

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

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

Syed Masroor Alam, M.D.

**Physician's and Surgeon's
Certificate No. A 53309**

Case No.: 800-2022-091162

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 July 3, 2025.

IT IS SO ORDERED: June 3, 2025.

MEDICAL BOARD OF CALIFORNIA

Michelle A. Bholat, MD

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

1 ROB BONTA
Attorney General of California
2 EDWARD KIM
Supervising Deputy Attorney General
3 MELISSA M. MARQUEZ
Deputy Attorney General
4 State Bar No. 326096
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6376
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Attorneys for Complainant
7

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

11 In the Matter of the Accusation Against:

Case No. 800-2022-091162

12 **SYED MASROOR ALAM, M.D.**
13 **5531 Business Park South, Suite 201**
Bakersfield, CA 93309

OAH No. 2024100461

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

14 **Physician's and Surgeon's Certificate No. A**
15 **53309,**

16 Respondent.

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

20 **PARTIES**

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

25 2. Respondent Syed Masroor Alam, M.D. (Respondent) is represented in this
26 proceeding by attorney Kevin C. Murphy, whose address is: 5575 Lake Park Way, Suite 218, La
27 Mesa, California 91942.

28 3. On or about July 27, 1994, the Board issued Physician's and Surgeon's Certificate No.

1 A 53309 to Syed Masroor Alam, M.D. (Respondent). The Physician's and Surgeon's Certificate
2 was in full force and effect at all times relevant to the charges brought in Accusation No. 800-
3 2022-091162, and will expire on November 30, 2025, unless renewed.

4 **JURISDICTION**

5 4. Accusation No. 800-2022-091162 was filed before the Board and is currently pending
6 against Respondent. The Accusation and all other statutorily required documents were properly
7 served on Respondent on August 29, 2024. Respondent timely filed his Notice of Defense
8 contesting the Accusation.

9 5. A copy of Accusation No. 800-2022-091162 is attached as exhibit A and incorporated
10 herein by reference.

11 **ADVISEMENT AND WAIVERS**

12 6. Respondent has carefully read, fully discussed with counsel, and understands the
13 charges and allegations in Accusation No. 800-2022-091162. Respondent has also carefully read,
14 fully discussed with his counsel, and understands the effects of this Stipulated Settlement and
15 Disciplinary Order.

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

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

24 **CULPABILITY**

25 9. Respondent understands and agrees that the charges and allegations in Accusation
26 No. 800-2022-091162, if proven at a hearing, constitute cause for imposing discipline upon his
27 Physician's and Surgeon's Certificate No. A 53309.

28 10. Respondent does not contest that, at an administrative hearing, complainant could

1 establish a prima facie case with respect to the charges and allegations in Accusation No. 800-
2 2022-091162, a true and correct copy of which is attached hereto as Exhibit A, and that he has
3 thereby subjected his Physician's and Surgeon's Certificate, No. A 53309 to disciplinary action.

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

7 RESERVATION

8 12. The admissions made by Respondent herein are only for the purposes of this
9 proceeding, or any other proceedings in which the Medical Board of California or other
10 professional licensing agency is involved and shall not be admissible in any other criminal or civil
11 proceeding.

12 CONTINGENCY

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

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

26 15. Respondent agrees that if he ever petitions for early termination or modification of
27 probation, or if an accusation and/or petition to revoke probation is filed against him before the
28 Board, all of the charges and allegations contained in Accusation No. 800-2022-091162 shall be

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

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

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

9 **DISCIPLINARY ORDER**

10 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 53309 issued to
11 Respondent SYED MASROOR ALAM, M.D. (Respondent) is revoked. However, the revocation
12 is stayed and Respondent is placed on probation for five (5) years on the following terms and
13 conditions:

14 1. ALCOHOL - ABSTAIN FROM USE. Respondent shall abstain completely from the
15 use of products or beverages containing alcohol.

16 If Respondent has a confirmed positive biological fluid test for alcohol, Respondent shall
17 receive a notification from the Board or its designee to immediately cease the practice of
18 medicine. The Respondent shall not resume the practice of medicine until the final decision on an
19 accusation and/or a petition to revoke probation is effective. An accusation and/or petition to
20 revoke probation shall be filed by the Board within 30 days of the notification to cease practice.
21 If the Respondent requests a hearing on the accusation and/or petition to revoke probation, the
22 Board shall provide the Respondent with a hearing within 30 days of the request, unless the
23 Respondent stipulates to a later hearing. the case is heard by an Administrative Law Judge alone,
24 he or she shall forward a Proposed Decision to the Board within 15 days of submission of the
25 matter. Within 15 days of receipt by the Board of the Administrative Law Judge's proposed
26 decision, the Board shall issue its Decision, unless good cause can be shown for the delay. If the
27 case is heard by the Board, the Board shall issue its decision within 15 days of submission of the
28 case, unless good cause can be shown for the delay. Good cause includes, but is not limited to,

1 non-adoption of the proposed decision, requests for reconsideration, remands and other
2 interlocutory orders issued by the Board. The cessation of practice shall not apply to the
3 reduction of the probationary time period.

4 If the Board does not file an accusation or petition to revoke probation within 30 days of the
5 issuance of the notification to cease practice or does not provide Respondent with a hearing
6 within 30 days of such a request, the notification of cease practice shall be dissolved.

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

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

17 If Respondent has a confirmed positive biological fluid test for any substance (whether or
18 not legally prescribed) and has not reported the use to the Board or its designee, Respondent shall
19 receive a notification from the Board or its designee to immediately cease the practice of
20 medicine. The Respondent shall not resume the practice of medicine until the final decision on an
21 accusation and/or a petition to revoke probation is effective. An accusation and/or petition to
22 revoke probation shall be filed by the Board within 30 days of the notification to cease practice.
23 If the Respondent requests a hearing on the accusation and/or petition to revoke probation, the
24 Board shall provide the Respondent with a hearing within 30 days of the request, unless the
25 Respondent stipulates to a later hearing. If the case is heard by an Administrative Law Judge
26 alone, he or she shall forward a Proposed Decision to the Board within 15 days of submission of
27 the matter. Within 15 days of receipt by the Board of the Administrative Law Judge's proposed
28 decision, the Board shall issue its Decision, unless good cause can be shown for the delay. If the

1 case is heard by the Board, the Board shall issue its decision within 15 days of submission of the
2 case, unless good cause can be shown for the delay. Good cause includes, but is not limited to,
3 non-adoption of the proposed decision, requests for reconsideration, remands and other
4 interlocutory orders issued by the Board. The cessation of practice shall not apply to the
5 reduction of the probationary time period.

6 If the Board does not file an accusation or petition to revoke probation within 30 days of the
7 issuance of the notification to cease practice or does not provide Respondent with a hearing
8 within 30 days of a such a request, the notification of cease practice shall be dissolved.

9 3. BIOLOGICAL FLUID TESTING. Respondent shall immediately submit to
10 biological fluid testing, at Respondent's expense, upon request of the Board or its designee.
11 "Biological fluid testing" may include, but is not limited to, urine, blood, breathalyzer, hair
12 follicle testing, or similar drug screening approved by the Board or its designee. Prior to
13 practicing medicine, Respondent shall contract with a laboratory or service approved in advance
14 by the Board or its designee that will conduct random, unannounced, observed, biological fluid
15 testing. The contract shall require results of the tests to be transmitted by the laboratory or
16 service directly to the Board or its designee within four hours of the results becoming available.
17 Respondent shall maintain this laboratory or service contract during the period of probation.

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

20 If Respondent fails to cooperate in a random biological fluid testing program within the
21 specified time frame, Respondent shall receive a notification from the Board or its designee to
22 immediately cease the practice of medicine. The Respondent shall not resume the practice of
23 medicine until the final decision on an accusation and/or a petition to revoke probation is
24 effective. An accusation and/or petition to revoke probation shall be filed by the Board within 30
25 days of the notification to cease practice. If the Respondent requests a hearing on the accusation
26 and/or petition to revoke probation, the Board shall provide the Respondent with a hearing within
27 30 days of the request, unless the Respondent stipulates to a later hearing. If the case is heard by
28 an Administrative Law Judge alone, he or she shall forward a Proposed Decision to the Board

1 within 15 days of submission of the matter. Within 15 days of receipt by the Board of the
2 Administrative Law Judge's proposed decision, the Board shall issue its Decision, unless good
3 cause can be shown for the delay. If the case is heard by the Board, the Board shall issue its
4 decision within 15 days of submission of the case, unless good cause can be shown for the delay.
5 Good cause includes, but is not limited to, non-adoption of the proposed decision, requests for
6 reconsideration, remands and other interlocutory orders issued by the Board. The cessation of
7 practice shall not apply to the reduction of the probationary time period.

8 If the Board does not file an accusation or petition to revoke probation within 15 days of the
9 issuance of the notification to cease practice or does not provide Respondent with a hearing
10 within 30 days of such a request, the notification of cease practice shall be dissolved.

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

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

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

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

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

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

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

28 Within 60 calendar days of the effective date of this Decision, and continuing throughout

1 probation, Respondent's practice shall be monitored by the approved monitor. Respondent shall
2 make all records available for immediate inspection and copying on the premises by the monitor
3 at all times during business hours and shall retain the records for the entire term of probation.

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

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

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

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

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

1 Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the
2 Chief Executive Officer at every hospital where privileges or membership are extended to
3 Respondent, at any other facility where Respondent engages in the practice of medicine,
4 including all physician and locum tenens registries or other similar agencies, and to the Chief
5 Executive Officer at every insurance carrier which extends malpractice insurance coverage to
6 Respondent. Respondent shall submit proof of compliance to the Board or its designee within 15
7 calendar days.

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

9 8. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE
10 NURSES. During probation, Respondent is prohibited from supervising physician assistants and
11 advanced practice nurses.

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

15 10. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby
16 ordered to reimburse the Board its costs of investigation and enforcement, including, but not
17 limited to, expert review, amended accusations, legal reviews, investigation(s), and subpoena
18 enforcement, as applicable, in the amount of \$17,725.20 (seventeen thousand, seven hundred
19 twenty-five dollars and twenty cents). Costs shall be payable to the Medical Board of California.
20 Failure to pay such costs shall be considered a violation of probation.

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

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

27 11. QUARTERLY DECLARATIONS. Respondent shall submit quarterly declarations
28 under penalty of perjury on forms provided by the Board, stating whether there has been

1 compliance with all the conditions of probation.

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

4 12. GENERAL PROBATION REQUIREMENTS.

5 Compliance with Probation Unit

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

7 Address Changes

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

13 Place of Practice

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

17 License Renewal

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

20 Travel or Residence Outside California

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

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

27 13. INTERVIEW WITH THE BOARD OR ITS DESIGNEE. Respondent shall be
28 available in person upon request for interviews either at Respondent's place of business or at the

1 probation unit office, with or without prior notice throughout the term of probation.

2 14. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
3 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
4 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is
5 defined as any period of time Respondent is not practicing medicine as defined in Business and
6 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct
7 patient care, clinical activity or teaching, or other activity as approved by the Board. If
8 Respondent resides in California and is considered to be in non-practice, Respondent shall
9 comply with all terms and conditions of probation. All time spent in an intensive training
10 program which has been approved by the Board or its designee shall not be considered non-
11 practice and does not relieve Respondent from complying with all the terms and conditions of
12 probation. Practicing medicine in another state of the United States or Federal jurisdiction while
13 on probation with the medical licensing authority of that state or jurisdiction shall not be
14 considered non-practice. A Board-ordered suspension of practice shall not be considered as a
15 period of non-practice.

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

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

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

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

28 15. COMPLETION OF PROBATION. Respondent shall comply with all financial

1 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the
2 completion of probation. This term does not include cost recovery, which is due within 30
3 calendar days of the effective date of the Order, or by a payment plan approved by the Medical
4 Board and timely satisfied. Upon successful completion of probation, Respondent's certificate
5 shall be fully restored.

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

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

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

28 19. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for

1 a new license or certification, or petition for reinstatement of a license, by any other health care
2 licensing action agency in the State of California, all of the charges and allegations contained in
3 Accusation No. 800-2022-091162 shall be deemed to be true, correct, and admitted by
4 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or
5 restrict license.

6 **ACCEPTANCE**

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

12
13 DATED: 5/14/2025


14 SYED MASROOR ALAM, M.D.
15 Respondent

16 I have read and fully discussed with Respondent Syed Masroor Alam, M.D. the terms and
17 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
18 I approve its form and content.

19
20 DATED: May 19, 2025


21 KEVIN C. MURPHY
22 Attorney for Respondent

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ENDORSEMENT

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

DATED: 5/19/2025

Respectfully submitted,
ROB BONTA
Attorney General of California
EDWARD KIM
Supervising Deputy Attorney General
Melissa M. Marquez
Digitally signed by Melissa M. Marquez
Date: 2025.05.19 13:25:42 -07'00'
MELISSA M. MARQUEZ
Deputy Attorney General
Attorneys for Complainant

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67300953.docx

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8 **BEFORE THE**
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11 In the Matter of the Accusation Against:

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12 **SYED MASROOR ALAM, M.D.**
13 **5531 Business Park South, Suite 201**
Bakersfield, CA 93309

A C C U S A T I O N

14 **Physician's and Surgeon's Certificate**
15 **No. A 53309,**

16 Respondent.

17 **PARTIES**

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

21 2. On or about July 27, 1994, the Board issued Physician's and Surgeon's Certificate
22 Number A 53309 to Respondent Syed Masroor Alam, M.D. (Respondent). The Physician's and
23 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
24 herein and will expire on November 30, 2025, unless renewed.

25 **JURISDICTION**

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

1 4. Section 2004 of the Code states:

2 The board shall have the responsibility for the following:

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

5 (b) The administration and hearing of disciplinary actions.

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

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

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

12 (f) Approving undergraduate and graduate medical education programs.

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

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

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

17 5. Section 2220 of the Code states:

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

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

31 (b) Investigating the circumstances of practice of any physician and surgeon
32 where there have been any judgments, settlements, or arbitration awards requiring the
33 physician and surgeon or his or her professional liability insurer to pay an amount in
34 damages in excess of a cumulative total of thirty thousand dollars (\$30,000) with
35 respect to any claim that injury or damage was proximately caused by the physician's
36 and surgeon's error, negligence, or omission.

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

1 (D) Inappropriate prescribing resulting in harm to patients and a probationary
2 period of five years or more.

3 (2) An accusation or statement of issues alleged that the licensee committed any
4 of the acts described in subparagraphs (A) to (D), inclusive, of paragraph (1), and a
5 stipulated settlement based upon a nolo contendere or other similar compromise that
6 does not include any prima facie showing or admission of guilt or fact but does
7 include an express acknowledgment that the disclosure requirements of this section
8 would serve to protect the public interest.

9 (b) A licensee required to provide a disclosure pursuant to subdivision (a) shall
10 obtain from the patient, or the patient's guardian or health care surrogate, a separate,
11 signed copy of that disclosure.

12 (c) A licensee shall not be required to provide a disclosure pursuant to
13 subdivision (a) if any of the following applies:

14 (1) The patient is unconscious or otherwise unable to comprehend the
15 disclosure and sign the copy of the disclosure pursuant to subdivision (b) and a
16 guardian or health care surrogate is unavailable to comprehend the disclosure and
17 sign the copy.

18 (2) The visit occurs in an emergency room or an urgent care facility or the visit
19 is unscheduled, including consultations in inpatient facilities.

20 (3) The licensee who will be treating the patient during the visit is not known to
21 the patient until immediately prior to the start of the visit.

22 (4) The licensee does not have a direct treatment relationship with the patient.

23 (d) On and after July 1, 2019, the board shall provide the following
24 information, with respect to licensees on probation and licensees practicing under
25 probationary licenses, in plain view on the licensee's profile page on the board's
26 online license information internet web site.

27 (1) For probation imposed pursuant to a stipulated settlement, the causes
28 alleged in the operative accusation along with a designation identifying those causes
by which the licensee has expressly admitted guilt and a statement that acceptance of
the settlement is not an admission of guilt.

(2) For probation imposed by an adjudicated decision of the board, the causes
for probation stated in the final probationary order.

(3) For a licensee granted a probationary license, the causes by which the
probationary license was imposed.

(4) The length of the probation and end date.

(5) All practice restrictions placed on the license by the board.

(e) Section 2314 shall not apply to this section.

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1 within the meaning of this chapter [Chapter 5, the Medical Practice Act]. The record
2 of conviction shall be conclusive evidence only of the fact that the conviction
3 occurred.

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

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

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

21 10. Section 2239 of the Code states:

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

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

11. Section 490 of the Code states:

(a) In addition to any other action that a board is permitted to take against a
licensee, a board may suspend or revoke a license on the ground that the licensee has
been convicted of a crime, if the crime is substantially related to the qualifications,
functions, or duties of the business or profession for which the license was issued.

(b) Notwithstanding any other provision of law, a board may exercise any
authority to discipline a licensee for conviction of a crime that is independent of the

1 authority granted under subdivision (a) only if the crime is substantially related to the
2 qualifications, functions, or duties of the business or profession for which the
3 licensee's license was issued.

4 (c) A conviction within the meaning of this section means a plea or verdict of
5 guilty or a conviction following a plea of nolo contendere. Any action that a board is
6 permitted to take following the establishment of a conviction may be taken when the
7 time for appeal has elapsed, or the judgment of conviction has been affirmed on
8 appeal, or when an order granting probation is made suspending the imposition of
9 sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of
10 the Penal Code.

11 (d) The Legislature hereby finds and declares that the application of this section
12 has been made unclear by the holding in *Petropoulos v. Department of Real Estate*
13 (2006) 142 Cal.App.4th 554, and that the holding in that case has placed a significant
14 number of statutes and regulations in question, resulting in potential harm to the
15 consumers of California from licensees who have been convicted of crimes.
16 Therefore, the Legislature finds and declares that this section establishes an
17 independent basis for a board to impose discipline upon a licensee, and that the
18 amendments to this section made by Chapter 33 of the Statutes of 2008 do not
19 constitute a change to, but rather are declaratory of, existing law.

20 12. Unprofessional conduct is conduct which breaches rules or ethical codes of a
21 profession or conduct which is unbecoming a member in good standing of a profession. (*Shea v.*
22 *Board of Medical Examiners* (1978) 81 Cal.App.3rd 564, 575.).

23 13. Section 2021, subdivision (b), of the Code states:

24 Each licensee shall report to the board each and every change of address,
25 including an email address, within 30 days after each change, giving both the old and
26 new address. If an address reported to the board at the time of application for
27 licensure or subsequently is a post office box, the applicant shall also provide the
28 board with a street address. If another address is the licensee's address of record, he
or she may request that the second address not be disclosed to the public.

REGULATORY PROVISIONS

14. California Code of Regulations, title 16, section 1360, states:

(a) For the purposes of denial, suspension or revocation of a license pursuant to
Section 141 or Division 1.5 (commencing with Section 475) of the code, a crime,
professional misconduct, or act shall be considered to be substantially related to the
qualifications, functions or duties of a person holding a license if to a substantial degree it
evidences present or potential unfitness of a person holding a license to perform the
functions authorized by the license in a manner consistent with the public health, safety or
welfare. Such crimes, professional misconduct, or acts shall include but not be limited to
the following: Violating or attempting to violate, directly or indirectly, or assisting in or
abetting the violation of, or conspiring to violate any provision of state or federal law
governing the applicant's or licensee's professional practice.

(b) In making the substantial relationship determination required under subdivision

1 (a) for a crime, the board shall consider the following criteria:

- 2 (1) The nature and gravity of the crime;
- 3 (2) The number of years elapsed since the date of the crime; and
- 4 (3) The nature and duties of the profession.

5 **COST RECOVERY**

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

12 **FIRST CAUSE FOR DISCIPLINE**

13 **(Dangerous Use of Alcohol)**

14 16. Respondent Syed Masroor Alam, M.D. is subject to disciplinary action under section
15 2239 of the Code, in that he consumed alcohol in a manner that was dangerous or injurious to
16 himself, to others, or to the public. The circumstances are as follows:

17 A. On or about August 20, 2022, at approximately 9:20 p.m., officers with the
18 Bakersfield Police Department were dispatched to the 2300 block of Grand Lakers Avenue,
19 regarding a single-vehicle traffic collision involving a possible DUI driver.

20 B. Upon arrival, officers on scene observed Respondent seated in the driver seat of
21 the vehicle and damage to the front passenger side position of the vehicle. When a police officer
22 made contact with Respondent, the officer smelled a strong odor of alcoholic beverages emitting
23 from Respondent and the vehicle. The officer also observed that Respondent had watery eyes and
24 slurred speech. Further, once Respondent exited out of the vehicle, the officer noticed
25 Respondent's unsteady gait.

26 C. An officer asked Respondent if he was willing to perform a series of tests to
27 evaluate whether he was too impaired to operate a motor vehicle and Respondent agreed. The
28

1 police officer then administered Field Sobriety Tests (FST) on Respondent, including the
2 horizontal gaze nystagmus, 9-step walk and turn, and the one leg stand. Respondent failed to
3 perform the FSTs in a satisfactory manner.

4 D. At approximately 9:50 p.m., Respondent provided a breath sample, which
5 yielded a blood alcohol concentration result of 0.229%.

6 E. Thereafter, based on Respondent's impairment demonstrated by colliding with
7 the curb on a wide road with little traffic, his performance on the FSTs, lack of smooth pursuit,
8 inability to follow instructions, lack of balance and coordination, and symptoms of alcohol
9 consumption, the officer determined that Respondent had been driving under the influence of
10 alcohol and placed him under arrest.

11 17. On or about September 6, 2022, in a criminal proceeding entitled *The People of the*
12 *State of California v. Syed Masoor Alam* in Kern County Superior Court, Case number
13 BM973193A, Respondent was charged with (1) driving under the influence of alcohol in
14 violation of Vehicle Code section 23152, subdivision (a), a misdemeanor (Count 1), (2) driving
15 with an alcohol blood level of 0.08 percent or higher in violation of Vehicle Code section 23152,
16 subdivision (b), a misdemeanor (Count 2), and (3) failing to provide proof of insurance at the
17 scene of the accident, in violation of Vehicle Code section 16028, subdivision (c), an infraction
18 (Count 3).

19 18. On or about May 22, 2024, the criminal complaint was amended, and Respondent
20 was charged with wet and reckless in violation of Vehicle Code section 23103.5, subdivision (a),
21 a misdemeanor (Count 4). Respondent pleaded nolo contendere to Court 4 and was convicted.
22 The remaining charges, Counts 1 through 3, were dismissed. Respondent was placed on
23 probation for one year with terms and conditions.

24 19. On or about June 19, 2024, a Board investigator interviewed (Subject Interview)
25 Respondent. During his Subject Interview, Respondent explained that on or about August 20,
26 2022, the day of his arrest, he had been at a party with friends and had consumed at least four
27 alcoholic beverages (vodka). Later that evening, Respondent decided to drive home and on his
28 way home, he hit a curb, destroying the tire on his vehicle. Thereafter, the police were called to

1 the scene of the accident.

2 **SECOND CAUSE FOR DISCIPLINE**

3 **(Conviction of a Substantially Related Crime)**

4 20. Respondent is subject to disciplinary action under sections 2236 and 490 of the Code,
5 in that he was convicted of an offense substantially related to the qualifications, functions, or
6 duties of a physician. The circumstances are as follows:

7 21. The allegations of the First Cause for Discipline are incorporated herein by reference
8 as if fully set forth.

9 **THIRD CAUSE FOR DISCIPLINE**

10 **(General Unprofessional Conduct)**

11 22. Respondent is subject to disciplinary action under section 2234 of the Code,
12 generally, in that he has engaged in unprofessional conduct which breaches the rules or ethical
13 code of the medical profession or conduct which is unbecoming to a member in good standing of
14 the medical profession. The circumstances are as follows:

15 23. The allegations of the First and Second Causes for Discipline are incorporated herein
16 by reference as if fully set forth.

17 **FOURTH CAUSE FOR DISCIPLINE**

18 **(Failure to Maintain Current Address)**

19 24. Respondent is subject to disciplinary action under section 2021, subdivision (b), of
20 the Code, in that he failed to report a change of address within 30 days to the Board. The
21 circumstances are as follows:

22 25. The allegations set forth in the First, Second, and Third Causes for Discipline are
23 incorporated herein by reference as if fully set forth.

24 26. During his Subject Interview, Respondent explained that his address of record was
25 different from what was with the Board. On or about June 19, 2024, a Board representative sent
26 Respondent an email with instructions on how to update his address of record with the Board.
27 Respondent failed to maintain his current address with the Board.

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1 4. Ordering Respondent Syed Masroor Alam, M.D., if placed on probation, to provide
2 patient notification in accordance with Business and Professions Code section 2228.1; and

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

5 DATED: AUG 29 2024



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

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