

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

In the Matter of the Accusation Against:

Jesslin Abraham, PTL

Post Graduate Training License
No. PTL 6052

Respondent.

MBC File # 800-2022-088114

**ORDER CORRECTING NUNC PRO TUNC
CLERICAL ERROR IN "CHAIRPERSON'S NAME" PORTION OF DECISION**

On its own motion, the Medical Board of California (hereafter "Board") finds that there is a clerical error in the "chairperson's name" portion of the Decision in the above-entitled matter and that such clerical error should be corrected to indicate that Randy W. Hawkins, M.D. presided over this meeting.

IT IS HEREBY ORDERED that the chairperson's name "Laurie Rose Lubiano, J.D." contained on the Decision Order Page in the above-entitled matter be and hereby is amended and corrected nunc pro tunc as of the date of entry of the decision to read as "Randy W. Hawkins, M.D.".

June 6, 2024



Randy W. Hawkins, M.D., Vice Chair
Panel A

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

In the Matter of the Accusation Against:

Jesslin Abraham, PTL

**Post Graduate Training License
No. PTL 6052**

Respondent.

Case No. 800-2022-088114

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 June 28, 2024.

IT IS SO ORDERED: May 29, 2024.

MEDICAL BOARD OF CALIFORNIA



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

1 ROB BONTA
Attorney General of California
2 JUDITH T. ALVARADO
Supervising Deputy Attorney General
3 PEGGIE BRADFORD TARWATER
Deputy Attorney General
4 State Bar No. 169127
300 South Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6448
6 Facsimile: (916) 731-2117
E-mail: Peggie.Tarwater@doj.ca.gov
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 Accusation Against:

13 **JESSLIN ABRAHAM, PTL**
14 **3408 Willowcreek Dr.**
Sunnyvale, TX 75182-4009

15 **Post Graduate Training License No. PTL**
16 **6052,**

17 Respondent.

Case No. 800-2022-088114

OAH No. 2023110080

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

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

20 **PARTIES**

21 1. Reji Varghese (Complainant) is the Executive Director of the Medical Board of
22 California (Board). He brought this action solely in his official capacity and is represented in this
23 matter by Rob Bonta, Attorney General of the State of California, by Peggie Bradford Tarwater,
24 Deputy Attorney General.

25 2. Respondent Jesslin Abraham, PTL (Respondent) is represented in this proceeding by
26 attorney Elizabeth M. Brady, whose address is: 8880 Rio San Diego Drive, Suite 800, San Diego,
27 CA 92108-1642.

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3. On or about July 23, 2021, the Board issued Post Graduate Training License No. PTL 6052 to Respondent. The Post Graduate Training License was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2022-088114, and will expire on July 23, 2024, unless renewed.

JURISDICTION

4. Accusation No. 800-2022-088114 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on September 21, 2023. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2022-088114 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2022-088114. Respondent has also carefully read, fully discussed with his counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

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

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1 CULPABILITY

2 9. Respondent understands and agrees that the charges and allegations in Accusation
3 No. 800-2022-088114, if proven at a hearing, constitute cause for imposing discipline upon his
4 Post Graduate Training License.

5 10. Respondent agrees that, at a hearing, Complainant could establish a prima facie case
6 or factual basis for the charges in the Accusation, and that Respondent hereby gives up his right
7 to contest those charges.

8 11. Respondent agrees that his Post Graduate Training License is subject to discipline and
9 agrees to be bound by the Board's terms as set forth in the Disciplinary Order below. Respondent
10 further agrees that if he fails to comply with the terms set forth in the Disciplinary Order, all of
11 the charges and allegations contained in Accusation No. 800-2022-088114 shall be deemed true,
12 correct, and fully admitted by Respondent for purposes of any further proceeding before the
13 Board, and that his failure to complete the terms set forth in the Disciplinary Order shall
14 constitute unprofessional conduct and grounds for further discipline.

15 CONTINGENCY

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

26 13. Respondent agrees that if he ever petitions for early termination or modification of
27 probation, or if an accusation and/or petition to revoke probation is filed against him before the
28 Board, all of the charges and allegations contained in Accusation No. 800-2022-088114 shall be

1 deemed true, correct and fully admitted by Respondent for purposes of any such proceeding or
2 any other licensing proceeding involving Respondent in the State of California.

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

6 15. In consideration of the foregoing admissions and stipulations, the parties agree that
7 the Board may, without further notice or opportunity to be heard by the Respondent, issue and
8 enter the following Disciplinary Order:

9 **DISCIPLINARY ORDER**

10 IT IS HEREBY ORDERED that Post Graduate Training License No. PTL 6052 issued to
11 Respondent Jesslin Abraham, PTL shall be and is hereby publicly reprimanded pursuant to
12 Business and Professions Code section 2227, subdivision (a)(4). This Public Reprimand is issued
13 in connection with the allegations that Respondent was convicted of alcohol-related reckless
14 driving, that he used alcohol in a dangerous manner, and that he failed to participate in a Board
15 interview, as set forth in Exhibit A.

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

26 A professionalism program taken after the acts that gave rise to the charges in the
27 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
28 or its designee, be accepted towards the fulfillment of this condition if the program would have

1 been approved by the Board or its designee had the program been taken after the effective date of
2 this Decision.

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

6 2. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby
7 ordered to reimburse the Board its costs of investigation and enforcement, including, but not
8 limited to, expert review, amended accusations, legal reviews, investigation(s), and subpoena
9 enforcement, as applicable, in the amount of \$9,887. Costs shall be payable to the Medical Board
10 of California. Payment must be made in full within 30 calendar days of the effective date of the
11 Order, or by a payment plan approved by the Medical Board of California. Any and all requests
12 for a payment plan shall be submitted in writing by Respondent to the Board. Failure to comply
13 with the payment plan shall constitute unprofessional conduct and grounds for further disciplinary
14 order.

15 The filing of bankruptcy by Respondent shall not relieve Respondent of the responsibility
16 to repay investigation and enforcement costs.

17 3. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for
18 a new license or certification, or petition for reinstatement of a license, by any other health care
19 licensing action agency in the State of California, all of the charges and allegations contained in
20 Accusation No. 800-2022-088114 shall be deemed to be true, correct, and admitted by
21 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or
22 restrict license.

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1 ACCEPTANCE

2 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
3 discussed it with my attorney, Elizabeth M. Brady. I understand the stipulation and the effect it
4 will have on my Post Graduate Training License. I enter into this Stipulated Settlement and
5 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
6 Decision and Order of the Medical Board of California.

7
8 DATED: 02/27/2024


JESSLIN ABRAHAM, PTL
Respondent

10 I have read and fully discussed with Respondent Jesslin Abraham, PTL the terms and
11 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
12 I approve its form and content.

13 DATED: Feb. 28, 2024


ELIZABETH M. BRADY
Attorney for Respondent

15
16 ENDORSEMENT

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

19
20 DATED: _____

Respectfully submitted,

21 ROB BONTA
Attorney General of California
22 JUDITH T. ALVARADO
Supervising Deputy Attorney General

23
24 PEGGIE BRADFORD TARWATER
25 Deputy Attorney General
26 Attorneys for Complainant

27 LA2022604423

1 ACCEPTANCE

2 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
3 discussed it with my attorney, Elizabeth M. Brady. I understand the stipulation and the effect it
4 will have on my Post Graduate Training License. I enter into this Stipulated Settlement and
5 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
6 Decision and Order of the Medical Board of California.

7
8 DATED: _____

JESSLIN ABRAHAM, PTL
Respondent

10 I have read and fully discussed with Respondent Jesslin Abraham, PTL the terms and
11 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
12 I approve its form and content.

13 DATED: _____

ELIZABETH M. BRADY
Attorney for Respondent

14
15
16 ENDORSEMENT

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

19
20 DATED: Feb. 29, 2024

Respectfully submitted,

21 ROB BONTA
Attorney General of California
22 JUDITH T. ALVARADO
Supervising Deputy Attorney General

23 PEGGIE BRADFORD Tarwater
Digitally signed by Peggie
Bradford Tarwater
Date: 2024.02.29 11:34:35 -08'00'

24 PEGGIE BRADFORD TARWATER
25 Deputy Attorney General
Attorneys for Complainant

26
27 LA2022604423

1 ROB BONTA
Attorney General of California
2 JUDITH T. ALVARADO
Supervising Deputy Attorney General
3 PEGGIE BRADFORD TARWATER
Deputy Attorney General
4 State Bar No. 169127
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Telephone: (213) 269-6448
6 Facsimile: (916) 731-2117
E-mail: Peggie.Tarwater@doj.ca.gov
7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 800-2022-088114

13 **Jesslin Abraham**
3408 Willowcreek Dr.
Sunnyvale, TX 75182-4009

A C C U S A T I O N

14 **Post Graduate Training License**
15 **No. PTL 6052,**

Respondent.

16
17
18 **PARTIES**

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

22 2. On or about July 23, 2021, the Medical Board issued Post Graduate Training License
23 Number PTL 6052 to Jesslin Abraham (Respondent). The Post Graduate Training License was in
24 full force and effect at all times relevant to the charges brought herein and will expire on June 30,
25 2024, unless renewed.

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JURISDICTION

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

4. At the time that Respondent's Post Graduate Training License was issued, section 2064.5 of the Code stated:¹

(a) Within 180 days after enrollment in a board-approved postgraduate training program pursuant to Section 2065, medical school graduates shall obtain a physician's and surgeon's postgraduate training license. To be considered for a postgraduate training license, the applicant shall submit the application forms and primary source documents required by the board, shall successfully pass all required licensing examinations, shall pay a nonrefundable application and processing fee, and shall not have committed any act that would be grounds for denial.

....

(b) The physician's and surgeon's postgraduate training license shall be valid until 90 days after the holder has received 36 months credit of board-approved postgraduate training. The physician's and surgeon's postgraduate training licensee may engage in the practice of medicine only in connection with his or her duties as an intern or resident physician in a board-approved program, including its affiliated sites, or under those conditions as are approved in writing and maintained in the postgraduate training licensee's file by the director of his or her program.

....

(d) The postgraduate training licensee may be disciplined by the board at any time for any of the grounds that would subject the holder of a physician's and surgeon's certificate to discipline.

(e) If the medical school graduate fails to obtain a postgraduate license within 180 days after enrollment in a board-approved postgraduate training program or if the board denies the graduate's application for a postgraduate license, all privileges and exemptions under this section shall automatically cease.

(f) Each medical school graduate enrolled in a board-approved postgraduate training program on January 1, 2020, shall apply for and obtain a postgraduate training license by June 30, 2020, in order to continue in postgraduate training pursuant to Section 2065.

5. Section 2064.7 of the Code states:

(a) The board may deny a postgraduate training license to an applicant guilty of unprofessional conduct or of any cause that would subject a licensee to revocation or suspension of his or her license. The board, in its sole discretion, may issue a probationary postgraduate training license to an applicant subject to terms and

¹ Prior to January 1, 2022, and at the time Respondent's Post Graduate Training License was issued, section 2064.5, subdivision (b) provided, in relevant part, that "[t]he physician's and surgeon's postgraduate training license shall be valid until 90 days after the holder has successfully completed 36 months of board-approved postgraduate training."

conditions, including, but not limited to, any of the following conditions of probation:

(1) Limitations on practice.

(2) Total or partial restrictions on drug prescribing privileges for controlled substances.

(3) Continuing medical or psychiatric treatment.

(4) Ongoing participation in a specified rehabilitation program.

(5) Abstention from the use of alcohol or drugs.

(6) Restrictions against engaging in certain types of medical practice.

(7) Compliance with all provisions of this chapter.

(8) Payment of the cost of probation monitoring.

(b) The decision placing the applicant on probation shall be disclosed to an inquiring member of the public indefinitely and shall be posted on the board's Internet Web site for the period of probation.

(c) The board may modify or terminate the terms and conditions imposed on the probationary postgraduate training license after one year upon receipt of a petition from the postgraduate training licensee. The board may assign the petition to an administrative law judge designated in Section 11371 of the Government Code. After a hearing on the petition, the administrative law judge shall provide a proposed decision to the board.

(d) The board shall deny a postgraduate training license to an applicant who is required to register pursuant to Section 290 of the Penal Code. This subdivision does not apply to an applicant who is required to register as a sex offender pursuant to Section 290 of the Penal Code solely because of a misdemeanor conviction under Section 314 of the Penal Code.

(e) An applicant shall not be eligible to reapply for a postgraduate training license for a minimum of three years from the effective date of the denial of his or her application, except that the board may, in its discretion and for good cause demonstrated, permit reapplication after not less than one year has elapsed from the effective date of the denial.

6. Section 2227 of the Code states:

(a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, 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 his or her license revoked upon order of the board.

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

///

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

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

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

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

14 STATUTORY PROVISIONS

15 7. Section 2234 of the Code, states:

16 The board shall take action against any licensee who is charged with
17 unprofessional conduct. In addition to other provisions of this article, unprofessional
18 conduct includes, but is not limited to, the following:

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

21

22 (f) Any action or conduct that would have warranted the denial of a certificate.

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

26 8. Unprofessional conduct under Business and Professions Code section 2234 is conduct
27 which breaches the rules or ethical code of the medical profession, or conduct which is
28 unbecoming a member in good standing of the medical profession, and which demonstrates an
unfitness to practice medicine. (*Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564,
575.)

9. Section 2236 of the Code states:

(a) The conviction of any offense substantially related to the qualifications,
functions, or duties of a physician and surgeon constitutes unprofessional conduct
within the meaning of this chapter [Chapter 5, the Medical Practice Act]. The record
of conviction shall be conclusive evidence only of the fact that the conviction
occurred.

....

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

3 10. Section 2239 of the Code states:

4 (a) The use or prescribing for or administering to himself or herself, of any
5 controlled substance; or the use of any of the dangerous drugs specified in Section
6 4022, or of alcoholic beverages, to the extent, or in such a manner as to be dangerous
7 or injurious to the licensee, or to any other person or to the public, or to the extent that
8 such use impairs the ability of the licensee to practice medicine safely or more than
one misdemeanor or any felony involving the use, consumption, or
self-administration of any of the substances referred to in this section, or any
combination thereof, constitutes unprofessional conduct. The record of the
conviction is conclusive evidence of such unprofessional conduct.

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

15 REGULATORY PROVISIONS

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

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

24 COST RECOVERY

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

1 included in a stipulated settlement.

2 **FIRST CAUSE FOR DISCIPLINE**

3 **(Conviction of an Offense)**

4 13. Respondent has subjected his Post Graduate Training License No. PTL 6052 to
5 disciplinary action under sections 2234, and 2236 of the Code, and California Code of
6 Regulations, title 16 section 1360, in that he has been convicted of an offense substantially related
7 to the qualifications, functions, or duties of a physician and surgeon. The circumstances are as
8 follows:

9 14. On February 19, 2022, at approximately 1:45 a.m., California Highway Patrol
10 Officers were on patrol, traveling in the area of Rosedale Highway, east of Mohawk Street in
11 Bakersfield, California. The officers were stopped within a left turn lane facing a steady red left
12 turn area. Directly in front of them was a Nissan SUV, of which Respondent was determined to
13 be the driver. When the turn signal cycled to a left green arrow, the Nissan SUV accelerated,
14 made a tight left turn, and entered the wrong side of the roadway. The Nissan SUV then traveled
15 southbound in the northbound lanes. The officers activated their patrol car's lights and sirens,
16 drove parallel to the Nissan SUV on the Southbound side of Mohawk Street before making a U-
17 turn and stopping in front of the Nissan SUV.

18 15. The officers contacted Respondent. Respondent admitted to having consumed
19 alcohol. Respondent agreed to participate in field sobriety testing. Based on observations of
20 Respondent, his performance on the field sobriety tests, and the fact that he was driving the
21 wrong way on surface streets divided by a raised concrete center divide, it was determined that
22 Respondent was under the influence of an alcoholic beverage and unable to safely operate a
23 motor vehicle.

24 16. Respondent agreed to undergo breath testing, which yielded results of .18 percent
25 blood alcohol concentration (BAC).

26 17. On or about March 7, 2022, a Complaint was filed in the Superior Court of the State
27 of California, County of Kern, in *People v. Jesslin Abraham*, Case No. BM967752A, charging
28 Respondent with driving a vehicle while under the influence of an alcoholic beverage, in violation

1 of Vehicle Code section 23152, subdivision (a) (Count 1), and willfully and unlawfully driving a
2 vehicle while having a .08 percent or more BAC, in violation of Vehicle Code section 23152,
3 subdivision (b) (Count 2). As to both counts, it was further alleged that Respondent had an
4 excessive BAC of .15 percent or more.

5 18. On April 8, 2022, the Complaint was amended to add Count 3, alcohol-involved
6 reckless driving, in violation of Vehicle Code section 23103, pursuant to Vehicle Code section
7 23103.5 (alcohol involved). Counts 1 and 2 were dismissed. Respondent was placed on
8 probation for a period of one year with terms including completion of 100 hours of community
9 service, participation in a licensed alcohol education program for a minimum of three months,
10 participation in a victim impact panel, and the payment of various fines and assessments.

11 19. On or about May 9, 2023, an Order of Dismissal was entered dismissing
12 Respondent's conviction pursuant to Penal Code section 1203.4.

13 **SECOND CAUSE FOR DISCIPLINE**

14 **(Excessive Use of Alcohol)**

15 20. Respondent has further subjected his Post Graduate Training License No. PTL 6052
16 to disciplinary action under sections 2234 and 2239, subdivision (a), of the Code, in that he has
17 used alcoholic beverages to the extent, or in such a manner, as to be dangerous or injurious to
18 himself, another person, or the public. The circumstances are as follows:

19 21. The allegations of the First Cause for Discipline are hereby incorporated by reference
20 and re-alleged as if fully set forth herein.

21 **THIRD CAUSE FOR DISCIPLINE**

22 **(Failure to Participate in Board Interview)**

23 22. Respondent has subjected his Post Graduate Training License No. PTL 6052 to
24 disciplinary action under section 2234, subdivision (g), of the Code, in that he failed participate in
25 a Board interview. The circumstances are as follows:

26 23. On October 13, 2022, a Board investigator sent an email to Respondent requesting to
27 schedule an interview to discuss the circumstances leading to the investigation of Respondent.

28 ///

1 24. The Board received a letter of representation, dated October 19, 2022, from counsel
2 for Respondent. Through counsel, Respondent indicated he wished to cooperate in the
3 investigation; however, to protect his constitutional and other legal rights, he would not be
4 "answering summarily any spontaneous requests for information [on the spot] at an interview,
5 *without advance written questions.*" (Emphasis in original.)

6 25. In follow-up email correspondence, Respondent, through counsel, requested that he
7 be permitted to answer written questions relating to the investigation rather than participating in a
8 Board interview. The Board investigator advised that if an interview could not be scheduled on a
9 mutually agreeable date, a subpoena to appear and testify may be issued.

10 26. A mutually agreeable date of December 20, 2022 was set for a telephonic interview,
11 although Respondent, through counsel, continued to indicate that he would not be answering
12 questions "on the spot."

13 27. At the subsequent Board interview, Respondent refused to answer the questions posed
14 by the Board investigator, with the exception of identifying himself.

15 28. On or about January 2, 2023, counsel for Respondent provided unsigned, written
16 answers to the interview questions.

17 **FOURTH CAUSE FOR DISCIPLINE**

18 **(Unprofessional Conduct)**

19 29. Respondent has subjected his Post Graduate Training License No. PTL 6052 to
20 disciplinary action under section 2234 of the Code in that he has engaged in unprofessional
21 conduct and conduct that breaches the rules or ethical code of the medical profession, or conduct
22 which is unbecoming a member in good standing of the medical profession, and which
23 demonstrates an unfitness to practice medicine. (*Shea v. Board of Medical Examiners* (1978) 81
24 Cal.App.3d 564, 575.) The circumstances are as follows:

25 30. The allegations of the First and Third Causes for Discipline are hereby incorporated
26 by reference and re-alleged as if fully set forth herein.

27 ///

28 ///

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 Post Graduate Training License Number PTL 6052, issued to Respondent Jesslin Abraham;
2. Revoking, suspending or denying approval of Respondent Jesslin Abraham's authority to supervise physician assistants and advanced practice nurses;
3. Ordering Respondent Jesslin Abraham to pay the Board the costs of the investigation and enforcement of this case, and if placed on probation, the costs of probation monitoring; and
4. Taking such other and further action as deemed necessary and proper.

DATED: SEP 21 2023


REJI VARGHESE
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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