

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

In the Matter of the Petition to Revoke
Probation Against:

Behrang Hosseini Dehkordi, M.D.

Physician's and Surgeon's
Certificate No. A 138910

Case No.: 800-2024-108852

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 June 23, 2025.

IT IS SO ORDERED: May 22, 2025.

MEDICAL BOARD OF CALIFORNIA

Michelle A. Bholat, MD

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

1 ROB BONTA
Attorney General of California
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10 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
11 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

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13 In the Matter of the Petition to Revoke
Probation Against:

14 **BEHRANG HOSSEINI DEHKORDI, M.D.**
15 **217 Bowery**
Irvine, CA 92612-1059

16 **Physician's and Surgeon's Certificate**
17 **No. A 138910,**

18 Respondent.

Case No. 800-2024-108852

OAH No. 2024080878

19
20 **STIPULATED SETTLEMENT AND**
DISCIPLINARY ORDER

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

22 **PARTIES**

23 1. Reji Varghese (Complainant) is the Executive Director of the Medical Board of
24 California (Board). He brought this action solely in his official capacity and is represented in this
25 matter by Rob Bonta, Attorney General of the State of California, by Robert W. Lincoln, Deputy
26 Attorney General.

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2. Respondent Behrang Hosseini Dehkordi, M.D. (Respondent), is represented in this proceeding by attorneys Peter R. Osinoff, Esq., and Derek F. O'Reilly-Jones, Esq., whose address is: 355 South Grand Avenue, Suite 1750, Los Angeles, CA 90071.

3. On or about October 16, 2015, the Board issued Physician's and Surgeon's Certificate No. A 138910 to Respondent. The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Petition to Revoke Probation No. 800-2024-108852, and will expire on July 31, 2025, unless renewed.

JURISDICTION

4. Petition to Revoke Probation No. 800-2024-108852 was filed before the Board and is currently pending against Respondent. The Petition to Revoke Probation and all other statutorily required documents were properly served on Respondent on June 28, 2024. Respondent timely filed his Notice of Defense contesting the Petition to Revoke Probation.

5. A true and correct copy of Petition to Revoke Probation No. 800-2024-108852 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 Petition to Revoke Probation No. 800-2024-108852. 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 Petition to Revoke Probation; 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. Having had the benefit of counsel, Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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CULPABILITY

9. Respondent does not contest that, an administrative hearing, Complainant could establish a prima facie case with respect to the charges and allegations contained in Petition to Revoke Probation No. 800-2024-108852, and he has thereby subjected his license to disciplinary action.

10. Respondent agrees that if he ever petitions for early termination or modification of probation, or if the Board ever petitions for revocation of probation, all of the charges and allegations contained in Petition to Revoke Probation No. 800-2024-108852 shall be deemed true, correct, and fully admitted by Respondent for purposes of that proceeding or any other licensing proceeding involving Respondent in the State of California.

11. 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

12. 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.

ADDITIONAL PROVISIONS

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

1 Respondent shall participate in and successfully complete that program. Respondent shall
2 provide any information and documents that the program may deem pertinent. Respondent shall
3 successfully complete the classroom component of the program not later than six (6) months after
4 Respondent's initial enrollment, and the longitudinal component of the program not later than the
5 time specified by the program, but no later than one (1) year after attending the classroom
6 component. The professionalism program shall be at Respondent's expense and shall be in
7 addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

8 A professionalism program taken after the acts that gave rise to the charges in the Petition
9 to Revoke Probation, but prior to the effective date of the Decision may, in the sole discretion of
10 the Board or its designee, be accepted towards the fulfillment of this condition if the program
11 would have been approved by the Board or its designee had the program been taken after the
12 effective date of this Decision.

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

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

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

27 5. PSYCHOTHERAPY. Within 60 calendar days of the effective date of this Decision,
28 Respondent shall submit to the Board or its designee for prior approval the name and

1 qualifications of a California-licensed board certified psychiatrist or a licensed psychologist who
2 has a doctoral degree in psychology and at least five years of postgraduate experience in the
3 diagnosis and treatment of emotional and mental disorders. Upon approval, Respondent shall
4 undergo and continue psychotherapy treatment, including any modifications to the frequency of
5 psychotherapy, until the Board or its designee deems that no further psychotherapy is necessary.

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

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

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

19 6. MEDICAL EVALUATION AND TREATMENT. Within 30 calendar days of the
20 effective date of this Decision, and on a periodic basis thereafter as may be required by the Board
21 or its designee, Respondent shall undergo a medical evaluation by a Board-appointed physician
22 who shall consider any information provided by the Board or designee and any other information
23 the evaluating physician deems relevant and shall furnish a medical report to the Board or its
24 designee. Respondent shall provide the evaluating physician with any information and
25 documentation that the evaluating physician may deem pertinent.

26 Following the evaluation, Respondent shall comply with all restrictions or conditions
27 recommended by the evaluating physician within 15 calendar days after being notified by the
28 Board or its designee. If Respondent is required by the Board or its designee to undergo medical

1 treatment, Respondent shall within 30 calendar days of the requirement notice, submit to the
2 Board or its designee for prior approval the name and qualifications of a California licensed
3 treating physician of Respondent's choice. Upon approval of the treating physician, Respondent
4 shall within 15 calendar days undertake medical treatment and shall continue such treatment until
5 further notice from the Board or its designee.

6 The treating physician shall consider any information provided by the Board or its designee
7 or any other information the treating physician may deem pertinent prior to commencement of
8 treatment. Respondent shall have the treating physician submit quarterly reports to the Board or
9 its designee indicating whether or not the Respondent is capable of practicing medicine safely.
10 Respondent shall provide the Board or its designee with any and all medical records pertaining to
11 treatment that the Board or its designee deems necessary.

12 If, prior to the completion of probation, Respondent is found to be physically incapable of
13 resuming the practice of medicine without restrictions, the Board shall retain continuing
14 jurisdiction over Respondent's license and the period of probation shall be extended until the
15 Board determines that Respondent is physically capable of resuming the practice of medicine
16 without restrictions. Respondent shall pay the cost of the medical evaluation(s) and treatment.

17 7. CLINICAL DIAGNOSTIC EVALUATIONS AND REPORTS. Within thirty (30)
18 calendar days of the effective date of this Decision, and on whatever periodic basis thereafter as
19 may be required by the Board or its designee, Respondent shall undergo and complete a clinical
20 diagnostic evaluation, including any and all testing deemed necessary, by a Board-appointed
21 board certified physician and surgeon. The examiner shall consider any information provided by
22 the Board or its designee and any other information he or she deems relevant, and shall furnish a
23 written evaluation report to the Board or its designee.

24 The clinical diagnostic evaluation shall be conducted by a licensed physician and surgeon
25 who holds a valid, unrestricted license, has three (3) years' experience in providing evaluations of
26 physicians and surgeons with substance abuse disorders, and is approved by the Board or its
27 designee. The clinical diagnostic evaluation shall be conducted in accordance with acceptable
28 professional standards for conducting substance abuse clinical diagnostic evaluations. The

1 evaluator shall not have a current or former financial, personal, or business relationship with
2 Respondent within the last five (5) years. The evaluator shall provide an objective, unbiased, and
3 independent evaluation. The clinical diagnostic evaluation report shall set forth, in the
4 evaluator's opinion, whether Respondent has a substance abuse problem, whether Respondent is a
5 threat to himself or others, and recommendations for substance abuse treatment, practice
6 restrictions, or other recommendations related to Respondent's rehabilitation and ability to
7 practice safely. If the evaluator determines during the evaluation process that Respondent is a
8 threat to himself or others, the evaluator shall notify the Board within twenty-four (24) hours of
9 such a determination.

10 In formulating his or her opinion as to whether Respondent is safe to return to either part-
11 time or full-time practice and what restrictions or recommendations should be imposed, including
12 participation in an inpatient or outpatient treatment program, the evaluator shall consider the
13 following factors: Respondent's license type; Respondent's history; Respondent's documented
14 length of sobriety (i.e., length of time that has elapsed since Respondent's last substance use);
15 Respondent's scope and pattern of substance abuse; Respondent's treatment history, medical
16 history and current medical condition; the nature, duration and severity of Respondent's
17 substance abuse problem or problems; and whether Respondent is a threat to himself or the
18 public.

19 For all clinical diagnostic evaluations, a final written report shall be provided to the Board
20 no later than ten (10) days from the date the evaluator is assigned the matter. If the evaluator
21 requests additional information or time to complete the evaluation and report, an extension may
22 be granted, but shall not exceed thirty (30) days from the date the evaluator was originally
23 assigned the matter.

24 The Board shall review the clinical diagnostic evaluation report within five (5) business
25 days of receipt to determine whether Respondent is safe to return to either part-time or full-time
26 practice and what restrictions or recommendations shall be imposed on Respondent based on the
27 recommendations made by the evaluator. Respondent shall not be returned to practice until he
28 has at least thirty (30) days of negative biological fluid tests or biological fluid tests indicating

1 that he has not used, consumed, ingested, or administered to himself a prohibited substance, as
2 defined in section 1361.51, subdivision (e), of Title 16 of the California Code of Regulations.

3 Clinical diagnostic evaluations conducted prior to the effective date of this Decision shall
4 not be accepted towards the fulfillment of this requirement. The cost of the clinical diagnostic
5 evaluation, including any and all testing deemed necessary by the examiner, the Board or its
6 designee, shall be borne by the licensee.

7 Respondent shall not engage in the practice of medicine until notified by the Board or its
8 designee that he is fit to practice medicine safely. The period of time that Respondent is not
9 practicing medicine shall not be counted toward completion of the term of probation. Respondent
10 shall undergo biological fluid testing as required in this Decision at least two (2) times per week
11 while awaiting the notification from the Board if he is fit to practice medicine safely.

12 Respondent shall comply with all restrictions or conditions recommended by the examiner
13 conducting the clinical diagnostic evaluation within fifteen (15) calendar days after being notified
14 by the Board or its designee.

15 8. 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 and
19 Respondent's employers and supervisors to communicate regarding Respondent's work status,
20 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 9. BIOLOGICAL FLUID TESTING. Respondent shall immediately submit to
25 biological fluid testing, at Respondent's expense, upon request of the Board or its designee.
26 "Biological fluid testing" may include, but is not limited to, urine, blood, breathalyzer, hair
27 follicle testing, or similar drug screening approved by the Board or its designee. Respondent shall
28 make daily contact with the Board or its designee to determine whether biological fluid testing is

1 required. Respondent shall be tested on the date of the notification as directed by the Board or its
2 designee. The Board may order a Respondent to undergo a biological fluid test on any day, at
3 any time, including weekends and holidays. Except when testing on a specific date as ordered by
4 the Board or its designee, the scheduling of biological fluid testing shall be done on a random
5 basis. The cost of biological fluid testing shall be borne by Respondent.

6 During the first year of probation, starting at the effective date of this Stipulated Settlement
7 and Disciplinary Order, Respondent shall be subject to 52 to 104 random tests. During the
8 second year of probation and for the duration of the probationary term, up to five (5) years,
9 Respondent shall be subject to 36 to 104 random tests per year. Only if there has been no positive
10 biological fluid tests in the previous five (5) consecutive years of probation, may testing be
11 reduced to one (1) time per month. Nothing precludes the Board from increasing the number of
12 random tests to the first-year level of frequency for any reason.

13 Prior to practicing medicine, Respondent shall contract with a laboratory or service,
14 approved in advance by the Board or its designee, that will conduct random, unannounced,
15 observed, biological fluid testing and meets all of the following standards:

16 (a) Its specimen collectors are either certified by the Drug and Alcohol Testing Industry
17 Association or have completed the training required to serve as a collector for the United
18 States Department of Transportation.

19 (b) Its specimen collectors conform to the current United States Department of
20 Transportation Specimen Collection Guidelines.

21 (c) Its testing locations comply with the Urine Specimen Collection Guidelines published
22 by the United States Department of Transportation without regard to the type of test
23 administered.

24 (d) Its specimen collectors observe the collection of testing specimens.

25 (e) Its laboratories are certified and accredited by the United States Department of Health
26 and Human Services.

27 (f) Its testing locations shall submit a specimen to a laboratory within one (1) business day
28 of receipt and all specimens collected shall be handled pursuant to chain of custody

1 procedures. The laboratory shall process and analyze the specimens and provide legally
2 defensible test results to the Board within seven (7) business days of receipt of the
3 specimen. The Board will be notified of non-negative results within one (1) business day
4 and will be notified of negative test results within seven (7) business days.

5 (g) Its testing locations possess all the materials, equipment, and technical expertise
6 necessary in order to test Respondent on any day of the week.

7 (h) Its testing locations are able to scientifically test for urine, blood, and hair specimens
8 for the detection of alcohol and illegal and controlled substances.

9 (i) It maintains testing sites located throughout California.

10 (j) It maintains an automated 24-hour toll-free telephone system and/or a secure on-line
11 computer database that allows the Respondent to check in daily for testing.

12 (k) It maintains a secure, HIPAA-compliant website or computer system that allows staff
13 access to drug test results and compliance reporting information that is available 24 hours a
14 day.

15 (l) It employs or contracts with toxicologists that are licensed physicians and have
16 knowledge of substance abuse disorders and the appropriate medical training to interpret
17 and evaluate laboratory biological fluid test results, medical histories, and any other
18 information relevant to biomedical information.

19 (m) It will not consider a toxicology screen to be negative if a positive result is obtained
20 while practicing, even if the Respondent holds a valid prescription for the substance.

21 Prior to changing testing locations for any reason, including during vacation or other travel,
22 alternative testing locations must be approved by the Board and meet the requirements above.

23 The contract shall require that the laboratory directly notify the Board or its designee of
24 non-negative results within one (1) business day and negative test results within seven (7)
25 business days of the results becoming available. Respondent shall maintain this laboratory or
26 service contract during the period of probation.

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

1 If a biological fluid test result indicates Respondent has used, consumed, ingested, or
2 administered to himself a prohibited substance, the Board shall order Respondent to cease
3 practice and instruct Respondent to leave any place of work where Respondent is practicing
4 medicine or providing medical services. The Board shall immediately notify all of Respondent's
5 employers, supervisors and work monitors, if any, that Respondent may not practice medicine or
6 provide medical services while the cease-practice order is in effect.

7 A biological fluid test will not be considered negative if a positive result is obtained while
8 practicing, even if the practitioner holds a valid prescription for the substance. If no prohibited
9 substance use exists, the Board shall lift the cease-practice order within one (1) business day.

10 After the issuance of a cease-practice order, the Board shall determine whether the positive
11 biological fluid test is in fact evidence of prohibited substance use by consulting with the
12 specimen collector and the laboratory, communicating with the licensee, his treating physician(s),
13 other health care provider, or group facilitator, as applicable.

14 For purposes of this condition, the terms "biological fluid testing" and "testing" mean the
15 acquisition and chemical analysis of a Respondent's urine, blood, breath, or hair.

16 For purposes of this condition, the term "prohibited substance" means an illegal drug, a
17 lawful drug not prescribed or ordered by an appropriately licensed health care provider for use by
18 Respondent and approved by the Board, alcohol, or any other substance the Respondent has been
19 instructed by the Board not to use, consume, ingest, or administer to himself.

20 If the Board confirms that a positive biological fluid test is evidence of use of a prohibited
21 substance, Respondent has committed a major violation, as defined in section 1361.52(a), and the
22 Board shall impose any or all of the consequences set forth in section 1361.52(b), in addition to
23 any other terms or conditions the Board determines are necessary for public protection or to
24 enhance Respondent's rehabilitation.

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

1 week, or as ordered by the Board or its designee. Respondent shall pay all substance abuse
2 support group meeting costs.

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

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

15 11. VIOLATION OF PROBATION CONDITION FOR SUBSTANCE ABUSING
16 LICENSEES. Failure to fully comply with any term or condition of probation is a violation of
17 probation.

18 A. If Respondent commits a major violation of probation as defined by section
19 1361.52, subdivision (a), of Title 16 of the California Code of Regulations, the Board shall take
20 one or more of the following actions:

21 (1) Issue an immediate cease-practice order and order Respondent to undergo a clinical
22 diagnostic evaluation to be conducted in accordance with section 1361.5, subdivision (c)(1), of
23 Title 16 of the California Code of Regulations, at Respondent's expense. The cease-practice
24 order issued by the Board or its designee shall state that Respondent must test negative for at least
25 a month of continuous biological fluid testing before being allowed to resume practice. For
26 purposes of determining the length of time a Respondent must test negative while undergoing
27 continuous biological fluid testing following issuance of a cease-practice order, a month is

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1 defined as thirty calendar (30) days. Respondent may not resume the practice of medicine until
2 notified in writing by the Board or its designee that he may do so.

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

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

6 B. If Respondent commits a minor violation of probation as defined by section
7 1361.52, subdivision (c), of Title 16 of the California Code of Regulations, the Board shall take
8 one or more of the following actions:

9 (1) Issue a cease-practice order;

10 (2) Order practice limitations;

11 (3) Order or increase supervision of Respondent;

12 (4) Order increased documentation;

13 (5) Issue a citation and fine, or a warning letter;

14 (6) Order Respondent to undergo a clinical diagnostic evaluation to be conducted in
15 accordance with section 1361.5, subdivision (c)(1), of Title 16 of the California Code of
16 Regulations, at Respondent's expense;

17 (7) Take any other action as determined by the Board or its designee.

18 C. Nothing in this Decision shall be considered a limitation on the Board's authority
19 to revoke Respondent's probation if he has violated any term or condition of probation. If
20 Respondent violates probation in any respect, the Board, after giving Respondent notice and the
21 opportunity to be heard, may revoke probation and carry out the disciplinary order that was
22 stayed. If an Accusation, or Petition to Revoke Probation, or an Interim Suspension Order is filed
23 against Respondent during probation, the Board shall have continuing jurisdiction until the matter
24 is final, and the period of probation shall be extended until the matter is final.

25 12. NOTIFICATION. Within seven (7) days of the effective date of this Decision, the
26 Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the
27 Chief Executive Officer at every hospital where privileges or membership are extended to
28 Respondent, at any other facility where Respondent engages in the practice of medicine,

1 including all physician and locum tenens registries or other similar agencies, and to the Chief
2 Executive Officer at every insurance carrier which extends malpractice insurance coverage to
3 Respondent. Respondent shall submit proof of compliance to the Board or its designee within 15
4 calendar days.

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

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

9 14. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby
10 ordered to reimburse the Board its costs of investigation and enforcement, in the amount of
11 \$19,396.00 (nineteen thousand three hundred ninety-six dollars and zero cents), in addition to the
12 cost recovery ordered in the Stipulated Settlement and Disciplinary Order in Case No. 800-2020-
13 064289. Costs shall be payable to the Medical Board of California. Failure to pay such costs
14 shall be considered a violation of probation.

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

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

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

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

26 16. GENERAL PROBATION REQUIREMENTS.

27 Compliance with Probation Unit

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

1 Address Changes

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

7 Place of Practice

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

11 License Renewal

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

14 Travel or Residence Outside California

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

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

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

24 18. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
25 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
26 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is
27 defined as any period of time Respondent is not practicing medicine as defined in Business and
28 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct

1 patient care, clinical activity or teaching, or other activity as approved by the Board. If
2 Respondent resides in California and is considered to be in non-practice, Respondent shall
3 comply with all terms and conditions of probation. All time spent in an intensive training
4 program which has been approved by the Board or its designee shall not be considered non-
5 practice and does not relieve Respondent from complying with all the terms and conditions of
6 probation. Practicing medicine in another state of the United States or Federal jurisdiction while
7 on probation with the medical licensing authority of that state or jurisdiction shall not be
8 considered non-practice. A Board-ordered suspension of practice shall not be considered as a
9 period of non-practice.

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

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

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

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

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

28 20. VIOLATION OF PROBATION. Failure to fully comply with any term or condition

1 of probation is a violation of probation. If Respondent violates probation in any respect, the
2 Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and
3 carry out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke
4 Probation, or an Interim Suspension Order is filed against Respondent during probation, the
5 Board shall have continuing jurisdiction until the matter is final, and the period of probation shall
6 be extended until the matter is final.

7 21. LICENSE SURRENDER. Following the effective date of this Decision, if
8 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy
9 the terms and conditions of probation, Respondent may request to surrender his license. The
10 Board reserves the right to evaluate Respondent's request and to exercise its discretion in
11 determining whether or not to grant the request, or to take any other action deemed appropriate
12 and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent
13 shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its
14 designee and Respondent shall no longer practice medicine. Respondent will no longer be subject
15 to the terms and conditions of probation. If Respondent re-applies for a medical license, the
16 application shall be treated as a petition for reinstatement of a revoked certificate.

17 22. PROBATION MONITORING COSTS. Respondent shall pay the costs associated
18 with probation monitoring each and every year of probation, as designated by the Board, which
19 may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of
20 California and delivered to the Board or its designee no later than January 31 of each calendar
21 year.

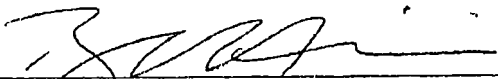
22 23. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for
23 a new license or certification, or petition for reinstatement of a license, by any other health care
24 licensing action agency in the State of California, all of the charges and allegations contained in
25 Petition to Revoke Probation No. 800-2024-108852 shall be deemed to be true, correct, and
26 admitted by Respondent for the purpose of any Statement of Issues or any other proceeding
27 seeking to deny or restrict license.
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ACCEPTANCE


I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorneys, Peter R. Osinoff, Esq., and Derek F. O'Reilly-Jones, 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: 1/24/25


BEHRANG HOSSEINI DEHKORDI, M.D.
Respondent

I have read and fully discussed with Respondent Behrang Hosseini Dehkordi, M.D., the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 01/24/2025


PETER R. OSINOFF, ESQ.
DEREK F. O'REILLY-JONES, ESQ.
Attorneys for Respondent

///

ENDORSEMENT

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

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DATED: 01/24/2025

Respectfully submitted,

ROB BONTA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General

/s. Robert W. Lincoln

ROBERT W. LINCOLN
Deputy Attorney General
Attorneys for Complainant

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84887290.docx

Exhibit A

Petition to Revoke Probation No. 800-2024-108852

1 ROB BONTA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 ROBERT W. LINCOLN
Deputy Attorney General
4 State Bar No. 316290
California Department of Justice
5 600 West Broadway, Suite 1800
San Diego, CA 92101
6 P.O. Box 85266
San Diego, CA 92186-5266
7 Telephone: (619) 738-9453
Facsimile: (619) 645-2012
8 *Attorneys for Complainant*

9
10 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
11 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA
12

13 In the Matter of the Petition to Revoke
14 Probation Against:

Case No. 800-2024-108852

15 **BEHRANG HOSSEINI DEHKORDI, M.D.**
217 Bowery
16 Irvine, CA 92612
Physician's and Surgeon's Certificate No.
A 138910

PETITION TO REVOKE PROBATION

17
18 Respondent.

19
20 Complainant alleges:

21 **PARTIES**

22 1. Reji Varghese (Complainant) brings this Petition to Revoke Probation solely in his
23 official capacity as the Executive Director of the Medical Board of California, Department of
24 Consumer Affairs.

25 2. On or about October 16, 2015, the Medical Board of California issued Physician's and
26 Surgeon's Certificate Number A 138910 to Behrang Hosseini Dehkordi, M.D. (Respondent). The
27 Physician's and Surgeon's Certificate was in effect at all times relevant to the charges brought
28 herein and will expire on July 31, 2025, unless renewed.

3. On or about, May 30, 2024, the Board issued a cease practice order prohibiting Respondent from engaging in the practice of medicine. That Cease Practice Order, which became effective May 30, 2024, was based on Respondent's failure to obey Probation Condition No. 2, Probation Condition No. 9, and Probation Condition No. 10, of the Board's Decision and Order (Abstain from Alcohol) in Case No. 800-2020-064289.

PRIOR DISCIPLINARY HISTORY

4. On or about January 31, 2023, in a prior disciplinary action titled *In the Matter of the Accusation Against Behrang Hosseini Dehkordi, M.D.* before the Medical Board of California, in Case No. 800-2020-064289, Respondent's license was revoked effective March 2, 2023, based upon Respondent's conviction of driving under the influence with blood alcohol content above 0.08%, in the matter of *The People of the State of California v. Behrang Hosseini Dehkordi*, Superior Court of the State of California, County of Mono, Case No. MM120001519. However, the revocation was stayed and Respondent's Physician's and Surgeon's Certificate was placed on probation for a period of three (3) years with certain terms and conditions. A copy of that decision is attached as Exhibit A and is incorporated by reference.

JURISDICTION

5. This Petition to Revoke Probation is brought before the Medical Board of California (Board), Department of Consumer Affairs, under the authority of the following laws, and the Board's Decision and Order in Case No. 800-2020-064289. All section references are to the Business and Professions Code unless otherwise indicated.

6. Section 2227 of the Code states:

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

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

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

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

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

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

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

12 7. At all times after the effective date of the Decision and Order in Case No. 800-2020-
13 064289, Probation Condition No. 19 stated:

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

22 **COST RECOVERY**

23 8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
24 administrative law judge to direct a licensee found to have committed a violation or violations of
25 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
26 enforcement of the case, with failure of the licensee to comply subjecting the license to not being
27 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
28 included in a stipulated settlement.

29 **CAUSE TO REVOKE PROBATION**

30 **(Failure to Abstain From Alcohol)**

31 9. At all times after the effective date of the Medical Board's Decision and Order in
32 Case No. 800-2020-064289, Probation Condition 2 stated:

33 **ALCOHOL – ABSTAIN FROM USE:** Respondent shall abstain completely from the use of
34 products or beverages containing alcohol.

35 ///

1 10. Respondent's probation is subject to revocation because he tested positive for alcohol,
2 in violation of Probation Condition No. 2, referenced above. The facts and circumstances
3 regarding this violation are as follows:

4 11. On or about May 10, 2024, Respondent was selected to provide a blood sample.
5 Respondent emailed a Board Enforcement Analyst, stating he had an illness and had to go to
6 urgent care. Therefore, he could not submit his blood test and asked to reschedule. Respondent
7 provided documentation of his urgent care visit, and his blood test with the Board was
8 rescheduled.

9 12. On or about May 15, 2024, Respondent was selected to provide a blood sample. The
10 Board received laboratory results indicating the sample tested positive for 45 ng/mL of
11 Phosphatidyl Ethanol (PEth), which indicates alcohol consumption.

12 13. On or about May 20, 2024, the Board sent a letter requesting an explanation for the
13 positive test. On or about May 21, 2024, Respondent explained that on May 12, 2024, in honor
14 of Mother's Day, he consumed several glasses of champagne with his family. He stated he used
15 poor judgment. Respondent plans to enroll in alcohol recovery meetings and a physician support
16 group to ensure it does not happen again.

17 14. On or about May 22, 2024, the Board issued a non-compliance report indicating
18 Respondent violated Probation Condition 2 of the Medical Board's Decision and Order in Case
19 No. 800-2020-064289.

20 15. On or about May 30, 2024, the Board issued a Cease Practice Order against
21 Respondent's Physician's and Surgeon's Certificate, Number A 138910.

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PRAYER

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

1. Revoking the probation that was granted by the Medical Board of California in Case No. 800-2020-064289 and imposing the disciplinary order that was stayed, thereby revoking Physician's and Surgeon's Certificate No. A 138910 issued to Behrang Hosseini Dehkordi, M.D.;

2. Revoking or suspending Physician's and Surgeon's Certificate No. A 138910, issued to Behrang Hosseini Dehkordi, M.D.;


3. Revoking, suspending or denying approval of Behrang Hosseini Dehkordi, M.D.'s authority to supervise physician's assistants and advanced practice nurses;

4. Ordering Behrang Hosseini Dehkordi, M.D., to pay any outstanding balance owed to the Board for the costs awarded in Case No. 800-2020-064289;

5. Ordering Behrang Hosseini Dehkordi, M.D. to pay the Medical Board of California the reasonable costs of the investigation and enforcement of this case, and, if placed on probation, the costs of probation monitoring; and

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

DATED: JUN 28 2024



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

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Exhibit A

Decision and Order

Medical Board of California Case No. 800-2020-064289

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

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

Behrang Hosseini Dehkordi, M.D.

**Physician's and Surgeon's
Certificate No. A 138910**

Respondent.

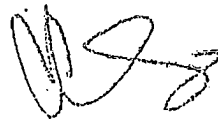
Case No.: 800-2020-064289

**ORDER CORRECTING NUNC PRO TUNC
CLERICAL ERROR IN LICENSE NUMBER PORTION OF DECISION**

On its own motion, the Medical Board of California (hereafter "Board") finds that there is a clerical error in the license number portion of the Decision in the above-entitled matter, and that such clerical error should be corrected so that the license number will conform to the Board's issued license.

IT IS HEREBY ORDERED that the license number in the Decision in the above-entitled matter be and hereby is amended and corrected nunc pro tunc as of the date of entry of the decision to read as **A 138910**.

March 9, 2023



**Laurie Rose Lubiano, J.D., Chair
Panel A**

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

In the Matter of the Accusation
Against:

Behrang Hosseini Dehkordi, M.D.

Physician's and Surgeon's
Certificate No. A 128910

Case No.: 800-2020-064289

Respondent.

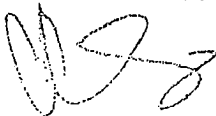
DECISION

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 March 2, 2023.

IT IS SO ORDERED: January 31, 2023.

MEDICAL BOARD OF CALIFORNIA



Laurie Rose Lubiano, J.D., Chair
Panel A

1 ROB BONTA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 ROBERT W. LINCOLN
Deputy Attorney General
4 State Bar No. 316290
California Department of Justice
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San Diego, CA 92186-5266
7 Telephone: (619) 738-9453
Facsimile: (619) 645-2012
8

9 *Attorneys for Complainant*

10 **BEFORE THE**
11 **MEDICAL BOARD OF CALIFORNIA**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
13 **STATE OF CALIFORNIA**

14 In the Matter of the Accusation Against:

15 **BEHRANG HOSSEINI DEHKORDI, M.D.**
16 **217 Bowery, Unit #9**
Irvine, CA 92612

17 **Physician's and Surgeon's Certificate**
18 **No. A 138910,**

19 **Respondent.**

Case No. 800-2020-064289

OAH No. 2022010322

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

20
21 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
22 entitled proceedings that the following matters are true:

23 **PARTIES**

24 1. William Prasifka (Complainant) is the Executive Director of the Medical Board of
25 California (Board). He brought this action solely in his official capacity and is represented in this
26 matter by Rob Bonta, Attorney General of the State of California, by Robert W. Lincoln, Deputy
27 Attorney General.

28 ///

2. Respondent Behrang Hosseini Dehkordi, M.D. (Respondent) is represented in this proceeding by attorney Hagop Kuyumjian, Esq., whose address is: 515 S. Flower Street, Suite 1900, Los Angeles, CA 90071.

3. On or about October 16, 2015, the Board issued Physician's and Surgeon's Certificate No. A 138910 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. 800-2020-064289, and will expire on July 31, 2023, unless renewed.

JURISDICTION

4. Accusation No. 800-2020-064289 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 December 15, 2021. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A true and correct copy of Accusation No. 800-2020-064289 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. 800-2020-064289. 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. Having had the benefit of counsel, Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

///

1 CULPABILITY

2 9. Respondent does not contest that, at an administrative hearing, Complainant could
3 establish a *prima facie* case with respect to the charges and allegations in Accusation No. 800-
4 2020-064289, and that he has thereby subjected his Physician's and Surgeon's Certificate
5 No. A 138910 to disciplinary action.

6 10. Respondent agrees that if he ever petitions for early termination or modification of
7 probation, or if an accusation and/or petition to revoke probation is filed against him before the
8 Board, all of the charges and allegations contained in Accusation No. 800-2020-064289 shall be
9 deemed true, correct and fully admitted by Respondent for purposes of any such proceeding or
10 any other licensing proceeding involving Respondent in the State of California.

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

14 CONTINGENCY

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

25 ADDITIONAL PROVISIONS

26 13. This Stipulated Settlement and Disciplinary Order is intended by the parties herein
27 to be an integrated writing representing the complete, final and exclusive embodiment of the
28 agreements of the parties in the above-entitled matter.

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

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

7 **DISCIPLINARY ORDER**

8 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 138910
9 issued to Respondent Behrang Hosseini Dehkordi, M.D., is revoked. However, the revocation is
10 stayed and Respondent is placed on probation for three (3) years from the effective date of the
11 Decision on the following terms and conditions:

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

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

22 2. **ALCOHOL - ABSTAIN FROM USE.** Respondent shall abstain completely from the
23 use of products or beverages containing alcohol.

24 3. **PROFESSIONALISM PROGRAM (ETHICS COURSE).** Within 60 calendar days of
25 the effective date of this Decision, Respondent shall enroll in a professionalism program, that
26 meets the requirements of Title 16, California Code of Regulations (CCR) section 1358.1.
27 Respondent shall participate in and successfully complete that program. Respondent shall
28 provide any information and documents that the program may deem pertinent. Respondent shall

1 successfully complete the classroom component of the program not later than six (6) months after
2 Respondent's initial enrollment, and the longitudinal component of the program not later than the
3 time specified by the program, but no later than one (1) year after attending the classroom
4 component. The professionalism program shall be at Respondent's expense and shall be in
5 addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

6 A professionalism program taken after the acts that gave rise to the charges in the
7 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
8 or its designee, be accepted towards the fulfillment of this condition if the program would have
9 been approved by the Board or its designee had the program been taken after the effective date of
10 this Decision.

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

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

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

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1 5. PSYCHOTHERAPY. Within 60 calendar days of the effective date of this Decision,
2 Respondent shall submit to the Board or its designee for prior approval the name and
3 qualifications of a California-licensed board certified psychiatrist or a licensed psychologist who
4 has a doctoral degree in psychology and at least five years of postgraduate experience in the
5 diagnosis and treatment of emotional and mental disorders. Upon approval, Respondent shall
6 undergo and continue psychotherapy treatment, including any modifications to the frequency of
7 psychotherapy, until the Board or its designee deems that no further psychotherapy is necessary.

8 The psychotherapist shall consider any information provided by the Board or its designee
9 and any other information the psychotherapist deems relevant and shall furnish a written
10 evaluation report to the Board or its designee. Respondent shall cooperate in providing the
11 psychotherapist with any information and documents that the psychotherapist may deem
12 pertinent.

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

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

21 6. MEDICAL EVALUATION AND TREATMENT. Within 30 calendar days of the
22 effective date of this Decision, and on a periodic basis thereafter as may be required by the Board
23 or its designee, Respondent shall undergo a medical evaluation by a Board-appointed physician
24 who shall consider any information provided by the Board or designee and any other information
25 the evaluating physician deems relevant and shall furnish a medical report to the Board or its
26 designee. Respondent shall provide the evaluating physician with any information and
27 documentation that the evaluating physician may deem pertinent.

28 ///

1 Following the evaluation, Respondent shall comply with all restrictions or conditions
2 recommended by the evaluating physician within 15 calendar days after being notified by the
3 Board or its designee. If Respondent is required by the Board or its designee to undergo medical
4 treatment, Respondent shall within 30 calendar days of the requirement notice, submit to the
5 Board or its designee for prior approval the name and qualifications of a California licensed
6 treating physician of Respondent's choice. Upon approval of the treating physician, Respondent
7 shall within 15 calendar days undertake medical treatment and shall continue such treatment until
8 further notice from the Board or its designee.

9 The treating physician shall consider any information provided by the Board or its designee
10 or any other information the treating physician may deem pertinent prior to commencement of
11 treatment. Respondent shall have the treating physician submit quarterly reports to the Board or
12 its designee indicating whether or not the Respondent is capable of practicing medicine safely.
13 Respondent shall provide the Board or its designee with any and all medical records pertaining to
14 treatment that the Board or its designee deems necessary.

15 If, prior to the completion of probation, Respondent is found to be physically incapable of
16 resuming the practice of medicine without restrictions, the Board shall retain continuing
17 jurisdiction over Respondent's license and the period of probation shall be extended until the
18 Board determines that Respondent is physically capable of resuming the practice of medicine
19 without restrictions. Respondent shall pay the cost of the medical evaluation(s) and treatment.

20 7. CLINICAL DIAGNOSTIC EVALUATIONS AND REPORTS. Within thirty (30)
21 calendar days of the effective date of this Decision, and on whatever periodic basis thereafter as
22 may be required by the Board or its designee, Respondent shall undergo and complete a clinical
23 diagnostic evaluation, including any and all testing deemed necessary, by a Board-appointed
24 board certified physician and surgeon. The examiner shall consider any information provided by
25 the Board or its designee and any other information he or she deems relevant, and shall furnish a
26 written evaluation report to the Board or its designee.

27 The clinical diagnostic evaluation shall be conducted by a licensed physician and surgeon
28 who holds a valid, unrestricted license, has three (3) years' experience in providing evaluations of

1 physicians and surgeons with substance abuse disorders, and is approved by the Board or its
2 designee. The clinical diagnostic evaluation shall be conducted in accordance with acceptable
3 professional standards for conducting substance abuse clinical diagnostic evaluations. The
4 evaluator shall not have a current or former financial, personal, or business relationship with
5 Respondent within the last five (5) years. The evaluator shall provide an objective, unbiased, and
6 independent evaluation. The clinical diagnostic evaluation report shall set forth, in the
7 evaluator's opinion, whether Respondent has a substance abuse problem, whether Respondent is a
8 threat to himself or herself or others, and recommendations for substance abuse treatment,
9 practice restrictions, or other recommendations related to Respondent's rehabilitation and ability
10 to practice safely. If the evaluator determines during the evaluation process that Respondent is a
11 threat to himself or herself or others, the evaluator shall notify the Board within twenty-four (24)
12 hours of such a determination.

13 In formulating his or her opinion as to whether Respondent is safe to return to either part-
14 time or full-time practice and what restrictions or recommendations should be imposed, including
15 participation in an inpatient or outpatient treatment program, the evaluator shall consider the
16 following factors: Respondent's license type; Respondent's history; Respondent's documented
17 length of sobriety (i.e., length of time that has elapsed since Respondent's last substance use);
18 Respondent's scope and pattern of substance abuse; Respondent's treatment history, medical
19 history and current medical condition; the nature, duration and severity of Respondent's
20 substance abuse problem or problems; and whether Respondent is a threat to himself or herself or
21 the public.

22 For all clinical diagnostic evaluations, a final written report shall be provided to the Board
23 no later than ten (10) days from the date the evaluator is assigned the matter. If the evaluator
24 requests additional information or time to complete the evaluation and report, an extension may
25 be granted, but shall not exceed thirty (30) days from the date the evaluator was originally
26 assigned the matter.

27 The Board shall review the clinical diagnostic evaluation report within five (5) business
28 days of receipt to determine whether Respondent is safe to return to either part-time or full-time

1 practice and what restrictions or recommendations shall be imposed on Respondent based on the
2 recommendations made by the evaluator. Respondent shall not be returned to practice until he or
3 she has at least thirty (30) days of negative biological fluid tests or biological fluid tests indicating
4 that he or she has not used, consumed, ingested, or administered to himself or herself a prohibited
5 substance, as defined in section 1361.51, subdivision (e), of Title 16 of the California Code of
6 Regulations.

7 Clinical diagnostic evaluations conducted prior to the effective date of this Decision shall
8 not be accepted towards the fulfillment of this requirement. The cost of the clinical diagnostic
9 evaluation, including any and all testing deemed necessary by the examiner, the Board or its
10 designee, shall be borne by the licensee.

11 Respondent shall not engage in the practice of medicine until notified by the Board or its
12 designee that he or she is fit to practice medicine safely. The period of time that Respondent is
13 not practicing medicine shall not be counted toward completion of the term of probation.
14 Respondent shall undergo biological fluid testing as required in this Decision at least two (2)
15 times per week while awaiting the notification from the Board if he or she is fit to practice
16 medicine safely.

17 Respondent shall comply with all restrictions or conditions recommended by the examiner
18 conducting the clinical diagnostic evaluation within fifteen (15) calendar days after being notified
19 by the Board or its designee.

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

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

1 9. BIOLOGICAL FLUID TESTING. Respondent shall immediately submit to
2 biological fluid testing, at Respondent's expense, upon request of the Board or its designee.
3 "Biological fluid testing" may include, but is not limited to, urine, blood, breathalyzer, hair
4 follicle testing, or similar drug screening approved by the Board or its designee. Respondent shall
5 make daily contact with the Board or its designee to determine whether biological fluid testing is
6 required. Respondent shall be tested on the date of the notification as directed by the Board or its
7 designee. The Board may order a Respondent to undergo a biological fluid test on any day, at
8 any time, including weekends and holidays. Except when testing on a specific date as ordered by
9 the Board or its designee, the scheduling of biological fluid testing shall be done on a random
10 basis. The cost of biological fluid testing shall be borne by the Respondent.

11 During the first year of probation, Respondent shall be subject to 52 to 104 random tests.
12 During the second year of probation and for the duration of the probationary term, up to five (5)
13 years, Respondent shall be subject to 36 to 104 random tests per year. Only if there has been no
14 positive biological fluid tests in the previous five (5) consecutive years of probation, may testing
15 be reduced to one (1) time per month. Nothing precludes the Board from increasing the number
16 of random tests to the first-year level of frequency for any reason.

17 Prior to practicing medicine, Respondent shall contract with a laboratory or service,
18 approved in advance by the Board or its designee, that will conduct random, unannounced,
19 observed, biological fluid testing and meets all of the following standards:

20 (a) Its specimen collectors are either certified by the Drug and Alcohol Testing Industry
21 Association or have completed the training required to serve as a collector for the United
22 States Department of Transportation.

23 (b) Its specimen collectors conform to the current United States Department of
24 Transportation Specimen Collection Guidelines.

25 (c) Its testing locations comply with the Urine Specimen Collection Guidelines published
26 by the United States Department of Transportation without regard to the type of test
27 administered.

28 (d) Its specimen collectors observe the collection of testing specimens.

1 (e) Its laboratories are certified and accredited by the United States Department of Health
2 and Human Services.

3 (f) Its testing locations shall submit a specimen to a laboratory within one (1) business day
4 of receipt and all specimens collected shall be handled pursuant to chain of custody
5 procedures. The laboratory shall process and analyze the specimens and provide legally
6 defensible test results to the Board within seven (7) business days of receipt of the
7 specimen. The Board will be notified of non-negative results within one (1) business day
8 and will be notified of negative test results within seven (7) business days.

9 (g) Its testing locations possess all the materials, equipment, and technical expertise
10 necessary in order to test Respondent on any day of the week.

11 (h) Its testing locations are able to scientifically test for urine, blood, and hair specimens
12 for the detection of alcohol and illegal and controlled substances.

13 (i) It maintains testing sites located throughout California.

14 (j) It maintains an automated 24-hour toll-free telephone system and/or a secure on-line
15 computer database that allows the Respondent to check in daily for testing.

16 (k) It maintains a secure, HIPAA-compliant website or computer system that allows staff
17 access to drug test results and compliance reporting information that is available 24 hours a
18 day.

19 (l) It employs or contracts with toxicologists that are licensed physicians and have
20 knowledge of substance abuse disorders and the appropriate medical training to interpret
21 and evaluate laboratory biological fluid test results, medical histories, and any other
22 information relevant to biomedical information.

23 (m) It will not consider a toxicology screen to be negative if a positive result is obtained
24 while practicing, even if the Respondent holds a valid prescription for the substance.

25 Prior to changing testing locations for any reason, including during vacation or other travel,
26 alternative testing locations must be approved by the Board and meet the requirements above.

27 The contract shall require that the laboratory directly notify the Board or its designee of
28 non-negative results within one (1) business day and negative test results within seven (7)

1 business days of the results becoming available. Respondent shall maintain this laboratory or
2 service contract during the period of probation.

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

5 If a biological fluid test result indicates Respondent has used, consumed, ingested, or
6 administered to himself a prohibited substance, the Board shall order Respondent to cease
7 practice and instruct Respondent to leave any place of work where Respondent is practicing
8 medicine or providing medical services. The Board shall immediately notify all of Respondent's
9 employers, supervisors and work monitors, if any, that Respondent may not practice medicine or
10 provide medical services while the cease-practice order is in effect.

11 A biological fluid test will not be considered negative if a positive result is obtained while
12 practicing, even if the practitioner holds a valid prescription for the substance. If no prohibited
13 substance use exists, the Board shall lift the cease-practice order within one (1) business day.

14 After the issuance of a cease-practice order, the Board shall determine whether the positive
15 biological fluid test is in fact evidence of prohibited substance use by consulting with the
16 specimen collector and the laboratory, communicating with the licensee, his or her treating
17 physician(s), other health care provider, or group facilitator, as applicable.

18 For purposes of this condition, the terms "biological fluid testing" and "testing" mean the
19 acquisition and chemical analysis of a Respondent's urine, blood, breath, or hair.

20 For purposes of this condition, the term "prohibited substance" means an illegal drug, a
21 lawful drug not prescribed or ordered by an appropriately licensed health care provider for use by
22 Respondent and approved by the Board, alcohol, or any other substance the Respondent has been
23 instructed by the Board not to use, consume, ingest, or administer to himself.

24 If the Board confirms that a positive biological fluid test is evidence of use of a prohibited
25 substance, Respondent has committed a major violation, as defined in section 1361.52(a), and the
26 Board shall impose any or all of the consequences set forth in section 1361.52(b), in addition to
27 any other terms or conditions the Board determines are necessary for public protection or to
28 enhance Respondent's rehabilitation.

1 10. VIOLATION OF PROBATION CONDITION FOR SUBSTANCE ABUSING

2 LICENSEES. Failure to fully comply with any term or condition of probation is a violation of
3 probation.

4 A. If Respondent commits a major violation of probation as defined by section
5 1361.52, subdivision (a), of Title 16 of the California Code of Regulations, the Board shall take
6 one or more of the following actions:

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

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

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

19 B. If Respondent commits a minor violation of probation as defined by section
20 1361.52, subdivision (c), of Title 16 of the California Code of Regulations, the Board shall take
21 one or more of the following actions:

22 (1) Issue a cease-practice order;

23 (2) Order practice limitations;

24 (3) Order or increase supervision of Respondent;

25 (4) Order increased documentation;

26 (5) Issue a citation and fine, or a warning letter;

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1 (6) Order Respondent to undergo a clinical diagnostic evaluation to be conducted in
2 accordance with section 1361.5, subdivision (c)(1), of Title 16 of the California Code of
3 Regulations, at Respondent's expense;

4 (7) Take any other action as determined by the Board or its designee.

5 C. Nothing in this Decision shall be considered a limitation on the Board's authority
6 to revoke Respondent's probation if he or she has violated any term or condition of probation. If
7 Respondent violates probation in any respect, the Board, after giving Respondent notice and the
8 opportunity to be heard, may revoke probation and carry out the disciplinary order that was
9 stayed. If an Accusation, or Petition to Revoke Probation, or an Interim Suspension Order is filed
10 against Respondent during probation, the Board shall have continuing jurisdiction until the matter
11 is final, and the period of probation shall be extended until the matter is final.

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

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

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

24 13. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby
25 ordered to reimburse the Board its costs of investigation and enforcement, including, but not
26 limited to, amended accusations, legal reviews, joint investigations, and subpoena enforcement,
27 as applicable, in the amount of \$4,853.75 (four thousand eight hundred fifty-three dollars and
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seventy-five cents). Costs shall be payable to the Medical Board of California. Failure to pay such costs shall be considered a violation of probation.

Any and all requests for a payment plan shall be submitted in writing by respondent to the Board.

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

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

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

15. GENERAL PROBATION REQUIREMENTS.

Compliance with Probation Unit

Respondent shall comply with the Board's probation unit.

Address Changes

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

Place of Practice

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

License Renewal

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

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1 Travel or Residence Outside California

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

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

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

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

25 In the event Respondent's period of non-practice while on probation exceeds 18 calendar
26 months, Respondent shall successfully complete the Federation of State Medical Board's Special
27 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program

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1 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model
2 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

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

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

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

10 18. COMPLETION OF PROBATION. Respondent shall comply with all financial
11 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the
12 completion of probation. Upon successful completion of probation, Respondent's certificate shall
13 be fully restored.

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

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

1 to the terms and conditions of probation. If Respondent re-applies for a medical license, the
2 application shall be treated as a petition for reinstatement of a revoked certificate.

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

8 22. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for
9 a new license or certification, or petition for reinstatement of a license, by any other health care
10 licensing action agency in the State of California, all of the charges and allegations contained in
11 Accusation No. 800-2020-064289 shall be deemed to be true, correct, and admitted by
12 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or
13 restrict license.

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1 ACCEPTANCE


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

7
8 DATED: 6/28/22

9 
BEHRANG HOSSEINI DEHKORDI, M.D.
Respondent

10 I have read and fully discussed with Respondent Behrang Hosseini Dehkordi, M.D., the
11 terms and conditions and other matters contained in the above Stipulated Settlement and
12 Disciplinary Order. I approve its form and content.

13
14 DATED: 6/28/22

15 
HAGOP KUYUMJIAN, ESQ.
Attorney for Respondent

16
17 ENDORSEMENT

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

20
21 DATED: _____

Respectfully submitted,

22 ROB BONTA
Attorney General of California
23 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General

24
25 ROBERT W. LINCOLN
26 Deputy Attorney General
27 Attorneys for Complainant
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Exhibit A

Accusation No. 800-2020-064289

1 ROB BONTA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 ROBERT W. LINCOLN
Deputy Attorney General
4 State Bar No. 316290
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 738-9453
7 Facsimile: (619) 645-2012

8 *Attorneys for Complainant*

9
10 **BEFORE THE**
11 **MEDICAL BOARD OF CALIFORNIA**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
13 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. 800-2020-064289

14 **BEHRANG HOSSEINI DEHKORDI, M.D.**
217 Bowery
15 Irvine, CA 92612-1059

A C C U S A T I O N

16 **Physician's and Surgeon's Certificate No. A**
138910,

17 Respondent.
18

19
20 Complaint alleges:

21 **PARTIES**

22 1. William Prasifka (Complainant) brings this Accusation solely in his official capacity
23 as the Executive Director of the Medical Board of California, Department of Consumer Affairs
24 (Board).

25 2. On or about October 16, 2015, the Board issued Physician's and Surgeon's Certificate
26 Number A 138910 to Behrang Hosseini Dehkordi, M.D. (Respondent). The Physician's and
27 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
28 herein and will expire on July 31, 2023, unless renewed.

1 JURISDICTION

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

5 4. Section 2227 of the Code states:

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

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

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

14 (3) Be placed upon probation and be required to pay the costs of probation
15 monitoring upon order of the board.

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

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

20 5. Section 2234 of the Code states:

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

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

26 6. Unprofessional conduct under Business and Professions Code section 2234 is conduct
27 which breaches the rules or ethical code of the medical profession, or conduct which is
28 unbecoming a member in good standing of the medical profession, and which demonstrates
an unfitness to practice medicine. (*Shea v. Board of Medical Examiners* (1978) 81
Cal.App.3d 564, 575.

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1 FIRST CAUSE OF DISCIPLINE

2 (Conviction of an Offense Substantially Related to the Qualifications, Functions, or
3 Duties of a Physician and Surgeon)

4 11. Respondent has subjected his Physician's and Surgeon's Certificate No. A
5 138910 to disciplinary action under sections 2227 and 2234, as defined by section 2236, of the
6 Code, and California Code of Regulations, title 16 section 1360, in that he has been convicted of
7 an offense substantially related to the qualifications, functions, or duties of a physician and
8 surgeon, as more particularly alleged hereafter:
9

10 12. On or about January 12, 2020, at approximately 2129 hours, Officer M.W.¹ of the
11 Mammoth Lakes Police Department responded to a call from Officer K.S.² who reported she
12 observed a black Toyota 4Runner at a Shell gas station driving erratically and almost collide with
13 a Town of Mammoth Lakes trolley. Officer K.S. advised Officer M.W. that Respondent was
14 leaving the Shell gas station and turned into the parking lot of a Motel 6. Officer M.W. activated
15 his emergency lights and conducted a traffic stop upon Respondent's vehicle.
16

17 13. Respondent exited his vehicle and turned the car off in the parking lot. Officer M.W.
18 observed Respondent's unsteady gait, water eyes, and slurred speech when he came into contact
19 with him. Officer M.W. could smell the odor of an alcoholic beverage emitting from Respondent
20 as they spoke. Officer M.W. asked Respondent if he had anything to drink; Respondent replied,
21 "two beers." Officer M.W. initiated field sobriety tests which included the horizontal gaze
22 nystagmus, one-leg stand test, and walk and turn.
23

24 14. Based upon Respondent's performance in the field sobriety tests and Officer M.W.'s
25 observations of Respondent, Officer M.W. determined that Respondent was impaired and no
26 longer able to operate a motor vehicle. Officer M.W. placed Respondent under arrest for
27

28 ¹ The name of the individual has been withheld for privacy reasons.

² The name of the individual has been withheld for privacy reasons.

1 violation of Vehicle Code sections 23152(a) and 23152(b). Respondent submitted to a
2 Preliminary Alcohol Screening Test (PAS) at approximated 2157 hours, with a BrAC³ result of
3 0.227%. Respondent was transported to Mono County Jail.

4 15. On or about January 22, 2020, the Mono County District Attorney's Office, filed a
5 criminal complaint in the matter of *The People of the State of California v. Behrang Hosseini*
6 *Dehkordi*, Superior Court of the State of California, County of Mono, Case No., MM120001519.
7 Respondent was charged with two misdemeanors including: (1) Driving Under the Influence of
8 Alcohol, in violation of Vehicle Code section 23152(a); and (2) Driving Under the Influence of
9 Alcohol with a 0.08% or Greater Blood Alcohol Content, in violation of Vehicle Code section
10 23152(b).
11

12 16. On or about October 19, 2020, Respondent was convicted upon his plea of nolo
13 contendere/no contest to Count 1, Driving Under the Influence of Alcohol, in violation of Vehicle
14 Code section 23152(a); and Count 2, Driving Under the Influence of Alcohol with a 0.08% or
15 Greater Blood Alcohol Content, in violation of Vehicle Code section 23152(b). Respondent was
16 sentenced to one (1) day in jail, with credit for time served, thirty-six (36) months' probation,
17 ordered to complete an alcohol program, pay fines and fees of \$1,816.49, and seventy-five (75)
18 hours of community service.
19

20 SECOND CAUSE OF DISCIPLINE

21 (Use of Alcoholic Beverages to the Extent, or in Such a Manner, as to be Dangerous or
22 Injurious to Himself, Another Person, or the Public)

23 17. Respondent has further subjected his Physician's and Surgeon's Certificate No. A
24 138910 to disciplinary action under sections 2227 and 2234, as defined by section 2239,
25 subdivision (a), of the Code, in that he has used alcoholic beverages to the extent, or in such a
26 manner, as to be dangerous or injurious to himself, another person, or the public as more
27

28 ³ BrAC is considered a person's breath alcohol concentration. It is measured by breathing
into a breathalyzer or similar breath tester.

1 particularly alleged in paragraphs 11 through 16, above, which are hereby incorporated by
2 reference and realled as if fully set forth herein.

3 **THIRD CAUSE FOR DISCIPLINE**

4 **(General Unprofessional Conduct)**

5 18. Respondent has further subjected his Physician's and Surgeon's Certificate No.
6 A 138910 to disciplinary action under sections 2227 and 2234 of the Code, in that he has engaged
7 in conduct which breaches the rules or ethical code of the medical profession, or conduct which is
8 unbecoming a member in good standing of the medical profession, and which demonstrates an
9 unfitness to practice medicine, as more particularly alleged in paragraphs 11 through 16, above,
10 which are hereby incorporated by reference and realled as if fully set forth herein.

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1 PRAYER

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

4 1. Revoking or suspending Physician's and Surgeon's Certificate No. A 138910, issued
5 to Respondent Behrang Hosseini Dehkordi, M.D.;

6 2. Revoking, suspending or denying approval of Respondent Behrang Hosseini
7 Dehkordi, M.D.'s authority to supervise physician assistants and advanced practice nurses;

8 3. Ordering Respondent Behrang Hosseini Dehkordi, M.D., if placed on probation, to
9 pay the Board the costs of probation monitoring;

10 4. Ordering Respondent Behrang Hosseini Dehkordi, M.D., to pay the Medical Board of
11 California the reasonable costs of the investigation and enforcement of this case, pursuant to
12 Business and Professions Code section 125.3; and

13 5. Taking such other and further action as deemed necessary and proper.

14 DATED: DEC 15 2021

15 For. WILLIAM PRASIFKA
16 Executive Director
17 Medical Board of California
18 Department of Consumer Affairs
19 State of California
20 Complainant

Reji Varghese
Deputy Director

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