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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. 800-2023-098750

13 **PARTO KARIMI, M.D.**
14 **3157 Miranda Ave.**
Alamo, CA 94507

ACCUSATION

15 **Physician's and Surgeon's Certificate**
16 **No. C 50315,**

Respondent.

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18
19 **PARTIES**

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

23 2. On or about October 8, 1999, the Medical Board issued Physician's and Surgeon's
24 Certificate Number C 50315 to Parto Karimi, M.D. (Respondent). The Physician's and Surgeon's
25 Certificate was in full force and effect at all times relevant to the charges brought herein and will
26 expire on April 30, 2025, unless renewed.

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. Section 2004 of the Code provides that the Board shall have the responsibility for the enforcement of the disciplinary and criminal provisions of the Medical Practice Act.

5. Section 2227 of the Code provides that a licensee who is found guilty under the Medical Practice Act may have his or her license revoked, suspended for a period not to exceed one year, placed on probation and required to pay the costs of probation monitoring, or such other action taken in relation to discipline as the Board deems proper.

6. Section 2234 of the Code, states:

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

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

(b) Gross negligence.

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

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

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

(d) Incompetence.

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

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

(g) The failure by a certificate holder, in the absence of good cause, to attend

1 and participate in an interview by the board no later than 30 calendar days after being
2 notified by the board. This subdivision shall only apply to a certificate holder who is
3 the subject of an investigation by the board.

4 (h) Any action of the licensee, or another person acting on behalf of the
5 licensee, intended to cause their patient or their patient's authorized representative to
6 rescind consent to release the patient's medical records to the board or the
7 Department of Consumer Affairs, Health Quality Investigation Unit.

8 (i) Dissuading, intimidating, or tampering with a patient, witness, or any person
9 in an attempt to prevent them from reporting or testifying about a licensee.

10 7. Section 2236 of the Code states:

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

16 (b) The district attorney, city attorney, or other prosecuting agency shall notify
17 the Medical Board of the pendency of an action against a licensee charging a felony
18 or misdemeanor immediately upon obtaining information that the defendant is a
19 licensee. The notice shall identify the licensee and describe the crimes charged and
20 the facts alleged. The prosecuting agency shall also notify the clerk of the court in
21 which the action is pending that the defendant is a licensee, and the clerk shall record
22 prominently in the file that the defendant holds a license as a physician and surgeon.

23 (c) The clerk of the court in which a licensee is convicted of a crime shall,
24 within 48 hours after the conviction, transmit a certified copy of the record of
25 conviction to the board. The division may inquire into the circumstances surrounding
26 the commission of a crime in order to fix the degree of discipline or to determine if
27 the conviction is of an offense substantially related to the qualifications, functions, or
28 duties of a physician and surgeon.

(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is
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.

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

(a) For the purposes of denial, suspension or revocation of a license pursuant to
Section 141 or Division 1.5 (commencing with Section 475) of the code, a crime,
professional misconduct, or act shall be considered to be substantially related to the
qualifications, functions or duties of a person holding a license if to a substantial
degree it evidences present or potential unfitness of a person holding a license to
perform the functions authorized by the license in a manner consistent with the public
health, safety or welfare. Such crimes, professional misconduct, 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 state or federal law governing the applicant's or licensee's professional
practice.

(b) In making the substantial relationship determination required under
subdivision (a) for a crime, the board shall consider the following criteria:

- (1) The nature and gravity of the crime;
- (2) The number of years elapsed since the date of the crime; and
- (3) The nature and duties of the profession.

COST RECOVERY

9. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and 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 included in a stipulated settlement.

FACTUAL ALLEGATIONS

10. Between January 2017 and October 2020, Respondent traded medical prescriptions for street drugs, including cocaine, methamphetamine, psychedelic mushrooms, and marijuana; issued unnecessary medical prescriptions in exchange for cash payments; wrote opioid prescriptions to undercover agents after conducting little to no physical examinations and without considering alternative treatment options; and failed to maintain patient medical records.

11. On or about February 15, 2023, based on the aforementioned facts in Paragraph 10, Respondent was indicted for Distribution of a Controlled Substance in violation of 21 U.S.C. § 841(a)(1).

12. On or about March 19, 2024, in a federal criminal proceeding entitled, *United States of America v. Parto Karimi*, N.D. Cal. Case No. 4:23-cv-00055-JST, Respondent was convicted of a felony by pleading guilty to Distributing Hydrocodone Outside the Scope of Professional Practice, a violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C).

13. Respondent was sentenced to one year and one day in prison, to be followed by three years of supervised release. Respondent was also ordered to pay a \$4,000 fine and to forfeit her medical license.

1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Criminal Conviction)**

3 14. The allegations set forth in Paragraphs 10 through 13 are incorporated by reference as
4 if fully set out herein.

5 15. By reason of the facts stated in Paragraphs 10 through 13 above, Respondent is
6 subject to disciplinary action under section 2236 (criminal conviction) of the Code and California
7 Code of Regulations, title 16, section 1360 (criminal conviction) because on or about March 19,
8 2024, in a federal criminal proceeding entitled, *United States of America v. Parto Karimi*, N.D.
9 Cal. Case No. 4:23-cv-00055-JST, Respondent was convicted of a felony by pleading guilty to
10 Distributing Hydrocodone Outside the Scope of Professional Practice, in violation of U.S.C. §
11 841(a)(1) and (b)(1)(C).

12 16. Respondent is subject to disciplinary action under section 2236 of the Code because
13 she pleaded guilty to the federal crime of Distributing Hydrocodone Outside the Scope of
14 Professional Practice, and this conviction is substantially related to the qualifications, functions,
15 and duties of a physician and surgeon.

16 **SECOND CAUSE FOR DISCIPLINE**

17 **(Unprofessional Conduct – Commission of Act of Dishonesty)**

18 17. The allegations set forth in Paragraphs 10 through 13 are incorporated by reference as
19 if fully set out herein.

20 18. By reason of the facts stated in Paragraphs 10 through 13 above, Respondent is
21 subject to disciplinary action under section 2234 (unprofessional conduct) and/or 2234(e)
22 (commission of acts of dishonesty), because she traded medical prescriptions for street drugs,
23 issued unnecessary medical prescriptions in exchange for cash payments, and wrote opioid
24 prescriptions to undercover agents after conducting little to no physical examinations and without
25 considering alternative treatment options.

26 **PRAYER**

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


1 1. Revoking or suspending Physician's and Surgeon's Certificate Number C 50315,
2 issued to Parto Karimi, M.D.;

3 2. Revoking, suspending or denying approval of Parto Karimi, M.D.'s authority to
4 supervise physician assistants and advanced practice nurses;

5 3. Ordering Parto Karimi, M.D., to pay the Board the costs of the investigation and
6 enforcement of this case, and if placed on probation, the costs of probation monitoring;

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

8
9 DATED: JUL 23 2024


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

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