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

In the Matter of the Statement of Issues Against:	File No. 800-2023-102482
Yasaman Jaladat	
Applicant.	

## **DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby accepted and 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 <u>January 6, 2025</u>, although the probation will not commence until the applicant completes any remaining requirements for licensure and the license is issued.

ORDERED: December 19, 2024

MEDICAL BOARD OF CALIFORNIA

Michelle A. Bholat, MD

Michelle A. Bholat, M.D., Chair Panel A

DGU33 (Rev 01-2019)

1	ROB BONTA					
2	Attorney General of California  MATTHEW M. DAVIS  Supervising Deputy Attorney Congress					
3	Supervising Deputy Attorney General JASON J. AHN					
4	Deputy Attorney General State Bar No. 253172					
5	600 West Broadway, Suite 1800 San Diego, CA 92101 P.O. Box 85266					
6	San Diego, CA 92186-5266					
7	Telephone: (619) 738-9433 Facsimile: (619) 645-2061	•				
8	Attorneys for Complainant					
9						
10	BEFOR					
11	MEDICAL BOARD OF CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS					
12	STATE OF C	ALIFORNIA				
13	In the Matter of the Statement of Issues	Case No. 800-2023-102482				
14	Against:	CONTRACT A CONTRACT OF A STATE				
15	YASAMAN JALADAT	STIPULATED SETTLEMENT AND DISCIPLINARY ORDER				
16	11234 Anderson St., #MC-2516 Loma Linda, CA 92354-2804					
17						
18	Applicant.					
19						
20	IT IS HEREBY STIPULATED AND AGR	EED by and between the parties to the above-				
21	entitled proceedings that the following matters are true:					
22	<u>PARTIES</u>					
23	1. Reji Varghese (Complainant) is the Executive Director of the Medical Board of					
24	California (Board). He brought this action solely in his official capacity and is represented in this					
25	matter by Rob Bonta, Attorney General of the State of California, by Jason J. Ahn, Deputy					
26	Attorney General.					
27	111					
28	111	,				
		1				
	STIPULATED SETTLEME	NT AND DISCIPLINARY ORDER (800-2023-102482)				

///

1·5 

## **CULPABILITY**

- 9. Applicant understands and agrees that the charges and allegations contained in Statement of Issues No. 800-2023-102482, if proven at a hearing, constitute cause for denying application for a physician's and surgeon's certificate. Applicant fully agrees that, at a hearing, Complainant could establish a prima facie case or factual basis for the charges in the Statement of Issues, and that Applicant hereby gives up her right to contest those charges.
- 10. Applicant agrees that her application for a physician's and surgeon's certificate is subject to denial and agrees to be bound by the Board's probationary terms and conditions as set forth in the Disciplinary Order below.

## **CONTINGENCY**

- 11. This stipulation shall be subject to approval by the Medical Board of California. Applicant understands and agrees that counsel for Complainant and the staff of the Medical Board of California may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Applicant or her counsel. By signing the stipulation, Applicant understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.
- 12. Applicant agrees that if she ever petitions for early termination or modification of probation, or if an accusation and/or petition to revoke probation is filed against her before the Board, all of the charges and allegations contained in Statement of Issues No. 800-2023-102482 shall be deemed true, correct and fully admitted by Applicant for purposes of any such proceeding or any other licensing proceeding involving Applicant in the State of California.

 ADDITIONAL PROVISIONS

- 13. This Stipulated Settlement and Disciplinary Order is intended by the parties herein to be an integrated writing representing the complete, final, and exclusive embodiment of the agreements of the parties in the above-entitled matter.
- 14. The parties agree that copies of this Stipulated Settlement and Disciplinary Order, including copies of the signatures of the parties, may be used in lieu of original documents and signatures and, further, that such copies shall have the same force and effect as originals.
- 15. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or opportunity to be heard by the Applicant, issue and enter the following Disciplinary Order:

## **DISCIPLINARY ORDER**

IT IS HEREBY ORDERED that Applicant Yasaman Jaladat's Physician's and Surgeon's Certificate will be issued and immediately revoked. However, the revocation is stayed and Applicant is placed on probation three (3) years from the effective date of the Decision upon the following terms and conditions:

- 1. PRACTICE RESTRICTION. Applicant must practice in an Accreditation Council for Graduate Medical Education (ACGME) accredited postgraduate training program until Applicant obtains an additional twelve (12) months of postgraduate training credit. Applicant is currently in a twenty-four (24) month ACGME program, with an expected completion date of June 30, 2025 (24 month program). A successful completion of the 24 month program may be used to satisfy the additional twelve (12) months of training required under this provision. However, if not completed successfully, no part of the 24 month program may be used in order to satisfy the additional twelve (12) months of training required under this supervision.
- 2. <u>MONITORING PRACTICE/BILLING</u>. Within 30 calendar days of the effective date of this Decision, Applicant shall submit to the Board or its designee for prior approval as a practice monitor(s), the name and qualifications of one or more licensed physicians and surgeons whose licenses are valid and in good standing, and who are preferably American Board of Medical Specialties (ABMS) certified. A monitor shall have no prior or current business or

personal relationship with Applicant, or other relationship that could reasonably be expected to compromise the ability of the monitor to render fair and unbiased reports to the Board, including but not limited to any form of bartering, shall be in Applicant's field of practice, and must agree to serve as Applicant's monitor. Applicant shall pay all monitoring costs.

The Board or its designee shall provide the approved monitor with copies of the Decision(s) and Accusation(s), and a proposed monitoring plan. Within 15 calendar days of receipt of the Decision(s), Accusation(s), and proposed monitoring plan, the monitor shall submit a signed statement that the monitor has read the Decision(s) and Accusation(s), fully understands the role of a monitor, and agrees or disagrees with the proposed monitoring plan. If the monitor disagrees with the proposed monitoring plan with the signed statement for approval by the Board or its designee.

Within 60 calendar days of the effective date of this Decision, and continuing throughout probation, Applicant's practice shall be monitored by the approved monitor. Applicant shall make all records available for immediate inspection and copying on the premises by the monitor at all times during business hours and shall retain the records for the entire term of probation.

If Applicant fails to obtain approval of a monitor within 60 calendar days of the effective date of this Decision, Applicant shall receive a notification from the Board or its designee to cease the practice of medicine within three (3) calendar days after being so notified. Applicant shall cease the practice of medicine until a monitor is approved to provide monitoring responsibility.

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

If the monitor resigns or is no longer available, Applicant shall, within 5 calendar days of such resignation or unavailability, submit to the Board or its designee, for prior approval, the

name and qualifications of a replacement monitor who will be assuming that responsibility within 15 calendar days. If Applicant fails to obtain approval of a replacement monitor within 60 calendar days of the resignation or unavailability of the monitor, Applicant shall receive a notification from the Board or its designee to cease the practice of medicine within three (3) calendar days after being so notified. Applicant shall cease the practice of medicine until a replacement monitor is approved and assumes monitoring responsibility.

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

3. <u>SOLO PRACTICE PROHIBITION</u>. Applicant is prohibited from engaging in the solo practice of medicine. Prohibited solo practice includes, but is not limited to, a practice where: 1) Applicant merely shares office space with another physician but is not affiliated for purposes of providing patient care, or 2) Applicant is the sole physician practitioner at that location.

If Applicant fails to establish a practice with another physician or secure employment in an appropriate practice setting within 60 calendar days of the effective date of this Decision, Applicant shall receive a notification from the Board or its designee to cease the practice of medicine within three (3) calendar days after being so notified. The Applicant shall not resume practice until an appropriate practice setting is established.

If, during the course of the probation, the Applicant's practice setting changes and the Applicant is no longer practicing in a setting in compliance with this Decision, the Applicant shall notify the Board or its designee within five (5) calendar days of the practice setting change. If Applicant fails to establish a practice with another physician or secure employment in an appropriate practice setting within 60 calendar days of the practice setting change, Applicant shall receive a notification from the Board or its designee to cease the practice of medicine within three (3) calendar days after being so notified. The Applicant shall not resume practice until an

appropriate practice setting is established.

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

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

- 5. <u>SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE</u>

  <u>NURSES.</u> During probation, Applicant is prohibited from supervising physician assistants and advanced practice nurses.
- 6. <u>OBEY ALL LAWS</u>. Applicant shall obey all federal, state and local laws, all rules governing the practice of medicine in California and remain in full compliance with any court ordered criminal probation, payments, and other orders.
- 7. QUARTERLY DECLARATIONS. Applicant shall submit quarterly declarations under penalty of perjury on forms provided by the Board, stating whether there has been compliance with all the conditions of probation.

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

8. GENERAL PROBATION REQUIREMENTS.

Compliance with Probation Unit

Applicant shall comply with the Board's probation unit.

Address Changes

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

Professions Code section 2021, subdivision (b).

## Place of Practice

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

## License Renewal

Applicant shall maintain a current and renewed California physician's and surgeon's license.

## Travel or Residence Outside California

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

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

- 9. <u>INTERVIEW WITH THE BOARD OR ITS DESIGNEE</u>. Applicant shall be available in person upon request for interviews either at Applicant's place of business or at the probation unit office, with or without prior notice throughout the term of probation.
- 10. NON-PRACTICE WHILE ON PROBATION. Applicant shall notify the Board or its designee in writing within 15 calendar days of any periods of non-practice lasting more than 30 calendar days and within 15 calendar days of Applicant's return to practice. Non-practice is defined as any period of time Applicant is not practicing medicine as defined in Business and Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct patient care, clinical activity or teaching, or other activity as approved by the Board. If Applicant resides in California and is considered to be in non-practice, Applicant shall comply with all terms and conditions of probation. All time spent in an intensive training program which has been approved by the Board or its designee shall not be considered non-practice and does not relieve Applicant from complying with all the terms and conditions of probation. Practicing medicine in another state of the United States or Federal jurisdiction while on probation with the

///

///

medical licensing authority of that state or jurisdiction shall not be considered non-practice. A Board-ordered suspension of practice shall not be considered as a period of non-practice.

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

Applicant's period of non-practice while on probation shall not exceed two (2) years. Periods of non-practice will not apply to the reduction of the probationary term.

Periods of non-practice for a Applicant residing outside of California will relieve Applicant of the responsibility to comply with the probationary terms and conditions with the exception of this condition and the following terms and conditions of probation: Obey All Laws; General Probation Requirements; Quarterly Declarations.

- obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the completion of probation. This term does not include cost recovery, which is due within 30 calendar days of the effective date of the Order, or by a payment plan approved by the Medical Board and timely satisfied. Upon successful completion of probation, Applicant's certificate shall be fully restored.
- 12. <u>VIOLATION OF PROBATION</u>. Failure to fully comply with any term or condition of probation is a violation of probation. If Applicant violates probation in any respect, the Board, after giving Applicant 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 Applicant 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.

- 15

\_\_\_\_

- 13. <u>LICENSE SURRENDER</u>. Following the effective date of this Decision, if Applicant ceases practicing due to retirement or health reasons or is otherwise unable to satisfy the terms and conditions of probation, Applicant may request to surrender her license. The Board reserves the right to evaluate Applicant's request and to exercise its discretion in determining whether or not to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances. Upon formal acceptance of the surrender, Applicant shall within 15 calendar days deliver Applicant's wallet and wall certificate to the Board or its designee and Applicant shall no longer practice medicine. Applicant will no longer be subject to the terms and conditions of probation. If Applicant re-applies for a medical license, the application shall be treated as a petition for reinstatement of a revoked certificate.
- 14. <u>PROBATION MONITORING COSTS</u>. Applicant shall pay the costs associated with probation monitoring each and every year of probation, as designated by the Board, which may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of California and delivered to the Board or its designee no later than January 31 of each calendar year.
- 15. <u>FUTURE ADMISSIONS CLAUSE</u>. If Applicant should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing action agency in the State of California, all of the charges and allegations contained in Statement of Issues No. 800-2023-102482 shall be deemed to be true, correct, and admitted by Applicant for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict license.

///

2 || ///

3 || ///

## **ACCEPTANCE**

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

DATED:	812/24	Jacasac	>
		YASAMAN JALADAT, PTL Applicant	

I have read and fully discussed with Applicant Yasaman Jaladat, PTL, the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: August 2, 2024

EMILY L. BRINKMAN
Attorney for Applicant

## **ENDORSEMENT** . 1 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California. DATED: August 16, 2024 Respectfully submitted, **ROB BONTA** Attorney General of California MATTHEW M. DAVIS Supervising Deputy Attorney General JASON J. AHN Deputy Attorney General Attorneys for Complainant SF2024400750 84653462.docx

## Exhibit A

**Statement of Issues No. 800-2023-102482** 

1	ROB BONTA Attorney General of California				
2	MATTHEW M. DAVIS				
3	Supervising Deputy Attorney General JASON J. AHN				
4	Deputy Attorney General State Bar No. 253172				
5	600 West Broadway, Suite 1800 San Diego, CA 92101				
6	P.O. Box 85266 San Diego, CA 92186-5266				
7	Telephone: (619) 738-9433 Facsimile: (619) 645-2061				
8	Attorneys for Complainant				
9					
10	BEFORE THE				
11	MEDICAL BOARD OF CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS				
12	STATE OF CALIFORNIA				
13	In the Matter of the Statement of Issues Against:  Case No. 800-2023-102482				
14	YASAMAN JALADAT				
15	11234 Anderson St, Rm 2516 Loma Linda, CA 92354-2804  STATEMENT OF ISSUES				
16		-			
17	Applicant.				
18					
19					
20	<u>PARTIES</u>				
21	1. Reji Varghese (Complainant) brings this Statement of Issues solely in his official				
22	capacity as the Executive Director of the Medical Board of California.				
23	2. On or about March 6, 2023, the Medical Board of California, Department of				
24	Consumer Affairs received an application for a Transition from Postgraduate Training License to				
25	a Physician's and Surgeon's License from Yasaman Jaladat (Respondent). On or about March 6,				
26	2023, Respondent certified under penalty of perjury to the truthfulness of all statements, answers,				
27	and representations in the application. The Board denied the application on March 18, 2024.				
28	111				
	1				

STATEMENT OF ISSUES (800-2023-102482)

## **JURISDICTION**

2		3.	This Statement of Issues is brought before the Medical Board of California (Board),
3	Depar	rtmen	t of Consumer Affairs, under the authority of the following laws. All section
4	refere	nces	are to the Business and Professions Code (Code) unless otherwise indicated.
5		4.	Section 475 of the Code states:
6		divis	(a) Notwithstanding any other provisions of this code, the provisions of this ion shall govern the denial of licenses on the grounds of:
7 8		to sta	(1) Knowingly making a false statement of material fact, or knowingly omitting the a material fact, in an application for a license.
9			(2) Conviction of a crime.
10		to su	(3) Commission of any act involving dishonesty, fraud or deceit with the intent bstantially benefit himself or another, or substantially injure another.
11		profe	(4) Commission of any act which, if done by a licentiate of the business or ession in question, would be grounds for suspension or revocation of license.
13 14		divis in pa	(b) Notwithstanding any other provisions of this code, the provisions of this ion shall govern the suspension and revocation of licenses on grounds specified ragraphs (1) and (2) of subdivision (a).
15 <sup>-</sup>		lack chara	(c) A license shall not be denied, suspended, or revoked on the grounds of a of good moral character or any similar ground relating to an applicant's acter, reputation, personality, or habits.
17		5.	Section 480 of the Code states:
18			
19			(e) A board may deny a license regulated by this code on the ground that the
20		the a	cant knowingly made a false statement of fact that is required to be revealed in pplication for the license. A board shall not deny a license based solely on an
21		licen	cant's failure to disclose a fact that would not have been cause for denial of the se had it been disclosed.
22			« »
23	1//		
24	111		
25	-1.17		
26	111		
27	111		
28	111		

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

19

21

25

26

27

28

111

member of the public and shall post the certificate and statement on the board's

internet website for 10 years from issuance.

#### 7. Section 2234 of the Code, states: The board shall take action against any licensee who is charged with 2 unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following: 3 (a) Violating or attempting to violate, directly or indirectly, assisting in or 4 abetting the violation of, or conspiring to violate any provision of this chapter. 5 (b) Gross negligence. 6 (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 7 separate and distinct departure from the applicable standard of care shall constitute 8 repeated negligent acts. (1) An initial negligent diagnosis followed by an act or omission medically 9 appropriate for that negligent diagnosis of the patient shall constitute a single 10 negligent act. (2) When the standard of care requires a change in the diagnosis, act, or 11 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 12 licensee's conduct departs from the applicable standard of care, each departure constitutes a separate and distinct breach of the standard of care. 13 14 (d) Incompetence. (e) The commission of any act involving dishonesty or corruption that is 15 substantially related to the qualifications, functions, or duties of a physician and 16 surgeon. (f) Any action or conduct that would have warranted the denial of a certificate. 17 (g) The failure by a certificate holder, in the absence of good cause, to attend 18 and participate in an interview by the board no later than 30 calendar days after being notified by the board. This subdivision shall only apply to a certificate holder who is 19 the subject of an investigation by the board. 20 (h) Any action of the licensee, or another person acting on behalf of the licensee, intended to cause their patient or their patient's authorized representative to 21 rescind consent to release the patient's medical records to the board or the Department of Consumer Affairs, Health Quality Investigation Unit. 22 (i) Dissuading, intimidating, or tampering with a patient, witness, or any person 23 in an attempt to prevent them from reporting or testifying about a licensee. 24 111 25 27

111

- 8. Unprofessional conduct under Business and Professions Code section 2234 is conduct which breaches the rules or ethical code of the medical profession, or conduct which is 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 2234 of the Code requires the Board to take action against any licensee charged with unprofessional conduct.

## FIRST CAUSE FOR DENIAL OF APPLICATION

## (Incompetence)

- 10. Applicant's application is subject to denial under section 475, subdivision (a)(4), and section 2234, subdivision (d), of the Code, in that Applicant demonstrated incompetence, as more particularly alleged hereinafter:
- 11. Between on or about September 1, 1995 through September 1, 2002, Applicant completed her undergraduate medical school education in a foreign country.
- 12. On or about February 25, 2016, Applicant passed USMLE<sup>1</sup> Step 1 Examination<sup>2</sup> on her first attempt with a score of 201. A passing score was 192 or higher.
- 13. On or about June 6, 2018, Applicant failed USMLE Step 2 CK Examination<sup>3</sup> on her first attempt with a score of 200. A passing score was 209 or higher.
- 14. On or about July 13, 2018, Applicant passed USMLE Step 2 CS examination<sup>4</sup> on her first attempt.

<sup>&</sup>lt;sup>1</sup> The United States Medical Licensing Examination (USMLE) is a three-step examination for medical licensure in the United States of America.

<sup>&</sup>lt;sup>2</sup> Step 1 of the USMLE examination assesses whether an examinee understands and can apply important concepts of the sciences basic to the practice of medicine, with special emphasis on principles and mechanisms underlying health, disease, and modes of therapy.

<sup>&</sup>lt;sup>3</sup> USMLE Step 2 CK assesses an examinee's ability to apply medical knowledge, skills, and understanding of clinical science essential for the provision of patient care under supervision and includes emphasis on health promotion and disease prevention.

<sup>&</sup>lt;sup>4</sup> USMLE Step 2 CS (Clinical Skills) exam was on hold starting May 2020, and has now been canceled permanently.

- 15. On or about September 30, 2020, Applicant passed USMLE Step 2 CK Examination on her second attempt with a score of 229. A passing score was 209 or higher.
- 16. On or about June 2, 2021, Applicant passed USMLE Step 3 Examination<sup>5</sup> on her first attempt with a score of 214. A passing score was 198.
- 17. From on or about July 1, 2021 through June 30, 2022, Applicant completed PGY 1<sup>6</sup> resident year in Livingston, New Jersey. Applicant's mid-year and year-end summary evaluations rated Applicant at Level 1, the lowest possible rating, for all twenty-seven (27) milestones in pathology. Comments from Applicant's end of year summary evaluation from Applicant's program director include, "Dr. Jaladat [Applicant] has not performed well. She is not a team player. Does not follow up on cases. Attendance is a big issue. Pathology knowledge is far below expected first year level at this point." A comment from Applicant's multisource / 360 evaluation states, "She [Applicant] is sometimes overbearing and can be rude and argumentative. Needs to improve how she interacts with staff."
- 18. On or about August 1, 2022, Applicant transferred to a Residency Program in Loma Linda, California, as a PGY 2 resident. A milestone summary evaluation during Applicant's first six (6) months included comments such as, "Yasaman [Applicant] is below the expected level of a PGY 2 regarding clinical pathologic correlation, accurate diagnoses, and accurate reporting of findings." Another comment reads, "Based upon several issues encountered upon [Applicant's] arrival at our training program, it was quickly apparent that she [Applicant] was not prepared to function as a PGY 2... Based upon these issues a performance improvement plan (PIP) was initiated... there were interpersonal communication and professionalism issues that have also

<sup>&</sup>lt;sup>5</sup> USMLE Step 3 assesses whether an examinee can apply medical knowledge and understanding of biomedical and clinical science essential for the unsupervised practice of medicine.

<sup>&</sup>lt;sup>6</sup> PGY stands for postgraduate year. PGY 1 is the first year of postgraduate year of training.

<sup>&</sup>lt;sup>7</sup> Pathology is a branch of medical science that is focused on the study and diagnosis of disease.

<sup>&</sup>lt;sup>8</sup> Multisource feedback (MSF), also called 360-degree assessment, is one form of assessment used in postgraduate training.

been addressed." Another comment reads, "Subsequently a serious mistake pertaining to the independent handling of partial mastectomy and additional margins was made by Dr. Jaladat [Applicant], leading to further concern over her safety in performing tasks independently." After six (6) months, Applicant completed the PIP, but concerns remained. A comment from a faculty member states, "While Yasaman [Applicant] showed some interval improvement upon completion of her performance improvement plan, upon return to the non-modified rotation, additional errors and significant events occurred . . . demonstrating very poor clinical judgment / reasoning. As such, there remains serious concern for patient safety in the absence of an increased level of supervision than what is expected for her level."

- 19. On or about January 17, 2023, Applicant was placed on academic probation for deficiencies in patient care, medical knowledge, practiced-based learning and improvement, and professionalism. Specifically, Applicant's primary areas of deficiency were as follows:
  - a. An inadequate fund of knowledge with regard to fundamental concepts in surgical pathology, both in terms of gross pathology<sup>9</sup> and histopathology, <sup>10</sup> as well as hematopathology, <sup>11</sup> and blood banking <sup>12</sup>;
    - b. Inaccurate interpretations of normal and abnormal histology<sup>13</sup>;
    - c. 5th percentile score on the pathology Resident In-Service Exam (RISE)<sup>14</sup>;

<sup>&</sup>lt;sup>9</sup> Gross pathology refers to macroscopic assessment of disease in organs, tissues, and body cavities.

<sup>&</sup>lt;sup>10</sup> Histopathology is the diagnosis and study of diseases of the tissues, and involves examining tissues and or cells under a microscope.

<sup>11</sup> Hematopathology refers to study of diseases of the cells that make up our blood.

<sup>&</sup>lt;sup>12</sup> Blood banking is the process that takes place in the lab to make sure that the donated blood, or blood products, are safe before they are used in blood transfusions and other medical procedures.

<sup>&</sup>lt;sup>13</sup> Histology is the study of the microanatomy of cells, tissues, and organs as seen through a microscope.

<sup>&</sup>lt;sup>14</sup> Resident in-Service Examination (RISE) is an evaluation tool that can be used to assess progress in Anatomic Pathology, Clinical Pathology, Molecular Pathology, and Laboratory Administration.

- d. The lowest observed score by a resident on the pre-test knowledge assessment for blood banking:
- e. An inability to use sound judgment to independently assess clinical situations and formulate appropriate plans for creating a comprehensive pathology report;
- f. An inability to recognize the gap between your perceived performance with actual performance and demonstrate appropriate insight in addition to not fully addressing a way to narrow these gaps;
  - g. Inconsistently taking responsibility for lapses and/or errors.
- 20. Applicant's academic probation described in paragraph 19, above, included a seven-step plan of correction with specific goals and remediation plans, including meeting every two (2) weeks with Applicant's program director to receive specific feedback.
- 21. On or about May 15, 2023, the Clinical Competence Committee, responsible for assessing Applicant's progress and lifting of Applicant's academic probation, described in paragraph 19, above, met in a meeting and cited multiple concerns regarding Applicant's performance. The comments from the Clinical Competence Committee's May 15, 2023 meeting include:
  - a. Yasaman [Applicant] has made some technical improvements but is still not at the expected level of training. She remains significantly behind in medical and diagnostic knowledge. Yasaman depends on instruction from those around her, rather than learning from references, and she continues to struggle with implementation of information and feedback, as well as in fund of knowledge and recognition and workup of pathologic processes.
  - b. Very weak in Practice-based learning. Poor memory / retention so time wasted repeating many items repeatedly. Needs much supervision and teaching compared to PGY 1 residents;
    - c. Yasaman [Applicant] has shown improvement in a few areas, but major concerns persist on anatomic pathology rotations. RISE [Resident In-Service Exam] scores need substantial improvement, and do not show positive trajectory in medical

6

11 12

13

14 15

16 17

18

19

20

21

22

23

24

26

27

28

## knowledge; and

- The committee remains concerned about her [Applicant's] poor performance in d. multiple competencies, particularly within anatomic pathology. If the slope of improvement does not increase significantly, it is difficult to see how she can attain competence in anatomic pathology by a reasonable length of additional training.
- On or about June 1, 2023, Applicant was removed from academic probation described in paragraph 19, above.
- On or about March 6, 2023, Applicant submitted an application for a Transition from 23. Postgraduate Training License to a Physician's and Surgeon's License (Application) to the Board. As part of the Application, Respondent certified under penalty of perjury to the truthfulness of all statements, answers, and representations in the application.
- One of the questions in the Application states, "Since the date you submitted your PTL application have you ever been placed on probation for any reason?" Applicant replied "No," even though she knew that this was false.
- Another question in the Application states, "Since the date you submitted your application for a PTL have you ever had any limitations or special requirements placed upon you for clinical performance, professionalism, medical knowledge, discipline, or for any other reason, which may include, but is not limited to, a corrective action plan, performance improvement plan, remediation plan, individual development plan, and any type of informal or progressive disciplinary or non-disciplinary action?" Applicant replied "No," even though she knew that this was false.

111

111

111

11.1

III

111

2

3.

4

5

6

7

8

9

1.0

11

12

13

14

15

16

17

## **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. Denying the application of Applicant Yasaman Jaladat, PTL, for a physician's and surgeon's license certificate;
- 2. If issued a probationary license, ordering Applicant Yasaman Jaladat, PTL, to pay the Board the costs of probation monitoring;
- 3. If placed on probation, revoking, suspending, or denying the approval of Applicant Yasaman Jaladat, PTL, to supervise physician assistants and advanced practice nurses; and
  - 4. Taking such other and further action as deemed necessary and proper.

DATED: JUN 2 0 2024

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