

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

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

Arvinder Singh Bir, M.D.

**Physician's and Surgeon's
Certificate No. A 91355**

Respondent.

Case No.: 800-2023-102658

DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on June 11, 2025.

IT IS SO ORDERED: May 12, 2025.

MEDICAL BOARD OF CALIFORNIA

Michelle A. Bholat, MD

**Michelle Anne Bholat, Chair
Panel A**

1 ROB BONTA
Attorney General of California
2 EDWARD KIM
Supervising Deputy Attorney General
3 TRINA L. SAUNDERS
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8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

12 **ARVINDER SINGH BIR, M.D.**
13 **P.O. Box 732**
Rancho Mirage, CA 92270-0732

14 **Physician's and Surgeon's Certificate No. A**
15 **91355**

16 Respondent.

Case No. 800-2023-102658

OAH No. 2024110705

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 **PARTIES**

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

25 2. Respondent Arvinder Singh Bir, M.D. (Respondent) is represented in this proceeding
26 by attorney Fredrick M. Ray, Esq., whose address is 4100 Newport Place, Suite 670, Newport
27 Beach, California 92660.
28

3. On or about May 25, 2005, the Board issued Physician's and Surgeon's Certificate No. A 91355 to 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. 800-2023-102658, and will expire on February 28, 2025, unless renewed.

JURISDICTION

4. Accusation No. 800-2023-102658 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 October 18, 2024. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2023-102658 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. 800-2023-102658. 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 understands and agrees that the charges and allegations in Accusation No. 800-2023-102658, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate.

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

11. Respondent does not contest that, at an administrative hearing, Complainant could establish a prima facie case with respect to the charges and allegations in Accusation No. 800-2023-102658, a true and correct copy of which is attached hereto as Exhibit A, and that he has thereby subjected his Physician's and Surgeon's Certificate, No. A 91355 to disciplinary action.

12. 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

13. 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.

14. 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.

15. 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. 800-2023-102658 shall be

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

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

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

9 **DISCIPLINARY ORDER**

10 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 91355 issued
11 to Respondent Arvinder Singh Bir, is revoked. However, the revocation is stayed and
12 Respondent is placed on probation for three (3) years on the following terms and conditions:

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

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

24 2. **PSYCHIATRIC TREATMENT.** Within 60 calendar days of the effective
25 date of this Decision, Respondent shall submit to the Board or its designee for prior approval the
26 name and qualifications of a California-licensed board certified psychiatrist who has at least five
27 years of postgraduate experience in the diagnosis and treatment of emotional and mental
28 disorders. Upon approval, Respondent shall undergo and continue psychiatric treatment, until the

1 Board or its designee deems that no further psychiatric care and treatment is necessary. The
2 psychiatrist shall consider any information provided by the Board or its designee and any other
3 information the psychiatrist deems relevant and shall furnish a written evaluation report to the
4 Board or its designee. Respondent shall cooperate in providing the psychiatrist any information
5 and documents that the psychiatrist may deem pertinent. Respondent shall have the treating
6 psychiatrist submit signed monthly status reports to the Board or its designee detailing that
7 Respondent is compliant with visits and medications prescribed. If, prior to the completion of
8 probation, Respondent is found to be mentally unfit to resume the practice of medicine without
9 restrictions, the Board shall retain continuing jurisdiction over Respondent's license and the
10 period of probation shall be extended until the Board determines that Respondent is mentally fit
11 to resume the practice of medicine without restrictions. Respondent shall pay the cost of all
12 psychiatric evaluations and visits.

13 3. MONITORING - PRACTICE. Within 30 calendar days of the effective
14 date of this Decision, Respondent shall submit to the Board or its designee for prior approval as a
15 practice monitor(s), the name and qualifications of one or more licensed physicians and surgeons
16 whose licenses are valid and in good standing, and who are preferably American Board of
17 Medical Specialties (ABMS) certified. A monitor shall have no prior or current business or
18 personal relationship with Respondent, or other relationship that could reasonably be expected to
19 compromise the ability of the monitor to render fair and unbiased reports to the Board, including
20 but not limited to any form of bartering, shall be in Respondent's field of practice, and must agree
21 to serve as Respondent's monitor. Respondent shall pay all monitoring costs.

22 The Board or its designee shall provide the approved monitor with copies of the Decision
23 and Accusation, and a proposed monitoring plan. Within 15 calendar days of receipt of the
24 Decision, Accusation, and proposed monitoring plan, the monitor shall submit a signed statement
25 that the monitor has read the Decision and Accusation, fully understands the role of a monitor,
26 and agrees or disagrees with the proposed monitoring plan. If the monitor disagrees with the
27 proposed monitoring plan, the monitor shall submit a revised monitoring plan with the signed
28 statement for approval by the Board or its designee.

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

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

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

16 If the monitor resigns or is no longer available, Respondent shall, within 5 calendar days of
17 such resignation or unavailability, submit to the Board or its designee, for prior approval, the
18 name and qualifications of a replacement monitor who will be assuming that responsibility within
19 15 calendar days. If Respondent fails to obtain approval of a replacement monitor within 60
20 calendar days of the resignation or unavailability of the monitor, Respondent shall receive a
21 notification from the Board or its designee to cease the practice of medicine within three (3)
22 calendar days after being so notified. Respondent shall cease the practice of medicine until a
23 replacement monitor is approved and assumes monitoring responsibility.

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

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

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

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

19 5. NOTIFICATION. Within seven (7) days of the effective date of this
20 Decision, the Respondent shall provide a true copy of this Decision and Accusation to the Chief
21 of Staff or the Chief Executive Officer at every hospital where privileges or membership are
22 extended to Respondent, at any other facility where Respondent engages in the practice of
23 medicine, including all physician and locum tenens registries or other similar agencies, and to the
24 Chief Executive Officer at every insurance carrier which extends malpractice insurance coverage
25 to Respondent. Respondent shall submit proof of compliance to the Board or its designee within
26 15 calendar days.

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

28 6. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED

1 PRACTICE NURSES. During probation, Respondent is prohibited from supervising physician
2 assistants and advanced practice nurses.

3 7. OBEY ALL LAWS. Respondent shall obey all federal, state and local
4 laws, all rules governing the practice of medicine in California and remain in full compliance
5 with any court ordered criminal probation, payments, and other orders.

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

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

11 9. GENERAL PROBATION REQUIREMENTS.

12 Compliance with Probation Unit

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

14 Address Changes

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

20 Place of Practice

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

24 License Renewal

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

27 Travel or Residence Outside California

28 Respondent shall immediately inform the Board or its designee, in writing, of travel to any

1 areas outside the jurisdiction of California which lasts, or is contemplated to last, more than thirty
2 (30) calendar days.

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

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

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

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

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

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

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

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

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

20 14. LICENSE SURRENDER. Following the effective date of this Decision, if
21 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy
22 the terms and conditions of probation, Respondent may request to surrender his or her license.
23 The Board reserves the right to evaluate Respondent's request and to exercise its discretion in
24 determining whether or not to grant the request, or to take any other action deemed appropriate
25 and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent
26 shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its
27 designee and Respondent shall no longer practice medicine. Respondent will no longer be subject
28 to the terms and conditions of probation. If Respondent re-applies for a medical license, the

1 application shall be treated as a petition for reinstatement of a revoked certificate.

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

7 16. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or
8 reapply for a new license or certification, or petition for reinstatement of a license, by any other
9 health care licensing action agency in the State of California, all of the charges and allegations
10 contained in Accusation No. 800-2023-102658 shall be deemed to be true, correct, and admitted
11 by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to
12 deny or restrict license.

13 ACCEPTANCE


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

19
20 DATED: 3/3/2025


21 ARVINDER SINGH BIR, M.D.
22 Respondent

23 I have read and fully discussed with Respondent Arvinder Singh Bir, M.D. the terms and
24 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
25 I approve its form and content.

26
27 DATED: 3/3/25


28 FREDRICK M. RAY
Attorney for Respondent

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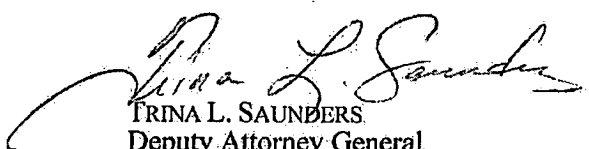
ENDORSEMENT

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

DATED: March 4, 2025

Respectfully submitted,

ROB BONTA
Attorney General of California
EDWARD KIM
Supervising Deputy Attorney General


TRINA L. SAUNDERS
Deputy Attorney General
Attorneys for Complainant

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Stip Settlement and Disc Order - MBC-Osteopathic.docx

Exhibit A

Accusation No. 800-2023-102658

1 ROB BONTA
Attorney General of California
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3 TRINA L. SAUNDERS
Deputy Attorney General
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11 In the Matter of the Accusation Against:

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12 **Arvinder Singh Bir, M.D.**
13 **P.O. Box 732**
Rancho Mirage, CA 92270-0732

A C C U S A T I O N

14 **Physician's and Surgeon's Certificate**
15 **No. A 91355,**

Respondent.

16
17
18 **PARTIES**

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

22 2. On or about May 25, 2005, the Board issued Physician's and Surgeon's Certificate
23 Number A 91355 to Arvinder Singh Bir, M.D. (Respondent). The Physician's and Surgeon's
24 Certificate was in full force and effect at all times relevant to the charges brought herein and will
25 expire on February 28, 2025, unless renewed.

26 ///

27 ///

28 ///

JURISDICTION

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

4. Section 2004 of the Code states:

The board shall have the responsibility for the following:

(a) The enforcement of the disciplinary and criminal provisions of the Medical Practice Act.

(b) The administration and hearing of disciplinary actions.

(c) Carrying out disciplinary actions appropriate to findings made by a panel or an administrative law judge.

(d) Suspending, revoking, or otherwise limiting certificates after the conclusion of disciplinary actions.

(e) Reviewing the quality of medical practice carried out by physician and surgeon certificate holders under the jurisdiction of the board.

(f) Approving undergraduate and graduate medical education programs.

(g) Approving clinical clerkship and special programs and hospitals for the programs in subdivision (f).

(h) Issuing licenses and certificates under the board's jurisdiction.

(i) Administering the board's continuing medical education program.

5. Section 2220 of the Code states:

Except as otherwise provided by law, the board may take action against all persons guilty of violating this chapter. The board shall enforce and administer this article as to physician and surgeon certificate holders, including those who hold certificates that do not permit them to practice medicine, such as, but not limited to, retired, inactive, or disabled status certificate holders, and the board shall have all the powers granted in this chapter for these purposes including, but not limited to:

(a) Investigating complaints from the public, from other licensees, from health care facilities, or from the board that a physician and surgeon may be guilty of unprofessional conduct. The board shall investigate the circumstances underlying a report received pursuant to Section 805 or 805.01 within 30 days to determine if an interim suspension order or temporary restraining order should be issued. The board shall otherwise provide timely disposition of the reports received pursuant to Section 805 and Section 805.01.

(b) Investigating the circumstances of practice of any physician and surgeon where there have been any judgments, settlements, or arbitration awards requiring the

1 physician and surgeon or his or her professional liability insurer to pay an amount in
2 damages in excess of a cumulative total of thirty thousand dollars (\$30,000) with
3 respect to any claim that injury or damage was proximately caused by the physician's
4 and surgeon's error, negligence, or omission.

5 (c) Investigating the nature and causes of injuries from cases which shall be
6 reported of a high number of judgments, settlements, or arbitration awards against a
7 physician and surgeon.

8 6. Section 2227 of the Code states:

9 (a) A licensee whose matter has been heard by an administrative law judge of
10 the Medical Quality Hearing Panel as designated in Section 11371 of the Government
11 Code, or whose default has been entered, and who is found guilty, or who has entered
12 into a stipulation for disciplinary action with the board, may, in accordance with the
13 provisions of this chapter:

14 (1) Have his or her license revoked upon order of the board.

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

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

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

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

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

STATUTORY PROVISIONS

7. Section 820 of the Code states:

Whenever it appears that any person holding a license, certificate or permit under this
division or under any initiative act referred to in this division may be unable to
practice his or her profession safely because the licentiate's ability to practice is
impaired due to mental illness, or physical illness affecting competency, the licensing
agency may order the licentiate to be examined by one or more physicians and
surgeons or psychologists designated by the agency. The report of the examiners
shall be made available to the licentiate and may be received as direct evidence in
proceedings conducted pursuant to Section 822.

8. Section 822 of the Code states:

If a licensing agency determines that its licentiate's ability to practice his or her

1 profession safely is impaired because the licentiate is mentally ill, or physically ill
2 affecting competency, the licensing agency may take action by any one of the
3 following methods:

4 (a) Revoking the licentiate's certificate or license.

5 (b) Suspending the licentiate's right to practice.

6 (c) Placing the licentiate on probation.

7 (d) Taking such other action in relation to the licentiate as the licensing agency
8 in its discretion deems proper.

9 The licensing section shall not reinstate a revoked or suspended certificate or
10 license until it has received competent evidence of the absence or control of the
11 condition which caused its action and until it is satisfied that with due regard for the
12 public health and safety the person's right to practice his or her profession may be
13 safely reinstated.

14 **CAUSE FOR ACTION**

15 **(Mental Impairment)**

16 9. Respondent is subject to action under section 822 of the code in that his ability to
17 practice medicine is impaired due to mental illness. The circumstances are as follows:

18 10. On or about October 25, 2023, the Board received an online complaint from
19 Eisenhower Health of Rancho Mirage, alerting them to the mental impairment of Respondent.
20 The complaint detailed that on three occasions between July and October 2023, Respondent
21 exhibited irrational behavior that led to him being placed on involuntary holds and hospitalized.
22 This included Respondent exhibiting irrational behavior in his interactions with employees and
23 management of the facility on one of the described occasions. During that incident Respondent
24 displayed extreme agitation, and spoke loudly and nonsensically. The Board opened an
25 investigation into the matter.

26 11. During the course of the Board's investigation into the facts and circumstances
27 surrounding the facility's report, Respondent voluntarily agreed to undergo a mental evaluation
28 by a Board-approved evaluator and signed a release for his medical records.

12. On or about April 16, 2024, the Board received a report from the independent medical
examiner (Expert) retained in this matter. Following the Expert's review of Respondent's mental
health records, the facts and circumstances uncovered during the Board's investigation,
Respondent's day-to-day functioning, and the Expert's examination of Respondent, the Expert

1 evaluator opined that Respondent has Bipolar Disorder I, which is currently stabilized and in
2 remission. He ultimately opined that Respondent is unable to safely practice medicine due to the
3 potential effects of his Bipolar Disorder I, when symptomatic. Therefore, for Respondent to
4 practice medicine safely requires that Respondent receive therapy, medical management, and be
5 monitored, for the foreseeable future.

6 **PRAYER**

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

9 1. Revoking or suspending Physician's and Surgeon's Certificate Number A 91355,
10 issued to Respondent Arvinder Singh Bir, M.D.;

11 2. Revoking, suspending or denying approval of Respondent Arvinder Singh Bir, M.D.'s
12 authority to supervise physician assistants and advanced practice nurses;

13 3. Ordering Respondent Arvinder Singh Bir, M.D., to pay the Board the costs of
14 probation monitoring; and

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

16
17 DATED: OCT 17 2024

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

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