

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.

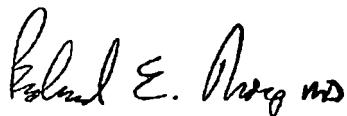
DECISION

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
2 Attorney General of California
3 MACHAELA M. MINGARDI
4 Supervising Deputy Attorney General
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11 In the Matter of the Accusation Against:

Case No. 800-2023-103280

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

OAH No. 2024080659

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

STIPULATED SETTLEMENT AND DISCIPLINARY ORDER

Respondent.

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

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.

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

JURISDICTION

6 4. Accusation No. 800-2023-103280 was filed before the Board and is currently pending
7 against Respondent. The Accusation and all other statutorily required documents were properly
8 served on Respondent on July 30, 2024. Respondent timely filed his Notice of Defense
9 contesting the Accusation.

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

ADVISEMENT AND WAIVERS

13 6. Respondent has carefully read, fully discussed with counsel, and understands the
14 charges and allegations in Accusation No. 800-2023-103280. Respondent has also carefully read,
15 fully discussed with his counsel, and understands the effects of this Stipulated Settlement and
16 Disciplinary Order.

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

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

CULPABILITY

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

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

CONTINGENCY

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

15 12. This Stipulated Settlement and Disciplinary Order is intended by the parties herein to
16 be an integrated writing representing the complete, final and exclusive embodiment of the
17 agreement of the parties in this above-entitled matter.

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

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

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

DISCIPLINARY ORDER

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

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

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

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

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

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. **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. **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;

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

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

3 Travel or Residence Outside California

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

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

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

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

27 In the event Respondent's period of non-practice while on probation exceeds 18 calendar
28 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

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

24. PROBATION MONITORING COSTS. Respondent 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.

25. FUTURE ADMISSIONS CLAUSE. If Respondent 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 Accusation No. 800-2023-103280 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict license.

ACCEPTANCE

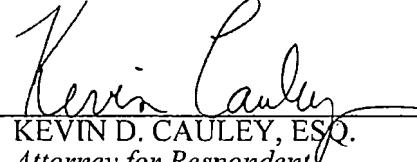
I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Kevin D. Cauley, Esq. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and Disciplinary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

DATED: 03/17/2025

NEIL RAMESH SHAH, M.D.
Respondent

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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Attorneys for Complainant

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

12	In the Matter of the Accusation Against:	Case No. 800-2023-103280
13	NEIL RAMESH SHAH, M.D.	ACCUSATION
14	3777 Peachtree Road NE, Unit 612 Brookhaven, GA 30319	
15	Physician's and Surgeon's Certificate No. A 171527,	
16		Respondent.

PARTIES

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

JURISDICTION

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

4. Section 2234 of the Code states:

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

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

(b) Gross negligence.

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

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

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

(d) Incompetence.

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

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

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

(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 rescind consent to release the patient's medical records to the board or the Department of Consumer Affairs, Health Quality Investigation Unit.

(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
5 of conviction shall be conclusive evidence only of the fact that the conviction
6 occurred.

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

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

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

24 6. Section 2238 of the Code states:

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

28 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
21 4022, or of alcoholic beverages, to the extent, or in such a manner as to be dangerous
22 or injurious to the licensee, or to any other person or to the public, or to the extent that
23 such use impairs the ability of the licensee to practice medicine safely or more than
24 one misdemeanor or any felony involving the use, consumption, or
25 self-administration of any of the substances referred to in this section, or any
26 combination thereof, constitutes unprofessional conduct. The record of the
27 conviction is conclusive evidence of such unprofessional conduct.

28 (b) A plea or verdict of guilty or a conviction following a plea of nolo
29 contendere is deemed to be a conviction within the meaning of this section. The
30 Medical Board may order discipline of the licensee in accordance with Section 2227
31 or the Medical Board may order the denial of the license when the time for appeal has
32 elapsed or the judgment of conviction has been affirmed on appeal or when an order
33 granting probation is made suspending imposition of sentence, irrespective of a
34 subsequent order under the provisions of Section 1203.4 of the Penal Code allowing
35 such person to withdraw his or her plea of guilty and to enter a plea of not guilty, or
36 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.¹ 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.

¹ 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.

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

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

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

FIRST CAUSE FOR DISCIPLINE

(Criminal Conviction)

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

19 15. By reason of the facts stated in Paragraphs 9 through 13 above, Respondent is subject
20 to disciplinary action under section 2236 (criminal conviction) of the Code and California Code
21 of Regulations, title 16, section 1360 (criminal conviction) because on or about November 8,
22 2023, in a federal criminal proceeding entitled *United States v. Neil Shah*, D. Colo. Case No.
23 1:23-cv-00413-DDD, Respondent was convicted by pleading guilty to Unlawful Possession of
24 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.

SECOND CAUSE FOR DISCIPLINE

(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.

THIRD CAUSE FOR DISCIPLINE

(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.

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

1 monitoring; and

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

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4 DATED: JUL 30 2024

Reji Vargheese

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

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