by the Board, stating whether there has been
2 compliance with all the conditions of probation.

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

5 14. GENERAL PROBATION REQUIREMENTS.

6 Compliance with Probation Unit

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

8 Address Changes

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

14 Place of Practice

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

18 License Renewal

19 Respondent shall maintain a current and renewed California physician's and surgeon's
20 license.

21 Travel or Residence Outside California

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

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

28 15. INTERVIEW WITH THE BOARD OR ITS DESIGNEE. Respondent shall be

1 available in person upon request for interviews either at Respondent's place of business or at the
2 probation unit office, with or without prior notice throughout the term of probation.

3 16. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
4 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
5 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is
6 defined as any period of time Respondent is not practicing medicine as defined in Business and
7 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct
8 patient care, clinical activity or teaching, or other activity as approved by the Board. If
9 Respondent resides in California and is considered to be in non-practice, Respondent shall
10 comply with all terms and conditions of probation. All time spent in an intensive training
11 program which has been approved by the Board or its designee shall not be considered non-
12 practice and does not relieve Respondent from complying with all the terms and conditions of
13 probation. Practicing medicine in another state of the United States or Federal jurisdiction while
14 on probation with the medical licensing authority of that state or jurisdiction shall not be
15 considered non-practice. A Board-ordered suspension of practice shall not be considered as a
16 period of non-practice.

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

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

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

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

1 17. COMPLETION OF PROBATION. Respondent shall comply with all financial
2 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the
3 completion of probation. Upon successful completion of probation, Respondent's certificate shall
4 be fully restored.

5 18. VIOLATION OF PROBATION. Failure to fully comply with any term or condition
6 of probation is a violation of probation. If Respondent violates probation in any respect, the
7 Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and
8 carry out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke Probation,
9 or an Interim Suspension Order is filed against Respondent during probation, the Board shall have
10 continuing jurisdiction until the matter is final, and the period of probation shall be extended until
11 the matter is final.

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

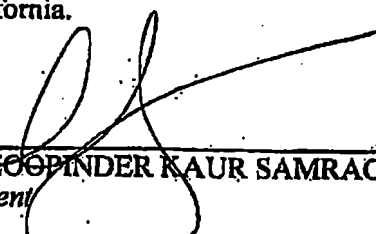
22 20. PROBATION MONITORING COSTS. Respondent shall pay the costs associated
23 with probation monitoring each and every year of probation, as designated by the Board, which
24 may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of
25 California and delivered to the Board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

27
28

ACCEPTANCE


1 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
2 discussed it with my attorney, M. Bradley Wishek. I understand the stipulation and the effect it
3 will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and
4 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
5 Decision and Order of the Medical Board of California.

6
7 DATED: 7/11/19


8 AMANZOOPINDER KAUR SAMRAO, M.D.
Respondent

9 I have read and fully discussed with Respondent Amanzoopinder Kaur Samrao, M.D. the
10 terms and conditions and other matters contained in the above Stipulated Settlement and
11 Disciplinary Order. I approve its form and content.

12 DATED: 7/11/19


13 M. BRADLEY WISHEK
14 Attorney for Respondent

15 **ENDORSEMENT**

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

18
19 DATED: 7/11/19

Respectfully submitted,

20 XAVIER BECERRA
Attorney General of California
21 STEVEN D. MUNI
Supervising Deputy Attorney General


22
23 JANNSEN TAN
24 Deputy Attorney General
25 Attorneys for Complainant

26
27
28 SA2019101525

Exhibit A

Accusation No. 800-2016-023232

1 XAVIER BECERRA
Attorney General of California
2 STEVEN D. MUNI
Supervising Deputy Attorney General
3 JANNSEN TAN
Deputy Attorney General
4 State Bar No. 237826
1300 I Street, Suite 125
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6 Telephone: (916) 210-7549
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7 Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO AUGUST 20 19
BY S. J. P. ANALYST

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

12 In the Matter of the Accusation Against:

Case No. 800-2016-023232

13 AMANZOOPINDER KAUR SAMRAO,
14 M.D.
The Permanente Medical Group
15 7373 West Lane
Stockton, CA 95210-3377

ACCUSATION

16 Physician's and Surgeon's Certificate
17 No. A 109227,

18 Respondent.

19
20 Complainant alleges:

21 PARTIES

22 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
23 capacity as the Executive Director of the Medical Board of California, Department of Consumer
24 Affairs (Board).

25 2. On or about August 14, 2009, the Medical Board issued Physician's and Surgeon's
26 Certificate No. A 109227 to Amanzoopinder Kaur Samrao, M.D. (Respondent). The Physician's
27 and Surgeon's Certificate No. A109227 was in full force and effect at all times relevant to the
28 charges brought herein and will expire on April 30, 2021, unless renewed.

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 unless otherwise indicated.

4 4. Section 2227 of the Code states:

5 “(a) A licensee whose matter has been heard by an administrative law judge of the Medical
6 Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default
7 has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary
8 action with the board, may, in accordance with the provisions of this chapter:

9 “(1) Have his or her license revoked upon order of the board.

10 “(2) Have his or her right to practice suspended for a period not to exceed one year upon
11 order of the board.

12 “(3) Be placed on probation and be required to pay the costs of probation monitoring upon
13 order of the board.

14 “(4) Be publicly reprimanded by the board. The public reprimand may include a
15 requirement that the licensee complete relevant educational courses approved by the board.

16 “(5) Have any other action taken in relation to discipline as part of an order of probation, as
17 the board or an administrative law judge may deem proper.

18 “(b) Any matter heard pursuant to subdivision (a), except for warning letters, medical
19 review or advisory conferences, professional competency examinations, continuing education
20 activities, and cost reimbursement associated therewith that are agreed to with the board and
21 successfully completed by the licensee, or other matters made confidential or privileged by
22 existing law, is deemed public, and shall be made available to the public by the board pursuant to
23 Section 803.1.”

24 5. Section 2234 of the Code, states:

25 “The board shall take action against any licensee who is charged with unprofessional
26 conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not
27 limited to, the following:
28

1 “(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the
2 violation of, or conspiring to violate any provision of this chapter.

3 “(b) Gross negligence.

4 “(c) Repeated negligent acts. To be repeated, there must be two or more negligent acts or
5 omissions. An initial negligent act or omission followed by a separate and distinct departure from
6 the applicable standard of care shall constitute repeated negligent acts.

7 “(1) An initial negligent diagnosis followed by an act or omission medically appropriate for
8 that negligent diagnosis of the patient shall constitute a single negligent act.

9 “(2) When the standard of care requires a change in the diagnosis, act, or omission that
10 constitutes the negligent act described in paragraph (1), including, but not limited to, a
11 reevaluation of the diagnosis or a change in treatment, and the licensee’s conduct departs from the
12 applicable standard of care, each departure constitutes a separate and distinct breach of the
13 standard of care.

14 “(d) Incompetence.

15 “(e) The commission of any act involving dishonesty or corruption which is substantially
16 related to the qualifications, functions, or duties of a physician and surgeon.

17 “(f) Any action or conduct which would have warranted the denial of a certificate.

18 “(g) The practice of medicine from this state into another state or country without meeting
19 the legal requirements of that state or country for the practice of medicine. Section 2314 shall not
20 apply to this subdivision. This subdivision shall become operative upon the implementation of the
21 proposed registration program described in Section 2052.5.

22 “(h) The repeated failure by a certificate holder, in the absence of good cause, to attend and
23 participate in an interview by the board. This subdivision shall only apply to a certificate holder
24 who is the subject of an investigation by the board.”

25 6. Section 2237 of the Code states:

26 “(a) The conviction of a charge of violating any federal statutes or regulations or any statute
27 or regulation of this state, regulating dangerous drugs or controlled substances, constitutes
28 unprofessional conduct. The record of the conviction is conclusive evidence of such

1 unprofessional conduct. A plea or verdict of guilty or a conviction following a plea of nolo
2 contendere is deemed to be a conviction within the meaning of this section.

3 “(b) Discipline may be ordered in accordance with Section 2227 or the Medical Board may
4 order the denial of the license when the time for appeal has elapsed, or the judgment of conviction
5 has been affirmed on appeal, or when an order granting probation is made suspending the
6 imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4
7 of the Penal Code allowing such person to withdraw his or her plea of guilty and to enter a plea of
8 not guilty, or setting aside the verdict of guilty, or dismissing the accusation, complaint,
9 information, or indictment.”

10 7. Section 2239 of the Code states:

11 “(a) The use or prescribing for or administering to himself or herself, of any controlled
12 substance; or the use of any of the dangerous drugs specified in Section 4022, or of alcoholic
13 beverages, to the extent, or in such a manner as to be dangerous or injurious to the licensee, or to
14 any other person or to the public, or to the extent that such use impairs the ability of the licensee
15 to practice medicine safely or more than one misdemeanor or any felony involving the use,
16 consumption, or self-administration of any of the substances referred to in this section, or any
17 combination thereof, constitutes unprofessional conduct. The record of the conviction is
18 conclusive evidence of such unprofessional conduct.

19 “(b) A plea or verdict of guilty or a conviction following a plea of nolo contendere is
20 deemed to be a conviction within the meaning of this section. The Medical Board may order
21 discipline of the licensee in accordance with Section 2227 or the Medical Board may order the
22 denial of the license when the time for appeal has elapsed or the judgment of conviction has been
23 affirmed on appeal or when an order granting probation is made suspending imposition of
24 sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal
25 Code allowing such person to withdraw his or her plea of guilty and to enter a plea of not guilty,
26 or setting aside the verdict of guilty, or dismissing the accusation, complaint, information, or
27 indictment.”

28 8. Section 490 of the Code states:

1 “(a) In addition to any other action that a board is permitted to take against a licensee, a
2 board may suspend or revoke a license on the ground that the licensee has been convicted of a
3 crime, if the crime is substantially related to the qualifications, functions, or duties of the business
4 or profession for which the license was issued.

5 “(b) Notwithstanding any other provision of law, a board may exercise any authority to
6 discipline a licensee for conviction of a crime that is independent of the authority granted under
7 subdivision (a) only if the crime is substantially related to the qualifications, functions, or duties
8 of the business or profession for which the licensee’s license was issued.

9 “(c) A conviction within the meaning of this section means a plea or verdict of guilty or a
10 conviction following a plea of nolo contendere. Any action that a board is permitted to take
11 following the establishment of a conviction may be taken when the time for appeal has elapsed, or
12 the judgment of conviction has been affirmed on appeal, or when an order granting probation is
13 made suspending the imposition of sentence, irrespective of a subsequent order under the
14 provisions of Section 1203.4 of the Penal Code.

15 “(d) The Legislature hereby finds and declares that the application of this section has been
16 made unclear by the holding in *Petropoulos v. Department of Real Estate* (2006) 142 Cal.App.4th
17 554, and that the holding in that case has placed a significant number of statutes and regulations
18 in question, resulting in potential harm to the consumers of California from licensees who have
19 been convicted of crimes. Therefore, the Legislature finds and declares that this section
20 establishes an independent basis for a board to impose discipline upon a licensee, and that the
21 amendments to this section made by Senate Bill 797 of the 2007 -08 Regular Session do not
22 constitute a change to, but rather are declaratory of, existing law.”

23 9. Section 492 of the Code states:

24 “Notwithstanding any other provision of law, successful completion of any diversion
25 program under the Penal Code, or successful completion of an alcohol and drug problem
26 assessment program under Article 5 (commencing with section 23249.50) of Chapter 12 of
27 Division 11 of the Vehicle Code, shall not prohibit any agency established under Division 2
28 ([Healing Arts] commencing with Section 500) of this code, or any initiative act referred to in that

1 division, from taking disciplinary action against a licensee or from denying a license for
2 professional misconduct, notwithstanding that evidence of that misconduct may be recorded in a
3 record pertaining to an arrest.

4 "This section shall not be construed to apply to any drug diversion program operated by any
5 agency established under Division 2 (commencing with Section 500) of this code, or any
6 initiative act referred to in that division."

7 10. Section 493 of the Code states:

8 "Notwithstanding any other provision of law, in a proceeding conducted by a board within
9 the department pursuant to law to deny an application for a license or to suspend or revoke a
10 license or otherwise take disciplinary action against a person who holds a license, upon the
11 ground that the applicant or the licensee has been convicted of a crime substantially related to the
12 qualifications, functions, and duties of the licensee in question, the record of conviction of the
13 crime shall be conclusive evidence of the fact that the conviction occurred, but only of that fact,
14 and the board may inquire into the circumstances surrounding the commission of the crime in
15 order to fix the degree of discipline or to determine if the conviction is substantially related to the
16 qualifications, functions, and duties of the licensee in question.

17 "As used in this section, 'license' includes 'certificate,' 'permit,' 'authority,' and
18 'registration.'"

19 11. Section 802.1 of the Code states:

20 (a)(1) A physician and surgeon, osteopathic physician and surgeon, a doctor of podiatric
21 medicine, and a physician assistant shall report either of the following to the entity that issued his
22 or her license:

23 (A) The bringing of an indictment or information charging a felony against the licensee.

24 (B) The conviction of the licensee, including any verdict of guilty, or plea of guilty or no
25 contest, of any felony or misdemeanor.

26 (2) The report required by this subdivision shall be made in writing within 30 days of the
27 date of the bringing of the indictment or information or of the conviction.

28 ///

1 (b) Failure to make a report required by this section shall be a public offense punishable by
2 a fine not to exceed five thousand dollars (\$5,000).

3 12. Section 822 of the Code states:

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

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

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

9 "(c) Placing the licentiate on probation.

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

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

16 13. California Code of Regulations, title 16, section 1360, states:

17 For the purposes of denial, suspension or revocation of a license, certificate or permit
18 pursuant to Division 1.5 (commencing with Section 475) of the code, a crime or act shall be
19 considered to be substantially related to the qualifications, functions or duties of a person holding
20 a license, certificate or permit under the Medical Practice Act if to a substantial degree it
21 evidences present or potential unfitness of a person holding a license, certificate or permit to
22 perform the functions authorized by the license, certificate or permit in a manner consistent with
23 the public health, safety or welfare. Such crimes or acts shall include but not be limited to the
24 following: Violating or attempting to violate, directly or indirectly, or assisting in or abetting the
25 violation of, or conspiring to violate any provision of the Medical Practice Act.

26 ///

27 ///

28 ///

1 **FIRST CAUSE FOR DISCIPLINE**
2 **(Conviction of Crimes Substantially Related to the Qualifications,**
3 **Functions, or Duties of Physician and Surgeon)**

4 14. Respondent is subject to disciplinary action under sections 2227, 2234, as defined by
5 section 2236, California Code of Regulations, title 16, section 1360, and sections 490 and 493, of
6 the Code, in that Respondent has been convicted of a crime substantially related to the
7 qualifications, functions, duties of a Physician and Surgeon, as more particularly alleged
8 hereinafter:

9 15. On or about May 31, 2016, at approximately 0335 hours, Officer Stamps from the
10 Livermore Police Department (Livermore PD) was dispatched to a report of a non-injury hit and
11 run collision on 523 Heligan Lane crossing Burbank Ave.

12 16. Officer Stamps arrived at the scene at approximately 0337 hours. Officer Keifer and
13 Officer Yost were also at the scene of the collision. At the scene, Officer Stamps located a blue
14 2002 Ford F150 truck parked on Burbank Avenue, south of Helligan Lane. Officer Stamps
15 observed that the Ford truck had sustained moderate front-end damage consistent with a front-end
16 collision.

17 17. Livermore PD advised Officer Stamps that the Ford Truck was reported to have been
18 bumped by a Toyota sedan which fled from the scene immediately after collision. Officer Stamps
19 conducted an area check and attempted to speak with the registered owner of the Ford Truck.
20 While Officer Stamps was attempting to contact the owner of the Ford Truck, Officer Kiefer
21 noticed a tow truck drive past. Believing the tow truck was possibly responding to the suspect
22 vehicle's location, Officer Yost followed the tow truck driver.

23 18. At approximately 0355 hours, Officer Yost followed the truck to 449 Sumal
24 Commons, and made contact with Respondent, who was the suspected vehicle's driver.
25 Respondent was standing in the open garage of 449 Sumal Common next to the suspect vehicle, a
26 silver 2015 Lexus G350 sedan (Lexus). Officer Yost asked the Respondent if she had been in an
27 accident. Respondent replied, "I hit something." Officer Yost asked if Respondent had hit the
28 Ford Truck. Respondent replied, "Yea, my wrist hurts." Officer Yost proceeded to collect
Respondent's paperwork.

1 19. At approximately 0400 hours, Officer Stamps walked to 449 Sumal Common and
2 made contact with Respondent. Officer Stamps observed that Respondent's vehicle had sustained
3 moderate front-end damage, consistent with damage from a front-end collision. The Lexus's
4 airbags had also been deployed.

5 20. Respondent stated she had just returned from a vacation trip to Hawaii. She arrived
6 home and drove the Lexus sedan to a local grocery store. She was on her way back when she
7 collided with the Ford Truck. Respondent stated that she took Xanax and Benadryl "a few hours
8 ago", while she was travelling on the airplane. Respondent subsequently changed her story and
9 said she took the Xanax and Benadryl after the collision. Respondent stated that the Xanax was
10 prescribed to her, but failed to tell Officer Stamps how much she took prior to the collision.
11 Respondent stated that she knew that she was involved in a collision because "all her airbags
12 went off." Respondent stated she was distracted by her cell phone while she was trying to change
13 the music. She believed that this distraction was the cause of the crash. Respondent was
14 contacted by the Lexus' OnStar system (OnStar). Respondent requested a tow truck through
15 OnStar. Respondent did not attempt to contact the owner or leave her insurance information with
16 the Ford Truck.

17 21. Officer Stamps observed that Respondent's eyes were bloodshot and watery and she
18 walked with an unsteady gait. Officer Stamp also observed that Respondent's speech was slow
19 and slurred. Officer Keifer noticed the strong odor of alcohol on Respondent's breath and person.
20 Respondent also leaned against the Lexus as she spoke to Officer Stamps.

21 22. Respondent consented to a Field Sobriety Test (FST). Respondent refused to take a
22 Preliminary Alcohol Screening (PAS) test. She stated that she was on Xanax and did not want to
23 take a "PAS" test because she did not want a "DWI." Respondent added that she still felt the
24 effects of the Xanax.

25 23. Respondent failed the FST and Officer Stamps proceeded to arrest Respondent.
26 Officer Stamps told Respondent that she would have to submit to a blood test to determine the
27 drug content of her blood. Officer Stamps took Respondent to Valley Care Hospital (VCH) for
28 medical clearance. Officer Stamps read the DMV DS-267 Chemical Test Refusal form to

1 Respondent. Respondent refused the blood test. Officer Stamps filled the form, and Officer
2 Kiefer authored a forced blood draw warrant, which was subsequently granted by a judge. The
3 results of the blood draw revealed that Respondent was positive for Xanax at 0.17 mg/L,
4 Diphenhydramine at 0.16 mg/L, Fluoxetine at 0.27 mg/L, Norfluoxetine at 0.18 mg/L and
5 Phentermine at 0.09 mg/L.

6 24. On or about December 1, 2016, a misdemeanor complaint was filed before the
7 Superior Court in Alameda County, in the matter of *The People of the State of California v. Aman*
8 *K. Samrao*, Case No. 16-CR-015819. Count One charged Respondent with Driving a Vehicle
9 While Under the Influence of an Alcoholic Beverage or Any Drug in violation of Section 23152,
10 subdivision (a), of the Vehicle Code. Count Two charged Respondent with Driving a Vehicle
11 with a Blood Alcohol content of 0.08 percent or more, in violation of Section 23152, subdivision
12 (b), of the Vehicle Code. It was further alleged that Respondent, during the commission of the
13 above offense, refused to take a chemical test.

14 25. On or about May 19, 2017, Respondent pled no contest to Count Two, Driving a
15 Vehicle with a Blood Alcohol content of 0.08 percent or more, in violation of Section 23152,
16 subdivision (b), of the Vehicle Code, a misdemeanor. The Court sentenced Respondent to
17 Probation for three years, serve 10 days in county jail, enroll in a weekend work program, DUI
18 school for three months, fines and fees.

19 26. On or about May 29, 2018, the Board received a criminal action form from
20 Respondent stating that she reported her May 31, 2016 arrest to the Board during her last renewal
21 but was not aware of the 30-day notice. Respondent failed to report conviction timely to the
22 Board.

23 27. On or about June 7, 2018, at approximately 2130 hours, Officer Stanhope, California
24 Highway Patrol (Officer Stanhope), was on patrol, travelling westbound of I-580, east of Isabel
25 Avenue in #4 lane. He observed a grey Lexus GS350 SUV (Lexus), travelling in the #5 lane
26 ahead of his patrol vehicle, veer to the right into the #6 lane on two occasions. Officer Stanhope
27 passed the Lexus and observed it veer to the right onto the right shoulder. Officer Stanhope
28

1 positioned his vehicle behind the Lexus, activated his Code 3 lights and initiated a traffic stop
2 along Airway Blvd., north of I-580.

3 28. Officer Stanhope made contact with the Lexus' driver who rolled down the driver
4 side window. He advised the driver of the Lexus of the reason for the stop. The Lexus' driver
5 identified herself as the Respondent. Officer Stanhope observed the overwhelming smell of
6 perfume emitting from the vehicle. He checked Respondent's eyes to check for signs of
7 intoxication. He observed Respondent was unable to follow his finger. He instructed Respondent
8 to exit the vehicle and meet him on the concrete sidewalk.

9 29. After reaching the sidewalk, Officer Stanhope conducted a license check and
10 discovered that Respondent was on DUI probation. He asked Respondent if she had anything to
11 drink, and she replied that she had drinks approximately 30 minutes earlier.

12 30. At approximately 2215 hours, Officer Stanhope arrested Respondent Driving a Motor
13 Vehicle Under the Influence of Alcohol, a violation of Vehicle Code Section 23152. Respondent
14 was despondent and behaved erratically. Officer Stanhope determined that Respondent was a
15 danger to herself and needed a mental health evaluation. Officer Stanhope administered a PAS
16 test and Respondent blew a .13% and .13% respectively.

17 31. On or about March 11, 2019, a Board Investigator interviewed Respondent involving
18 the May 31, 2016 arrest. During the interview, Respondent informed the Board that she complied
19 with all the terms and conditions of her court sentence despite the June 7, 2018 arrest. She also
20 informed the Board that she did not have concerns with her ability to practice medicine safely.

21 **SECOND CAUSE FOR DISCIPLINE**
22 **(Use of Alcoholic Beverages and Controlled Substances)**

23 32. Respondent is subject to disciplinary action under sections 2227, 2234, as defined by
24 section 2239 of the Code, in that Respondent used or administered to herself controlled
25 substances, used dangerous drugs, and/or used alcoholic beverages to the extent, or in such a
26 manner as to be dangerous or injurious to herself, or to the public. The facts and circumstances
27 are more particularly alleged hereinafter: Paragraphs 14 through 31, above, are hereby
28 incorporated by reference and re-alleged as if fully set forth herein.

THIRD CAUSE FOR DISCIPLINE
(Impairment Due to a Medical Condition)

33. Respondent is subject to disciplinary action under sections 2227, 2234, as defined by section 822 of the Code, in that Respondent is unable to practice safely due to a medical condition, and permitting her to continue to engage in the practice of medicine at this point in time will endanger the public health, safety, and welfare. The facts and circumstances are more particularly alleged hereinafter: Paragraphs 14 through 31, above, are hereby incorporated by reference and re-alleged as if fully set forth herein.

FOURTH CAUSE FOR DISCIPLINE
(Dishonesty)

34. Respondent is subject to disciplinary action under sections 2227, 2234 subdivision e of the Code in that she committed acts of dishonesty or corruption substantially related to the qualifications, functions or duties of a physician and surgeon as more particularly alleged hereinafter: Paragraphs 14 through 31, above, are hereby incorporated by reference and re-alleged as if fully set forth herein.

FIFTH CAUSE FOR DISCIPLINE
(Failure to Report Conviction to the Board)

35. Respondent is subject to disciplinary action under sections 2227, 2234 as defined by section 802.1 of the Code in that in that she failed to disclose her conviction to the Board: Paragraphs 14 through 31 above, are hereby incorporated by reference and realleged as if fully set forth herein.

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 No. A 109227, issued to Amanzoopinder Kaur Samrao, M.D.;
2. Revoking, suspending or denying approval of Amanzoopinder Kaur Samrao, M.D.'s authority to supervise physician assistants and advanced practice nurses;

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- 3. Ordering Amanzoopinder Kaur Samrao, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and
- 4. Taking such other and further action as deemed necessary and proper.

DATED:
August 12, 2019


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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