

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

**In the Matter of the Accusation  
Against:**

**Neil Ramesh Shah, M.D.**

**Physician's and Surgeon's  
Certificate No. A 171527**

**Case No.: 800-2023-103280**

**Respondent.**

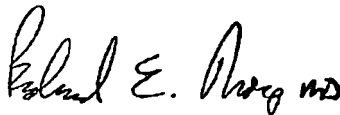
**DECISION**

**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 May 8, 2025.**

**IT IS SO ORDERED: April 8, 2025.**

**MEDICAL BOARD OF CALIFORNIA**



**Richard E. Thorp, Chair  
Panel B**

1 ROB BONTA  
Attorney General of California  
2 MACHAELA M. MINGARDI  
Supervising Deputy Attorney General  
3 C. HAY-MIE CHO  
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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:

13 **NEIL RAMESH SHAH, M.D.**  
3777 Peachtree Road NE, Unit 612  
Brookhaven, GA 30319-3337

14 **Physician's and Surgeon's Certificate No. A**  
171527

15  
16 Respondent.

Case No. 800-2023-103280

OAH No. 2024080659

17 **STIPULATED SETTLEMENT AND**  
18 **DISCIPLINARY ORDER**

19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
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 C. Hay-Mie Cho, Deputy  
24 Attorney General.

25 2. Respondent Neil Ramesh Shah, M.D. (Respondent) is represented in this proceeding  
26 by attorney Kevin D. Cauley, Esq., whose address is: 35 North Lake Avenue, Suite 710  
27 Pasadena, CA 91101-4185.  
28

3. On or about February 8, 2021, the Board issued Physician's and Surgeon's Certificate No. A 171527 to Neil Ramesh Shah, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2023-103280, and will expire on February 28, 2027, unless renewed.

## JURISDICTION

4. Accusation No. 800-2023-103280 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 July 30, 2024. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2023-103280 is attached as Exhibit A and incorporated herein by reference.

## ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2023-103280. 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.

**CULPABILITY**

9. Respondent admits the truth of each and every charge and allegation in Accusation No. 800-2023-103280.

10. Respondent agrees that his Physician's and Surgeon's Certificate is subject to discipline and agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

## CONTINGENCY

11. This stipulation shall be subject to approval by the Medical Board of California. Respondent 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 Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and 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. 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 agreement of the parties in this above-entitled matter.

13. Respondent agrees that if he ever petitions for early termination or modification of probation, or if an accusation and/or petition to revoke probation is filed against him before the Board, all of the charges and allegations contained in Accusation No. 800-2023-103280 shall be deemed true, correct and fully admitted by Respondent for purposes of any such proceeding or any other licensing proceeding involving Respondent in the State of California.

14. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the 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 Respondent, issue and enter the following Disciplinary Order:

1 **DISCIPLINARY ORDER**

2 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 171527  
3 issued to Respondent NEIL RAMESH SHAH, M.D. is revoked. However, the revocation is  
4 stayed, and Respondent is placed on probation for five (5) years on the following terms and  
5 conditions:

6 1. **CONTROLLED SUBSTANCES - MAINTAIN RECORDS AND ACCESS TO**  
7 **RECORDS AND INVENTORIES.** Respondent shall maintain a record of all controlled  
8 substances ordered, prescribed, dispensed, administered, or possessed by Respondent, and any  
9 recommendation or approval which enables a patient or patient's primary caregiver to possess or  
10 cultivate marijuana for the personal medical purposes of the patient within the meaning of Health  
11 and Safety Code section 11362.5, during probation, showing all of the following: 1) the name and  
12 address of the patient; 2) the date; 3) the character and quantity of controlled substances involved;  
13 and 4) the indications and diagnosis for which the controlled substances were furnished.

14 Respondent shall keep these records in a separate file or ledger, in chronological order. All  
15 records and any inventories of controlled substances shall be available for immediate inspection  
16 and copying on the premises by the Board or its designee at all times during business hours and  
17 shall be retained for the entire term of probation.

18 2. **CONTROLLED SUBSTANCES - ABSTAIN FROM USE.** Respondent shall abstain  
19 completely from the personal use or possession of controlled substances as defined in the  
20 California Uniform Controlled Substances Act, dangerous drugs as defined by Business and  
21 Professions Code section 4022, and any drugs requiring a prescription. This prohibition does not  
22 apply to medications lawfully prescribed to Respondent by another practitioner for a bona fide  
23 illness or condition.

24 Within 15 calendar days of receiving any lawfully prescribed medications, Respondent  
25 shall notify the Board or its designee of the: issuing practitioner's name, address, and telephone  
26 number; medication name, strength, and quantity; and issuing pharmacy name, address, and  
27 telephone number.

28 3. **BIOLOGICAL FLUID TESTING.** Respondent shall immediately submit to

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

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

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

27 If the Board does not file an accusation or petition to revoke probation within 15 days of the  
28 issuance of the notification to cease practice or does not provide Respondent with a hearing

1 within 30 days of such a request, the notification of cease practice shall be dissolved.

2 4. EDUCATION COURSE. Within 60 calendar days of the effective date of this  
3 Decision, and on an annual basis thereafter, Respondent shall submit to the Board or its designee  
4 for its prior approval educational program(s) or course(s) which shall not be less than 40 hours  
5 per year, for each year of probation. The educational program(s) or course(s) shall be aimed at  
6 correcting any areas of deficient practice or knowledge and shall be Category I certified. The  
7 educational program(s) or course(s) shall be at Respondent's expense and shall be in addition to  
8 the Continuing Medical Education (CME) requirements for renewal of licensure. Following the  
9 completion of each course, the Board or its designee may administer an examination to test  
10 Respondent's knowledge of the course. Respondent shall provide proof of attendance for 65  
11 hours of CME of which 40 hours were in satisfaction of this condition.

12 5. PRESCRIBING PRACTICES COURSE. Within 60 calendar days of the effective  
13 date of this Decision, Respondent shall enroll in a course in prescribing practices approved in  
14 advance by the Board or its designee. Respondent shall provide the approved course provider  
15 with any information and documents that the approved course provider may deem pertinent.  
16 Respondent shall participate in and successfully complete the classroom component of the course  
17 not later than six (6) months after Respondent's initial enrollment. Respondent shall successfully  
18 complete any other component of the course within one (1) year of enrollment. The prescribing  
19 practices course shall be at Respondent's expense and shall be in addition to the Continuing  
20 Medical Education (CME) requirements for renewal of licensure.

21 A prescribing practices course taken after the acts that gave rise to the charges in the  
22 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board  
23 or its designee, be accepted towards the fulfillment of this condition if the course would have  
24 been approved by the Board or its designee had the course been taken after the effective date of  
25 this Decision.

26 Respondent shall submit a certification of successful completion to the Board or its  
27 designee not later than 15 calendar days after successfully completing the course, or not later than  
28 15 calendar days after the effective date of the Decision, whichever is later.

1           6.   MEDICAL RECORD KEEPING COURSE. Within 60 calendar days of the effective  
2 date of this Decision, Respondent shall enroll in a course in medical record keeping approved in  
3 advance by the Board or its designee. Respondent shall provide the approved course provider  
4 with any information and documents that the approved course provider may deem pertinent.  
5 Respondent shall participate in and successfully complete the classroom component of the course  
6 not later than six (6) months after Respondent's initial enrollment. Respondent shall successfully  
7 complete any other component of the course within one (1) year of enrollment. The medical  
8 record keeping course shall be at Respondent's expense and shall be in addition to the Continuing  
9 Medical Education (CME) requirements for renewal of licensure.

10           A medical record keeping course taken after the acts that gave rise to the charges in the  
11 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board  
12 or its designee, be accepted towards the fulfillment of this condition if the course would have  
13 been approved by the Board or its designee had the course been taken after the effective date of  
14 this Decision.

15           Respondent shall submit a certification of successful completion to the Board or its  
16 designee not later than 15 calendar days after successfully completing the course, or not later than  
17 15 calendar days after the effective date of the Decision, whichever is later.

18           7.   PROFESSIONALISM PROGRAM (ETHICS COURSE). Within 60 calendar days of  
19 the effective date of this Decision, Respondent shall enroll in a professionalism program, that  
20 meets the requirements of Title 16, California Code of Regulations (CCR) section 1358.1.  
21 Respondent shall participate in and successfully complete that program. Respondent shall  
22 provide any information and documents that the program may deem pertinent. Respondent shall  
23 successfully complete the classroom component of the program not later than six (6) months after  
24 Respondent's initial enrollment, and the longitudinal component of the program not later than the  
25 time specified by the program, but no later than one (1) year after attending the classroom  
26 component. The professionalism program shall be at Respondent's expense and shall be in  
27 addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

28           A professionalism program taken after the acts that gave rise to the charges in the



1 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board  
2 or its designee, be accepted towards the fulfillment of this condition if the program would have  
3 been approved by the Board or its designee had the program been taken after the effective date of  
4 this Decision.

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

8 8. PSYCHIATRIC EVALUATION. Within 30 calendar days of the effective date of  
9 this Decision, and on whatever periodic basis thereafter may be required by the Board or its  
10 designee, Respondent shall undergo and complete a psychiatric evaluation (and psychological  
11 testing, if deemed necessary) by a Board-appointed board certified psychiatrist, who shall  
12 consider any information provided by the Board or designee and any other information the  
13 psychiatrist deems relevant, and shall furnish a written evaluation report to the Board or its  
14 designee. Psychiatric evaluations conducted prior to the effective date of the Decision shall not  
15 be accepted towards the fulfillment of this requirement. Respondent shall pay the cost of all  
16 psychiatric evaluations and psychological testing.

17 Respondent shall comply with all restrictions or conditions recommended by the evaluating  
18 psychiatrist within 15 calendar days after being notified by the Board or its designee.

19 Respondent shall not engage in the practice of medicine until notified by the Board or its  
20 designee that Respondent is mentally fit to practice medicine safely. The period of time that  
21 Respondent is not practicing medicine shall not be counted toward completion of the term of  
22 probation.

23 9. PSYCHOTHERAPY. Within 60 calendar days of the effective date of this Decision,  
24 Respondent shall submit to the Board or its designee for prior approval the name and  
25 qualifications of a California-licensed board-certified psychiatrist or a licensed psychologist who  
26 has a doctoral degree in psychology and at least five years of postgraduate experience in the  
27 diagnosis and treatment of emotional and mental disorders. Upon approval, Respondent shall  
28 undergo and continue psychotherapy treatment, including any modifications to the frequency of

1 psychotherapy, until the Board or its designee deems that no further psychotherapy is necessary.

2 The psychotherapist shall consider any information provided by the Board or its designee  
3 and any other information the psychotherapist deems relevant and shall furnish a written  
4 evaluation report to the Board or its designee. Respondent shall cooperate in providing the  
5 psychotherapist with any information and documents that the psychotherapist may deem  
6 pertinent.

7 Respondent shall have the treating psychotherapist submit quarterly status reports to the  
8 Board or its designee. The Board or its designee may require Respondent to undergo psychiatric  
9 evaluations by a Board-appointed board-certified psychiatrist. If, prior to the completion of  
10 probation, Respondent is found to be mentally unfit to resume the practice of medicine without  
11 restrictions, the Board shall retain continuing jurisdiction over Respondent's license and the  
12 period of probation shall be extended until the Board determines that Respondent is mentally fit  
13 to resume the practice of medicine without restrictions.

14 Respondent shall pay the cost of all psychotherapy and psychiatric evaluations.

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

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

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

1 abuse support group meeting costs.

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

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

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

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

26 The worksite monitor shall have an active unrestricted license with no disciplinary action  
27 within the last five (5) years, and shall sign an affirmation that he or she has reviewed the terms  
28 and conditions of Respondent's disciplinary order and agrees to monitor Respondent as set forth

1 by the Board or its designee.

2 Respondent shall pay all worksite monitoring costs.

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

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

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

24 If the worksite monitor resigns or is no longer available, Respondent shall, within five (5)  
25 calendar days of such resignation or unavailability, submit to the Board or its designee, for prior  
26 approval, the name and qualifications of a replacement monitor who will be assuming that  
27 responsibility within fifteen (15) calendar days. If Respondent fails to obtain approval of a  
28 replacement monitor within sixty (60) calendar days of the resignation or unavailability of the

1 monitor, Respondent shall receive a notification from the Board or its designee to cease the  
2 practice of medicine within three (3) calendar days after being so notified. Respondent shall  
3 cease the practice of medicine until a replacement monitor is approved and assumes monitoring  
4 responsibility.

5 13. VIOLATION OF PROBATION CONDITION FOR SUBSTANCE ABUSING  
6 LICENSEES. Failure to fully comply with any term or condition of probation is a violation of  
7 probation.

8 A. If Respondent commits a major violation of probation as defined by section  
9 1361.52, subdivision (a), of Title 16 of the California Code of Regulations, the Board shall take  
10 one or more of the following actions:

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

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

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

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

26 (1) Issue a cease-practice order;

27 (2) Order practice limitations;

28 (3) Order or increase supervision of Respondent;

- 1 (4) Order increased documentation;
- 2 (5) Issue a citation and fine, or a warning letter;
- 3 (6) Order Respondent to undergo a clinical diagnostic evaluation to be conducted in
- 4 accordance with section 1361.5, subdivision (c)(1), of Title 16 of the California Code of
- 5 Regulations, at Respondent's expense;
- 6 (7) Take any other action as determined by the Board or its designee.

7 C. Nothing in this Decision shall be considered a limitation on the Board's authority

8 to revoke Respondent's probation if he or she has violated any term or condition of probation. If

9 Respondent violates probation in any respect, the Board, after giving Respondent notice and the

10 opportunity to be heard, may revoke probation and carry out the disciplinary order that was

11 stayed. If an Accusation, or Petition to Revoke Probation, or an Interim Suspension Order is filed

12 against Respondent during probation, the Board shall have continuing jurisdiction until the matter

13 is final, and the period of probation shall be extended until the matter is final.

14 14. NOTIFICATION. Within seven (7) days of the effective date of this Decision, the

15 Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the

16 Chief Executive Officer at every hospital where privileges or membership are extended to

17 Respondent, at any other facility where Respondent engages in the practice of medicine,

18 including all physician and locum tenens registries or other similar agencies, and to the Chief

19 Executive Officer at every insurance carrier which extends malpractice insurance coverage to

20 Respondent. Respondent shall submit proof of compliance to the Board or its designee within 15

21 calendar days.

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

23 15. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws, all rules

24 governing the practice of medicine in California and remain in full compliance with any court

25 ordered criminal probation, payments, and other orders.

26 16. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby

27 ordered to reimburse the Board its costs of investigation and enforcement, including, but not

28 limited to, expert review, amended accusations, legal reviews, investigation(s), and subpoena

1 enforcement, as applicable, in the amount of \$15,045 (fifteen thousand forty-five dollars). Costs  
2 shall be payable to the Medical Board of California. Failure to pay such costs shall be considered  
3 a violation of probation.

4 Payment must be made in full within 30 calendar days of the effective date of the Order, or  
5 by a payment plan approved by the Medical Board of California. Any and all requests for a  
6 payment plan shall be submitted in writing by respondent to the Board. Failure to comply with  
7 the payment plan shall be considered a violation of probation.

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

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

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

15 18. GENERAL PROBATION REQUIREMENTS.

16 Compliance with Probation Unit

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

18 Address Changes

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

24 Place of Practice

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

28 License Renewal

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

Travel or Residence Outside California

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

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

20. NON-PRACTICE WHILE ON PROBATION. Respondent 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 Respondent's return to practice. Non-practice is defined as any period of time Respondent 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 Respondent resides in California and is considered to be in non-practice, Respondent 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 Respondent 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 Respondent's period of non-practice while on probation exceeds 18 calendar months, Respondent shall successfully complete the Federation of State Medical Boards's Special



1 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program  
2 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model  
3 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

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

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

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

11 21. COMPLETION OF PROBATION. Respondent shall comply with all financial  
12 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the  
13 completion of probation. This term does not include cost recovery, which is due within 30  
14 calendar days of the effective date of the Order, or by a payment plan approved by the Medical  
15 Board and timely satisfied. Upon successful completion of probation, Respondent's certificate  
16 shall be fully restored.

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

24 23. LICENSE SURRENDER. Following the effective date of this Decision, if  
25 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy  
26 the terms and conditions of probation, Respondent may request to surrender his or her license.  
27 The Board reserves the right to evaluate Respondent's request and to exercise its discretion in  
28 determining whether or not to grant the request, or to take any other action deemed appropriate

1 and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent  
2 shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its  
3 designee and Respondent shall no longer practice medicine. Respondent will no longer be subject  
4 to the terms and conditions of probation. If Respondent re-applies for a medical license, the  
5 application shall be treated as a petition for reinstatement of a revoked certificate.


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

11 25. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for  
12 a new license or certification, or petition for reinstatement of a license, by any other health care  
13 licensing action agency in the State of California, all of the charges and allegations contained in  
14 Accusation No. 800-2023-103280 shall be deemed to be true, correct, and admitted by  
15 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or  
16 restrict license.

17 ACCEPTANCE


18 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
19 discussed it with my attorney, Kevin D. Cauley, Esq. I understand the stipulation and the effect it  
20 will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and  
21 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the  
22 Decision and Order of the Medical Board of California.

23  
24 DATED: 03/17/2025

  
25 NEIL RAMESH SHAH, M.D.  
26 Respondent  
27  
28

1 I have read and fully discussed with Respondent Neil Ramesh Shah, M.D. the terms and  
2 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.  
3 I approve its form and content.

4  
5 DATED: March 17, 2025

  
6 KEVIN D. CAULEY, ESQ.  
7 *Attorney for Respondent*

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**ENDORSEMENT**

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

DATED: March 18, 2025

Respectfully submitted,  
  
ROB BONTA  
Attorney General of California  
MACHAELA M. MINGARDI  
Supervising Deputy Attorney General  
  
*C. Hay-Mie Cho*  
  
C. HAY-MIE CHO  
Deputy Attorney General  
*Attorneys for Complainant*

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1 ROB BONTA  
Attorney General of California  
2 MACHAELA M. MINGARDI  
Supervising Deputy Attorney General  
3 C. HAY-MIE CHO  
Deputy Attorney General  
4 State Bar No. 282259  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
Telephone: (415) 510-4433  
6 Facsimile: (415) 703-5480  
*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. 800-2023-103280

13 **NEIL RAMESH SHAH, M.D.**  
14 **3777 Peachtree Road NE, Unit 612**  
**Brookhaven, GA 30319**

**ACCUSATION**

15 **Physician's and Surgeon's Certificate**  
16 **No. A 171527,**

Respondent.

17  
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 February 8, 2021, the Medical Board issued Physician's and Surgeon's  
24 Certificate Number A 171527 to Neil Ramesh Shah, M.D. (Respondent). The Physician's and  
25 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought  
26 herein and will expire on February 28, 2025, unless renewed.  
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4. Section 2234 of the Code states:

(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.

(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.

(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.

(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.

(g) The failure by a certificate holder, in the absence of good cause, to attend 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 the subject of an investigation by the board.

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

1           5.     Section 2236 of the Code states:

2                 (a) The conviction of any offense substantially related to the qualifications,  
3 functions, or duties of a physician and surgeon constitutes unprofessional conduct  
4 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.

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

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

13                 (d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is  
14 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.

15           6.     Section 2238 of the Code states:

16                 A violation of any federal statute or federal regulation or any of the statutes or  
17 regulations of this state regulating dangerous drugs or controlled substances  
constitutes unprofessional conduct.

18           7.     Section 2239 of the Code states:

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

24                 (b) A plea or verdict of guilty or a conviction following a plea of nolo  
25 contendere is deemed to be a conviction within the meaning of this section. The  
Medical Board may order discipline of the licensee in accordance with Section 2227  
26 or the Medical Board may order the denial of the license when the time for appeal has  
elapsed or the judgment of conviction has been affirmed on appeal or when an order  
27 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  
28 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.

### COST RECOVERY

8. 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

9. From approximately July 1, 2017, through June 30, 2019, Respondent was a nephrology fellow at the University of Colorado Health Hospital. During this time, Respondent possessed a Drug Enforcement Agency (DEA) registration that authorized him to prescribe controlled substances in Schedules II through V.<sup>1</sup> However, as a nephrology fellow, there was no reason for Respondent to write prescriptions for controlled substances in the course of his duties. Nevertheless, Respondent obtained a prescription pad bearing the university's name and address for himself from www.rxpads.com. Respondent was never authorized to possess such a prescription pad.

10. On or about November 4, 2019, Respondent issued a prescription for 360 tablets of oxycodone HCL, a Schedule II controlled substance, under his name and DEA registration number to an individual who was never his patient. Respondent then took the prescription to a pharmacy, where he represented himself as a "concierge physician," who would fill prescriptions for his patients and deliver the controlled substances to them. Based on past representations at the pharmacy, Respondent led the pharmacy's staff to believe he was filling the prescriptions on the individual's behalf and would deliver the oxycodone tablets to the individual for a legitimate medical purpose. Subsequently, the pharmacy filled the prescription.

<sup>1</sup> Drugs are classified into five distinct schedules, depending on the drug's acceptable medical use and its potential for abuse or dependency. The abuse rate is a determining factor in scheduling of the drug. Specifically, Schedule I drugs have a high potential for abuse and can possibly cause severe psychological and/or physical dependence. Schedule V drugs have the least potential for abuse.



11. On or about November 4, 2019, Respondent wrote and filled prescriptions for 360 tablets of hydrocodone-acetaminophen and for 240 tablets of oxycodone-acetaminophen. These prescriptions were both issued to fictitious patients whose names Respondent had fabricated for the purpose of writing false prescriptions.

12. On or about September 27, 2023, based on the aforementioned facts in Paragraphs 9 and 11, Respondent was indicted for Acquiring or Obtaining a Controlled Substance by Misrepresentation, Fraud, Forgery, Deception, Subterfuge, in violation of 21 U.S.C. § 843(a)(3) and for Unlawful Possession of Oxycodone, a Schedule I Controlled Substance, in violation of 21 U.S.C. § 844(a).

13. On or about November 8, 2023, in a federal criminal proceeding entitled *United States of America v. Neil Shah*, D. Colo. Case No. 1:23-cv-00413-DDD, Respondent was convicted by pleading guilty to Unlawful Possession of Oxycodone in violation of 21 U.S.C. § 844(a), a federal misdemeanor. Respondent was sentenced to three years of probation, a \$25.00 assessment, and a \$1,000 fine.

**FIRST CAUSE FOR DISCIPLINE**

**(Criminal Conviction)**

14. The allegations set forth in Paragraphs 9 through 13 are incorporated by reference as if fully set out herein.

15. By reason of the facts stated in Paragraphs 9 through 13 above, Respondent is subject to disciplinary action under section 2236 (criminal conviction) of the Code and California Code of Regulations, title 16, section 1360 (criminal conviction) because on or about November 8, 2023, in a federal criminal proceeding entitled *United States v. Neil Shah*, D. Colo. Case No. 1:23-cv-00413-DDD, Respondent was convicted by pleading guilty to Unlawful Possession of Oxycodone in violation of 21 U.S.C. § 844(a).

16. Respondent's criminal conviction for Unlawful Possession of Oxycodone is substantially related to the qualifications, functions, and duties of a physician and surgeon, and constitutes unprofessional conduct and cause for discipline under section 2236 of the Code, and title 16, section 1360 of the California Code of Regulations.

1 **SECOND CAUSE FOR DISCIPLINE**

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

3 17. The allegations set forth in Paragraphs 9 through 13 are incorporated by reference as  
4 if fully set out herein.

5 18. Respondent is subject to disciplinary action under section 2234(e) of the Code, in that  
6 Respondent issued prescriptions for controlled substances under his name and DEA registration  
7 number to an individual who was never his patient, and then filled this prescription at a pharmacy  
8 by representing himself as a "concierge physician." Respondent also issued prescriptions for  
9 controlled substances to fictitious patients whose names he fabricated for purposes of writing  
10 false prescriptions, and then filled such prescriptions at a pharmacy.

11 **THIRD CAUSE FOR DISCIPLINE**

12 **(Violation of Drug Statutes)**

13 19. The allegations set forth in Paragraphs 9 through 13 are incorporated by reference as  
14 if fully set out herein.

15 20. Respondent is subject to disciplinary action under sections 2237 and/or 2238 of the  
16 Code because he unlawfully possessed controlled substances, in violation of 21 U.S.C. § 844(a), a  
17 federal drug statute, by issuing prescriptions for these substances to an individual who was never  
18 his patient and to fictitious patients whose names he fabricated for the purpose of writing false  
19 prescriptions and then filling these prescriptions.

20 **PRAYER**

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

23 1. Revoking or suspending Physician's and Surgeon's Certificate Number A 171527,  
24 issued to Respondent Neil Ramesh Shah, M.D.;

25 2. Revoking, suspending or denying approval of Respondent Neil Ramesh Shah, M.D.'s  
26 authority to supervise physician assistants and advanced practice nurses;

27 3. Ordering Respondent Neil Ramesh Shah, M.D., to pay the Board the costs of the  
28 investigation and enforcement of this case, and if placed on probation, the costs of probation

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monitoring; and

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

DATED: JUL 30 2024

 for

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

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