

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

In the Matter of the Accusation
Against:

Vijil K. Rahulan , M.D.

Case No. 800-2024-112752

Physician's and Surgeon's
Certificate No. C 55933

Respondent.

DECISION

The attached Default Decision and 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 30, 2025.

IT IS SO ORDERED June 12, 2025.

MEDICAL BOARD OF CALIFORNIA



Reji Varghese
Executive Director

1 ROB BONTA
2 Attorney General of California
3 GREG W. CHAMBERS
4 Supervising Deputy Attorney General
5 NILUFAR K. MAJD
6 Deputy Attorney General
7 State Bar No. 246017
8 455 Golden Gate Avenue, Suite 11000
9 San Francisco, CA 94102-7004
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13 *Attorneys for Complainant*

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

In the Matter of the Accusation Against:
VIJIL K. RAHULAN, M.D.
2885 Sanford Ave., SW Ste. 18083
Grandville, MI 49418-1342
Physician's and Surgeon's Certificate No. C
55933

Case No. 800-2024-112752
**DEFAULT DECISION
AND ORDER**
[Gov. Code, §11520]

Respondent.

FINDINGS OF FACT

1. On or about January 27, 2025, Complainant Reji Varghese, in his official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs, filed Accusation No. 800-2024-112752 against VIJIL K. RAHULAN, M.D. (Respondent) before the Medical Board of California.

2. On or about May 10, 2013, the Medical Board of California (Board) issued Physician's and Surgeon's Certificate No. C 55933 to Respondent. The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2027, unless renewed. (Exhibit Package, Exhibit 1, Certificate of Licensure.)¹

¹ The evidence in support of this Default Decision and Order is separately contained in the "Exhibit Package."

1 3. On or about January 27, 2025, Samuel Guardado, an employee of the Complainant
2 Agency, served by Certified Mail a copy of the Accusation No. 800-2024-112752, Statement to
3 Respondent; Notice of Defense; Request for Discovery; and Discovery Statutes to Respondent's
4 address of record with the Board, which was and is 2885 Sanford Ave., SW Ste. 18083
5 Grandville, MI 49418-1342. The United States Postal Service (USPS) tracking service shows
6 that the Accusation package was delivered on January 31, 2025. (Exhibit Package, Exhibit 2,
7 Accusation Package, Proof of Service and USPS Tracking document.)

8 4. On February 24, 2025, an employee of the Attorney General's Office served by
9 Certified mail to Respondent's address of records a Courtesy Notice of Default, advising
10 Respondent of the service of the Accusation and providing him with another opportunity to
11 submit a Notice of Defense. The USPS tracking shows that the Courtesy Notice of Default was
12 served on Respondent on February 27, 2025. (Exhibit Package, Exhibit 3, Courtesy Notice of
13 Default, Proof of Service and USPS tracking document.)

14 5. The Accusation charges Respondent with causes for discipline under Business and
15 Professions Code sections 141, 2305 (Out of State Discipline) and section 2234 (Unprofessional
16 Conduct.) The Board finds that the following facts as alleged in the Accusation are true:

17 a. Respondent renewed his California physician's and surgeon's license no. C 55933 on
18 May 16, 2021, and again on May 31, 2023, and denied discipline in other jurisdictions,
19 despite receiving discipline from medical licensing agencies in the states of Kansas on
20 April 15, 2021, Virginia on June 15, 2021, North Carolina on October 29, 2021, and
21 Missouri on December 22, 2022.

22 b. On April 15, 2021, the Board of Healing Arts of the State of Kansas ("Kansas Board")
23 suspended Respondent's license, requiring him to comply with statutory requirements
24 of the Kansas Health Care Stabilization Fund. The Kansas Order was based on
25 Respondent's failure to pay the annual surcharge to the Kansas Health Care
26 Stabilization Fund as required by the Kansas Healing Arts Act 40-3404 during the
27 2017-2018 and 2019-2020 periods, and Respondent's false certification that such
28 surcharges had been paid. On May 17, 2021, the Kansas Order became a final order.

The Kansas Order constitutes final disciplinary action taken against Respondent by another state licensing authority.

- c. On June 15, 2021, the Virginia Department of Health Professions (hereinafter "Virginia Board") entered an Order of Mandatory Suspension (hereinafter "Virginia Order"), in which Respondent's license to practice medicine in Virginia was suspended. The Virginia Order was based on the disciplinary action taken by the Kansas Board. The Virginia Order constitutes final disciplinary action taken against Respondent by another state licensing authority.
- d. On or about October 29, 2021, Respondent voluntarily entered a Consent Order (hereinafter "North Carolina Order,") with the North Carolina Medical Board (hereinafter "North Carolina Board"), wherein Respondent's license to practice medicine in North Carolina was reprimanded. The North Carolina Order was based on the disciplinary action taken by the Kansas Board. The North Carolina Order constitutes final disciplinary action taken against Respondent by another state licensing authority.
- e. On or about December 22, 2022, the Missouri State Board of the Registration of the Healing Arts (Missouri Board) entered a default order revoking Respondent's physician's and surgeon's license. The Missouri Order was based on the final disciplinary actions taken by several state licensing authorities. Additionally, the Missouri Order was based on Respondent's pattern of noncompliance with state regulations governing his practice as an aggravating factor. The Missouri Order constitutes final disciplinary action taken against Respondent by state licensing authorities.
- f. Respondent's physician's and surgeon's license was subsequently revoked in the states of Kentucky on August 18, 2023, and Pennsylvania on August 23, 2023.

(Exhibit Package, Exhibit 4, Certification of Prosecution Costs.)

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STATUTORY AUTHORITY

2 7. Business and Professions Code section 118 states, in pertinent part:

3 (b) "The suspension, expiration, or forfeiture by operation of law of a license issued by a
4 board in the department, or its suspension, forfeiture, or cancellation by order of the board or by
5 order of a court of law, or its surrender without the written consent of the board, shall not, during
6 any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its
7 authority to institute or continue a disciplinary proceeding against the licensee upon any ground
8 provided by law or to enter an order suspending or revoking the license or otherwise taking
9 disciplinary action against the licensee on any such ground."

10 8. Government Code section 11506 states, in pertinent part:

11 (c) "The respondent shall be entitled to a hearing on the merits if the respondent files
12 a notice of defense or notice of participation, and the notice shall be deemed a specific
13 denial of all parts of the accusation or District Statement of Reduction in Force not
14 expressly admitted. Failure to file a notice of defense or notice of participation shall
15 constitute a waiver of respondent's right to a hearing, but the agency in its discretion may
16 nevertheless grant a hearing. Unless objection is taken as provided in paragraph (3) of
17 subdivision (a), all objections to the form of the accusation or District Statement of
18 Reduction in Force shall be deemed waived."

19 Respondent failed to file a Notice of Defense within 15 days after service upon service of
20 the Accusation, and therefore waived his right to a hearing on the merits of Accusation No. 800-
21 2024-112752.

22 9. California Government Code section 11520 states, in pertinent part:

23 (a) "If the respondent either fails to file a notice of defense, or, as applicable, notice
24 of participation, or to appear at the hearing, the agency may take action based upon the
25 respondent's express admissions or upon other evidence and affidavits may be used as
26 evidence without any notice to respondent; and where the burden of proof is on the
27 respondent to establish that the respondent is entitled to the agency action sought, the
28 agency may act without taking evidence."

1 10. Business and Professions Code section 125.3 states, in pertinent part:

2 (a) "Except as otherwise provided by law, in any order issued in resolution of a

3 disciplinary proceeding before any board within the department or before the Osteopathic

4 Medical Board, upon request of the entity bringing the proceeding, the administrative law

5 judge may direct a licensee found to have committed a violation or violations of the

6 licensing act to pay a sum not to exceed the reasonable costs of the investigation and

7 enforcement of the case."

8 11. Pursuant to its authority under Government Code section 11520, the Board finds
9 Respondent is in default. Service of the Accusation was effective as a matter of law under the
10 provisions of Government Code section 11505, subdivision (c). Respondent failed to file a
11 Notice of Defense. The Board will take action without further hearing and, based on
12 Respondent's express admissions by way of default and the evidence before it, contained in
13 Exhibit Package, Exhibits 1-4, finds that the allegations in Accusation No. 800-2024-112752 are
14 true.

DETERMINATION OF ISSUES

16 1. Based on the foregoing findings of fact, Respondent VIJIL K. RAHULAN, M.D. has
17 subjected his Physician's and Surgeon's Certificate No. C 55933 to discipline.

18 2. A copy of the Accusation and the related documents and Declaration of Service are
19 attached here as Exhibit 1.

20 || 3. The Board has jurisdiction to adjudicate this case by default.

21 4. Pursuant to Business and Professions Code section 125.3, the Board is authorized to
22 order Respondent to pay the Board the reasonable costs of investigation and enforcement of the
23 case prayed for in the Accusation total \$5,169.00, based on the Certification of Prosecution Costs
24 attached as Exhibit 4 in the Exhibit Package.

25 5. Based on the foregoing Findings of Fact, Respondent VIJIL K. RAHULAN, M.D.'s
26 conduct constitutes cause for discipline within the meaning of Business and Professions Code
27 sections 141, 2305 and 2234(a), (e) and (f).

28 | //

ORDER

2 IT IS SO ORDERED that Physician's and Surgeon's Certificate No. C 55933, heretofore
3 issued to Respondent VIJIL K. RAHULAN, M.D., is revoked. Respondent VIJIL K.
4 RAHULAN, M.D. is ordered to pay the Board the costs of the enforcement of this case in the
5 amount of \$ 5,169.00.

6 Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a
7 written motion requesting that the Decision be vacated and stating the grounds relied on
8 within seven (7) days after service of the Decision on Respondent. The Board in its discretion
9 may vacate the Decision and grant a hearing on a showing of good cause, as defined in the
10 statute.

This Decision shall become effective on June 30, 2025.

It is so ORDERED June 12, 2025

REJI VARGHESE
EXECUTIVE DIRECTOR
FOR THE MEDICAL BOARD OF
CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS

1 ROB BONTA
2 Attorney General of California
3 GREG W. CHAMBERS
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12 E-mail: Nilu.Majd@doj.ca.gov
13 *Attorneys for Complainant*

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

11	In the Matter of the Accusation Against:	Case No. 800-2024-112752
12	Vijil K. Rahulan, M.D. 2885 Sanford Ave., SW Ste. 18083 Grandville, MI 49418-1342	ACCUSATION
13		
14	Physician's and Surgeon's Certificate No. C 55933,	
15		Respondent.

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 May 10, 2013, the Medical Board issued Physician's and Surgeon's
22 Certificate Number C 55933 to Vijil K. Rahulan, 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 May 31, 2025, unless renewed.

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 2000 of the Code states:

2 "This chapter [Chapter 5. Medicine §§ 2000-2529.6] shall be known and may be cited as
3 the Medical Practice Act. Whenever a reference is made to the Medical Practice Act by the
4 provisions of this statute, it is to be construed as referring to the provisions of this chapter."

5 5. Section 2305 of the Code states:

6 "The revocation, suspension, or other discipline, restriction or limitation imposed by
7 another state upon a license or certificate to practice medicine issued by that state, or the
8 revocation, suspension, or restriction of the authority to practice medicine by any agency of the
9 federal government, that would have been grounds for discipline for discipline in California of a
10 licensee under this chapter shall constitute grounds for disciplinary action for unprofessional
11 conduct against the licensee in this state."

12 6. Section 2234 of the Code states:

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

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

18 ...

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

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

22 7. Section 2261 of the Code states:

23 "Knowingly making or signing any certificate or other document directly or indirectly
24 related to the practice of medicine or podiatry which falsely represents the existence or
25 nonexistence of a state of facts, constitutes unprofessional conduct."

26 8. Section 141 of the Code states:

27 "(a) For any licensee holding a license issued by a board under the jurisdiction of the
28 department, a disciplinary action taken by another state, by any agency of the federal government,

1 or by another country for any act substantially related to the practice regulated by the California
2 license, may be a ground for disciplinary action by the respective state licensing board. A
3 certified copy of the record of the disciplinary action taken against the licensee by another state,
4 an agency of the federal government, or another country shall be conclusive evidence of the
5 events related therein.

6 (b) Nothing in this section shall preclude a board from applying a specific statutory
7 provision in the licensing act administered by that board that provides for discipline based upon a
8 disciplinary action taken against the licensee by another state, an agency of the federal
9 government, or another country."

10 **COST RECOVERY**

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

17 **FACTUAL ALLEGATIONS**

18 10. Respondent renewed his California physician's and surgeon's license no. C 55933 on
19 May 16, 2021, and again on May 31, 2023, and denied discipline in other jurisdictions, despite
20 receiving discipline from medical licensing agencies in the states of Kansas on April 15, 2021,
21 Virginia on June 15, 2021, North Carolina on October 29, 2021, and Missouri on December 22,
22 2022.

23 11. On April 15, 2021, the Board of Healing Arts of the State of Kansas ("Kansas Board")
24 suspended Respondent's license, requiring him to comply with statutory requirements of the
25 Kansas Health Care Stabilization Fund ("Kansas Order," Exhibit A). The Kansas Order was based
26 on Respondent's failure to pay the annual surcharge to the Kansas Health Care Stabilization Fund
27 as required by the Kansas Healing Arts Act 40-3404 during the 2017-2018 and 2019-2020 periods,
28 and Respondent's false certification that such surcharges had been paid. On May 17, 2021, the

1 Kansas Order became a final order. The Kansas Order constitutes final disciplinary action taken
2 against Respondent by another state licensing authority.

3 12. On June 15, 2021, the Virginia Department of Health Professions (hereinafter "Virginia
4 Board") entered an Order of Mandatory Suspension (hereinafter "Virginia Order"), in which
5 Respondent's license to practice medicine in Virginia was suspended. (Exhibit B). The Virginia
6 Order was based on the disciplinary action taken by the Kansas Board. The Virginia Order
7 constitutes final disciplinary action taken against Respondent by another state licensing authority.

8 13. On or about October 29, 2021, Respondent voluntarily entered a Consent Order
9 (hereinafter "North Carolina Order,") with the North Carolina Medical Board (hereinafter "North
10 Carolina Board"), wherein Respondent's license to practice medicine in North Carolina was
11 reprimanded. (Exhibit C). The North Carolina Order was based on the disciplinary action taken by
12 the Kansas Board. The North Carolina Order constitutes final disciplinary action taken against
13 Respondent by another state licensing authority.

14 14. On or about December 22, 2022, the Missouri State Board of the Registration of the
15 Healing Arts (Missouri Board) entered a default order revoking Respondent's physician's and
16 surgeon's license. ("Missouri Order," Exhibit D). The Missouri Order was based on the final
17 disciplinary actions taken by several state licensing authorities. Additionally, the Missouri Order
18 was based on Respondent's pattern of noncompliance with state regulations governing his practice
19 as an aggravating factor. The Missouri Order constitutes final disciplinary action taken against
20 Respondent by state licensing authorities.

21 15. Respondent's physician's and surgeon's license was subsequently revoked in the states
22 of Kentucky on August 18, 2023 (Exhibit E) and Pennsylvania on August 23, 2023. (Exhibit F).

23 **FIRST CAUSE FOR DISCIPLINE**

24 **(Discipline, Restriction, or Limitation Imposed by Another State)**

25 16. The allegations set forth in Paragraphs 10 through 15 are incorporated by reference as
26 if fully set out herein.

27 17. By reason of the facts stated in Paragraphs 10 through 15 above, Respondent is subject
28 to disciplinary action under sections 141 and 2305 of the Code (out-of-state discipline).

SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

18. The allegations set forth in Paragraphs 10 through 15 are incorporated by reference as if fully set out herein.

5 19. By reason of the facts stated in Paragraphs 10 through 15 above, Respondent is subject
6 to disciplinary action under sections 2234, subdivisions (a), (e) and (f), of the Code, in that
7 Respondent engaged in unprofessional conduct by failing to report his disciplinary actions in other
8 states at the time of renewing his California physician's and surgeon's license with the Board on
9 May 16, 2021, and May 31, 2023.

THIRD CAUSE FOR DISCIPLINE

(False Representation)

12 20. The allegations set forth in Paragraphs 10 through 15 are incorporated by reference as
13 if fully set out herein.

14 21. By reason of the facts stated in Paragraphs 10 through 15 above, Respondent is subject to
15 disciplinary action under section 2261 of the Code, in that Respondent made false representations by
16 knowingly failing to disclose his disciplinary actions in other states when attempting to renew his physician's
17 and surgeon's license with the Board on May 16, 2021, and May 31, 2023.

PRAYER

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

21 1. Revoking or suspending Physician's and Surgeon's Certificate Number C 55933,
22 issued to Respondent Vijil K. Rahulan, M.D.;

23 2. Revoking, suspending or denying approval of Respondent Vijil K. Rahulan, M.D.'s
24 authority to supervise physician assistants and advanced practice nurses;

25 3. Ordering Respondent Vijil K. Rahulan, M.D., to pay the Board the costs of the
26 investigation and enforcement of this case, and if placed on probation, the costs of probation
27 monitoring; and

28 | 111

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

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4 DATED: JAN 27 2025

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

EXHIBIT A

EFFECTIVE AS A FINAL ORDER

FILED

APR 15 2021

DATE: 5.17.2021

Ab

KS State Board of Healing Arts

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of

Vijil K. Rahulan, M.D.
Kansas License No. 04-37414

Docket No. 21-HA-XXXXXX

SUMMARY ORDER

NOW ON THIS 15th day of April 2021, this matter comes before Tucker L. Poling, Executive Director, Kansas State Board of Healing Arts ("Board"), in summary proceedings pursuant to K.S.A. 77-537.

Pursuant to K.S.A. 77-537 and K.S.A. 77-542, this Summary Order shall become effective as a Final Order, without further notice, if no written request for a hearing is made within 15 days of service. Upon review of the agency record and being duly advised in the premises, the following findings of fact, conclusions of law, and order are made for and on behalf of the Board:

Findings of Fact

1. Vijil K. Rahulan, M.D. ("Licensee") was first issued License No. 04-37414 to practice medicine and surgery on July 17, 2014. Licensee has held an Active license since that date.

CONFIDENTIAL

2. Licensee's last mailing address known to the Board is:

CONFIDENTIAL

1. Licensee's last email address known to the Board is

CONFIDENTIAL

3. During all times relevant to the facts set forth in this Summary Order, Licensee held an Active license to practice medicine and surgery in Kansas.

4. The factual basis for this Order is as follows:

a. On or about June 29, 2020, Licensee renewed his license online as Active.

Licensee's renewal application stated that "As a condition of providing professional services in Kansas, whether or not physically located in Kansas, each person with an active license must pay the annual surcharge to the Kansas Health Care Stabilization Fund (KHCSF)." (emphasis in original). Licensee was asked "Have you paid the annual surcharge to the KHCSF?" to which he answered "Yes." (Bd. Ex. 1).

b. After renewing his license, a search of the KHCSF Data Information showed Licensee had not been in compliance with KHCSF statutory requirements during the following periods:

- i. March 2, 2017, through March 29, 2018; and
- ii. March 31, 2019, through present. (Bd. Ex. 2).

c. Despite holding an Active license, and despite his certifications to the contrary, Licensee remains out of compliance with KHCSF statutory requirements.

Applicable Law

5. Under the Kansas Healing Arts Act, K.S.A. 65-2809(c),

The board, prior to renewal of a license, shall require an active licensee to submit to the board evidence satisfactory to the board that licensee is maintaining a policy of professional liability insurance as required by K.S.A. 40-3402, and amendments thereto, and has paid the premium surcharges as required by K.S.A. 40-3404, and amendments thereto.

6. K.S.A. 40-3402 states:

(a) A policy of professional liability insurance approved by the commissioner and issued by an insurer duly authorized to transact business in this state in which the

limit of the insurer's liability is not less than \$200,000 per claim, subject to not less than a \$600,000 annual aggregate for all claims made during the policy period, shall be maintained in effect by each resident health care provider as a condition of active licensure or other statutory authorization to render professional service as a health care provider in this state, unless such health care provider is a self-insurer. . .

(b) A nonresident health care provider shall not be licensed to actively render professional service as a health care provider in this state unless such health care provider maintains continuous coverage in effect as prescribed by subsection (a), except such coverage may be provided by a non-admitted insurer who has filed the form required by subsection (b)(1). This provision shall not apply to optometrists and pharmacists on or after July 1, 1991 nor to physical therapists on and after July 1, 1995.

(1) Every insurance company authorized to transact business in this state, that is authorized to issue professional liability insurance in any jurisdiction, shall file with the commissioner, as a condition of its continued transaction of business within this state, a form prescribed by the commissioner declaring that its professional liability insurance policies, wherever issued, shall be deemed to provide at least the insurance required by this subsection when the insured is rendering professional services as a nonresident health care provider in this state. Any nonadmitted insurer may file such a form.

(2) Every nonresident health care provider who is required to maintain basic coverage pursuant to this subsection shall pay the surcharge levied by the board of governors pursuant to subsection (a) of K.S.A. 40-3404 and amendments thereto directly to the board of governors and shall furnish to the board of governors the information required in subsection (a)(1). . .

7. K.S.A. 40-3404 states:

(a) Except for any health care provider whose participation in the fund has been terminated pursuant to subsection (i) of K.S.A. 40-3403, and amendments thereto, the board of governors shall levy an annual premium surcharge on each health care provider who has obtained basic coverage and upon each self-insurer for each year.

(b) In the case of a resident health care provider who is not a self-insurer, the premium surcharge shall be collected in addition to the annual premium for the basic coverage by the insurer and shall not be subject to the provisions of K.S.A. 40-252, 40-955 and 40-2801 et seq., and amendments thereto. The amount of the premium surcharge shall be shown separately on the policy or an endorsement thereto and shall be specifically identified as such. Such premium surcharge shall be due and payable by the insurer to the board of governors within 30 days after the annual premium for the basic coverage is received by the insurer. Within 15 days immediately following the effective date of this act, the board of governors shall

send to each insurer information necessary for their compliance with this subsection. The certificate of authority of any insurer who fails to comply with the provisions of this subsection shall be suspended pursuant to K.S.A. 40-222, and amendments thereto, until such insurer shall pay the annual premium surcharge due and payable to the board of governors. In the case of a nonresident health care provider or a self-insurer, the premium surcharge shall be paid upon submitting documentation of compliance with K.S.A. 40-3402, and amendments thereto.

8. Under K.S.A. 65-2836, a license may be revoked, suspended or limited, or the licensee may be publicly censured or placed under probationary conditions, upon a finding of the existence of any of the following grounds:

(z) The licensee has failed to pay the premium surcharges as required by K.S.A. 40-3404.

Conclusions of Law

9. The Board has jurisdiction over Licensee as well as the subject matter of this proceeding, and such proceeding is held in the public interest.

10. The Board finds that Licensee violated K.S.A. 65-2836(z), in that Licensee has failed to pay the premium surcharges as required by K.S.A. 40-3404.

11. Based on the facts and circumstances set forth herein, the use of summary proceedings in this matter is appropriate, in accordance with the provisions set forth in K.S.A. 77-537(a), in that the use of summary proceedings does not violate any provision of law, and the protection of the public interest does not require the Board to give notice and opportunity to participate to persons other than Licensee.

IT IS HEREBY ORDERED that Licensee's license is SUSPENDED until such time as he comes into compliance with KHCSF statutory requirements.

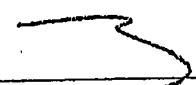
IT IS FURTHER ORDERED that Licensee is hereby PUBLICLY CENSURED, and that Licensee is assessed a CIVIL FINE in the amount of one thousand dollars (\$1,000.00) for violations of the Healing Arts Act, due within thirty (30) days after this Order becomes a Final Order. Such fine shall be paid to the "Kansas State Board of Healing Arts," in full. All monetary payments, which shall be in the form of check or money order, relating to this Summary Order shall be mailed to the Board certified and addressed to:

Compliance Coordinator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level – Suite A
Topeka, Kansas 66612
KSBHA_ComplianceCoordinator@ks.gov

PLEASE TAKE NOTICE that upon becoming effective as a Final Order, this document shall be deemed a public record and be reported to any reporting entities authorized to receive such disclosure.

Dated this 15th day of April 2021.

KANSAS STATE BOARD
OF HEALING ARTS


Tucker L. Paling
Executive Director

FINAL ORDER NOTICE OF RIGHTS

PLEASE TAKE NOTICE that this is a Final Order. A Final Order is effective upon service. A party to an agency proceeding may seek judicial review of a Final Order by filing a petition in the District Court as authorized by K.S.A. 77-601, *et seq.* Reconsideration of a Final Order is not a prerequisite to judicial review. A petition for judicial review is not timely unless filed within 30 days following service of the Final Order. A copy of any petition for judicial review must be served upon Tucker L. Poling, Executive Director, Kansas Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true copy of the foregoing FINAL ORDER was served this 17th day of May 2021 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

CONFIDENTIAL

Licensee

And a copy was hand-delivered to:

Matthew Gaus
Associate Litigation Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Compliance Coordinator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Licensing Administrator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Office of the General Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

And the original was filed with the office of the Executive Director.



1

KSBOHA Online Renewal Application

Date Created:

Monday, June 29, 2020

Name:

Vijil Komandalkal Rahulan

License Information

License Number:

04-37414

License Type:

Medical Doctor (MD)

Status Before Renewal:

Active

Status After Renewal:

Active

Status Change Date:

Date of Birth:

CONFIDENTIAL

Gender:

M

Citizenship Status:

Foreign National

Ethnicity:

Asian/Pacific Islander

Address Information:

Use Primary Business Address for mailing:

Y

Home Address:
Line 1: CONFIDENTIAL
Line 2:
City, State, Zi
Country:
Phone:
Email:
*

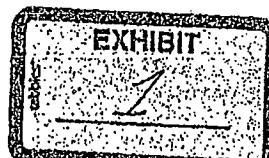
Primary Business Address:
Line 1: CONFIDENTIAL
Line 2:
City, State, Zi
Country:
Phone:
Email:
*

Insurance Information:

Doctors insurance agency Add
Policy Number: CONFIDENTIAL Malpractice Insurance
Insurance Issue Date: 3/4/2020
Insurance Exp Date: 3/4/2021

Exempt - Professional Activities

Professional activity	Description



Applicant Questions

Retirement

Planning to retire within 5 years?
<input type="checkbox"/> N

Dispensing

Dispense Pharmaceuticals
<input type="checkbox"/> N

Malpractice Screening Panel

I am willing to serve on a Screening Panel
<input type="checkbox"/> N

No Practice Address

I certify that I do NOT practice in Kansas
<input type="checkbox"/> N

Expert Witness

I am willing to serve as an expert for the Board
<input type="checkbox"/> N

Supervise Non-Licensed Rad Techs

I supervise non-licensed rad techs	<input type="checkbox"/> I certify that they are trained on the equipment	<input type="checkbox"/> I certify that they have/will obtain continuing ed
<input type="checkbox"/> N	<input type="checkbox"/> N	<input type="checkbox"/> N

Board Certifications

Certifying Board	Other Board
<input type="checkbox"/>	<input type="checkbox"/>

Kansas Hospital Privileges

Hospital/Surgery Center	Other Hospital
<input type="checkbox"/>	<input type="checkbox"/>

DEA Number

DEA Number

Identify all other authorities that have ever licensed you to practice.

Other

Licenses/Permits/Certifications

State or Jurisdiction	Date Issued
CA	
GA	
IL	
IN	
KY	
ME	
MI	
MO	
TN	
ND	
NC	
PA	
SC	
VA	
WA	
WI	
SD	
KY	
TX	

National Provider Identifier

NPI Number	No current NPI
	1710853666

Language

English	Spanish	ASL (American Sign Language)	Other Languages
Y	N	N	

Disaster Relief

please do not include me in the registry	Within My County	Within 75 Miles	Anywhere in Kansas	Outside the State of Kansas
N	N	N	N	N

CE Year
Education Year
2022

Question Responses

Continuing Education

Review the instructions below before making a selection.

If you are changing the status of your license from Inactive or Exempt to Active or Federal Active, select "Yes". You may be contacted to provide proof of CE hours.

If the Education Year listed in the chart above is a future year, you do not have continuing education hours due at this time. Select "NA".

If the Education Year listed in the chart above is the current year or a prior year, you have continuing education hours due and must certify the hours you have obtained.

- If you obtained (or will obtain within 90 days following the expiration of the Kansas state of emergency related to COVID-19) at least 50 continuing education hours with a minimum of 20 category 1 and a maximum of 30 category 2 from 1-1-2019 to 6-30-2020, select "50".
- If you obtained (or will obtain within 90 days following the expiration of the Kansas state of emergency related to COVID-19) at least 100 continuing education hours with a minimum of 40 category 1 and a maximum of 60 category 2 from 1-1-2018 to 6-30-2020, select "100".
- If you obtained (or will obtain within 90 days following the expiration of the Kansas state of emergency related to COVID-19) at least 150 continuing education hours with a minimum of 60 category 1 and a maximum of 90 category 2 from 1-1-2017 to 6-30-2020, select "150".

50

Continuing Education Audit Question

The Board will verify compliance with continuing education requirements in an undetermined percentage of renewal applications. This verification will involve an audit of records maintained by the licensee. You must maintain your continuing education records for a three year period in a manner that allows them to be readily produced. Do you understand the audit process?

Y

Gratuitous Professional Services

Have you entered into an agreement with the Kansas Secretary of Health and Environment to gratuitously provide professional services to medically indigent persons or to conduct a children's immunization program administered by the Kansas Secretary of Health and Environment?

N

Have you gratuitously provided any professional services at a local health department or indigent healthcare clinic to a medically indigent person or a person receiving medical assistance from the programs operated by the department of health and environment?

N

If you answered in the affirmative to either of the preceding questions, how many hours of gratuitous services to medically indigent persons have you provided within the preceding licensure period? If you answered "No" above, enter "NA".

Na

How many hours of continuing education credit (by the performance of two hours of gratuitous professional services to medically indigent persons per hour claimed), up to a maximum of twenty (20) hours of continuing education credit, are you claiming for this licensure period? If you answered "No" above, enter "NA".

Na

KHCSF Compliance

As a condition of providing professional services in Kansas, whether or not physically located in Kansas, each person with an active license must pay the annual surcharge to the Kansas Health Care Stabilization Fund (KHCSF).

Y

Have you paid the annual surcharge to the KHCSF?

KTRACS

Are you enrolled in the Prescription Drug Monitoring Program (K-TRACS)? (see www.kansas.gov/pharmacy)

Y

I know what K-TRACS is.

Y

I am unsure of how to enroll in K-TRACS.

N

K-TRACS is clinically useful for me.

Y

K-TRACS is cumbersome to use.

N

I prescribe/dispense controlled substances.

N

Office Based Surgery

In Kansas, have you since your last renewal, performed procedures in your office that require sedation, including IV sedation of any kind; inhaled agents; parenteral, regional, spinal, epidural or general anesthesia. ("Office" as used here does not include a hospital based practice. Also excluded are minor procedures that can be performed safely and comfortably with any one or combination of the following: a low dose oral sedative that does not affect the patient's level of consciousness; local; topical; or no anesthesia.)

N

Office Based Surgery Practice Location:

If you answered "Yes" to the above question, enter the location here or if you answered "No" above enter "NA".

Na

Accrediting Entity Name:

If you answered "Yes" to the above question, enter the entity name here. If your office is not accredited or if you answered "No" above,

enter "NA". Appropriate names are as follows:

- Accreditation Association for Ambulatory Health Care, Inc.
- American Association for Accreditation of Ambulatory Surgery Facilities, Inc.
- Institute for Medical Quality
- Joint Commission on Accreditation of Healthcare Organizations
- NA

Na

Certification/Accreditation Number:

If you answered "Yes" to the above question, enter the Certification/Accreditation number here. If your office is not accredited or if you answered "No" above, enter "NA".

Na

Attestation Questions

A. In the past 12 months have you been and/or continued to be a defendant or has any judgment, award or settlement been paid on your behalf as a result of a professional liability claim/lawsuit?

N

B. In the past 12 months have you been arrested, charged with or convicted of any felony, misdemeanor or the military equivalent? This includes a diversion or plea to a felony, misdemeanor or the military equivalent.

N

C. In the past 12 months has any disciplinary action been initiated or taken against you by any state or government agency, or have you been denied a license, had any adverse action taken on your license, surrendered or consented to limitation of your license to practice in any state or country?

N

D. In the past 12 months have any privileges related to your profession as a health care provider been suspended, restricted, limited or voluntarily surrendered or has any peer review or professional association initiated or taken any action against you?

CONFIDENTIAL

E. Do you currently have any physical or mental health condition (including alcohol or substance use) that impairs your judgment or would otherwise adversely affect your ability to practice your profession in a competent, ethical, and professional manner?

F. In the past 12 months have you been the subject of any investigation, including in Kansas, regarding allegations, complaints, or charges by any state licensing agency or other government agency?

N

Voluntary Supplemental Public Statement

Pursuant to K.S.A. 65-28, 131, on and after July 1, 2010, the board shall make available on a searchable website which shall be accessible by the public, the following information regarding licensees:

- (1) The licensee's full name, business address, telephone number; license number, type, status and expiration date;
- (2) the licensee's practice specialty, if any, and board certifications, if any;
- (3) any public disciplinary action taken against the licensee by the board or by the licensing agency of any state or other country in which the licensee is currently licensed or has been licensed in the past;
- (4) any involuntary limitation, denial, revocation or suspension of the licensee's staff membership or clinical privileges at any hospital or other health care facility, and the name of the hospital or facility, the date the action was taken, a description of the action, including any terms and conditions of the action and whether the licensee has fulfilled the conditions of the action;
- (5) any involuntary surrender of the licensee's drug enforcement administration registration; and;
- (6) any final criminal conviction or plea arrangement resulting from the commission or alleged commission of a felony in any state or country.

At the time of licensure or renewal, a licensee may add a statement to such licensee's profile as it appears on the website created herein. Such statement may provide further explanation of any disciplinary information contained in your profile.

This statement must be received by the Board within 30 days after your license cancellation date.

N

Do you wish to add a statement to further explain any disciplinary information in your public profile?

Renewer

VIII

Please Enter the Full Name of person completing this renewal.

Attestation

Pursuant to K.S.A. 65-28, 131, information provided herein may be deemed public and posted on our Website. Failure to furnish the Board any information legally requested by the Board may be deemed unprofessional conduct and may be the basis for disciplinary action.

Pursuant to K.S.A. 65-28, 126, Licensees are required to notify the Kansas State Board of Healing Arts in writing within 30 days of any changes in the licensee's mailing and practice addresses. I certify, under penalty of perjury, that by clicking the "Pay Fees" button I am the person named in this request or have been authorized by that person, and the information I have provided is true, correct and complete to the best of my knowledge. I understand that Kansas Statutes allow the State Board of Healing Arts to revoke, suspend or limit a license, or censure the licensee, or impose a fine in an amount up to \$5,000 for any act of fraud or misrepresentation in applying for renewal of a license.

4/13/2021

Health Care Stabilization Fund Data Information

HCP Name	ID No.	Agency	License	Res.	Status	Retro Date	Address	CONFIDENTIAL
RAHULAN VIJIL	MD 103264	110	04-37414	N	A	08/20/2014		

Company	Policy	Rate Level	Fund Type	Effective	Expiration	Surcharge	Document reference numbers
GENERAL STAR INDEMNITY CO	CONFIDENTIAL	2301	I	C 03/30/2018	03/30/2019	\$ 312.00	
HOMELAND INSURANCE COMPANY OF NEW YORK		2203	I L	C 03/01/2016	03/01/2017	\$ 100.00	
HOMELAND INSURANCE COMPANY OF NEW YORK		2203	8	C 03/01/2016	04/30/2016	\$ 100.00	

[Search Again](#) | [Return to HCSF Website](#)

Feedback

Our commitment to excellence involves receiving feedback from you. We would appreciate your feedback in the form of a brief survey describing your overall experience with this service.



EXHIBIT B



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367-4400
FAX (804) 527-4475

June 15, 2021

DUPLICATE COPY
VIA FIRST CLASS MAIL
DATE 6/15/2021

Vijil Komanthakkal Rahulan, M.D.
2885 Sanford Avenue SW
#18083
Grandville, MI 49418

RE: License Number: 0101-251462
Case Number: 212645

Dear Vijil Komanthakkal Rahulan:

Pursuant to Virginia Code § 54.1-2409, you are hereby given notice that your right to renew your license to practice medicine in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered June 15, 2021. You are hereby advised that you may not practice medicine or hold yourself out as a licensed physician unless and until the Board of Medicine has notified you in writing that your license has been reinstated.

You may apply to the Board for reinstatement of your license, and you shall be entitled to a formal administrative hearing not later than the next regular meeting of the Board after the expiration of 60 days from the Board's receipt of your reinstatement application. The reinstatement of your license shall require the affirmative vote of three-fourths of the members of the Board present at the hearing. You may contact Tamika Hines at (804) 367-4513 to obtain the reinstatement application.

If you have any questions about this matter, you can contact me at (804) 367-4474 or anne.joseph@dhp.virginia.gov.

Sincerely,

Anne Joseph, Adjudication Consultant
Administrative Proceedings Division

cc: William L. Harp, M.D., Executive Director, Virginia Board of Medicine
Ralph Orr, Director, Prescription Monitoring Program
Enclosures

Board of Audiology & Speech-Language Pathology – Board of Counseling – Board of Dentistry – Board of Funeral Directors & Embalmers
Board of Long-Term Care Administrators – Board of Medicine – Board of Nursing – Board of Optometry – Board of Pharmacy
Board of Physical Therapy – Board of Psychology – Board of Social Work – Board of Veterinary Medicine
Board of Health Professions

BEFORE THE VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS

IN RE: VIJIL KOMANTHAKKAL RAHULAN, M.D.
License Number: 0101-251462
Case Number: 212645

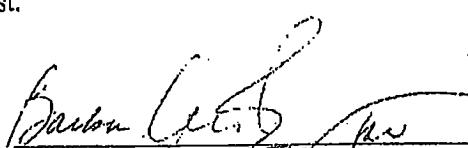
ORDER OF MANDATORY SUSPENSION

In accordance with Virginia Code § 54.1-2409, the Director of the Virginia Department of Health Professions received evidence that the Kansas State Board of Healing Arts suspended the license of Vijil Komanthakkal Rahulan, M.D., to practice medicine and surgery in the State of Kansas. A copy of the Final Order is attached hereto as Commonwealth's Exhibit 1.

WHEREUPON, by the authority vested in the Director of the Department of Health Professions pursuant to Virginia Code § 54.1-2409, it is hereby ORDERED that the license of Vijil Komanthakkal Rahulan, M.D., to practice medicine in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the license of Vijil Komanthakkal Rahulan, M.D., will be recorded as suspended. Should Dr. Rahulan seek reinstatement of his license pursuant to Virginia Code § 54.1-2409, he shall be responsible for any fees that may be required for the reinstatement of the license prior to issuance of the license to resume practice.

Pursuant to Virginia Code § 2.2-4023 and § 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public inspection or copying on request.



David E. Brown, D.C., Director

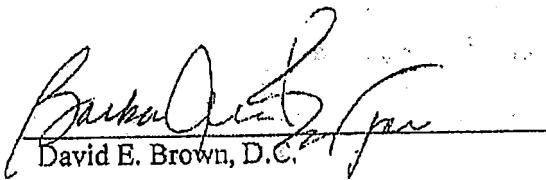
Virginia Department of Health Professions

ENTERED:

6.15.2021

CERTIFICATION OF DUPLICATE RECORDS

As Director of the Department of Health Professions, I hereby certify that the attached Final Order, effective May 17, 2021, regarding Vijil Komanthakkal Rahulan, M.D., is a true copy of the records received from the Kansas State Board of Healing Arts.



David E. Brown, D.C.

6/15/2021

Date

EFFECTIVE AS A FINAL ORDER

RECD

APR 16 2021

KS State Board of Healing Arts

AO

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of

Vijil K. Rahulan, M.D.,
Kansas License No. 04-37414

Docket No. 21-HA-00017

SUMMARY ORDER

NOW ON THIS 15th day of April 2021, this matter comes before Tucker L. Poling, Executive Director, Kansas State Board of Healing Arts ("Board"), in summary proceedings pursuant to K.S.A. 77-537.

Pursuant to K.S.A. 77-537 and K.S.A. 77-542, this Summary Order shall become effective as a Final Order, without further notice, if no written request for a hearing is made within 15 days of service. Upon review of the agency record and being duly advised in the premises, the following findings of fact, conclusions of law, and order are made for and on behalf of the Board:

Findings of Fact

1. Vijil K. Rahulan, M.D. ("Licensee") was first issued License No. 04-37414 to practice medicine and surgery on July 17, 2014. Licensee has held an Active license since that date.

CONFIDENTIAL

2. Licensee's last mailing address known to the Board is:

CONFIDENTIAL

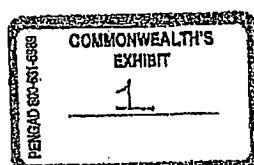
1. Licensee's last email address known to the Board is

CONFIDENTIAL

3. During all times relevant to the facts set forth in this Summary Order, Licensee held an Active license to practice medicine and surgery in Kansas.

Summary Order
Vijil K. Rahulan, M.D.

Page 1 of 7



4. The factual basis for this Order is as follows:

b. On or about June 29, 2020, Licensee renewed his license online as Active. Licensee's renewal application stated that "As a condition of providing professional services in Kansas, whether or not physically located in Kansas, each person with an active license must pay the annual surcharge to the Kansas Health Care Stabilization Fund (KHCSF)." (emphasis in original). Licensee was asked "Have you paid the annual surcharge to the KHCSF?" to which he answered "Yes." (Bd. Ex. 1).

b. After renewing his license, a search of the KHCSF Data Information showed Licensee had not been in compliance with KHCSF statutory requirements during the following periods:

- i. March 2, 2017, through March 29, 2018; and
- ii. March 31, 2019, through present. (Bd. Ex. 2).

c. Despite holding an Active license, and despite his certifications to the contrary, Licensee remains out of compliance with KHCSF statutory requirements.

Applicable Law

5. Under the Kansas Healing Arts Act, K.S.A. 65-2809(c),

The board, prior to renewal of a license, shall require an active licensee to submit to the board evidence satisfactory to the board that licensee is maintaining a policy of professional liability insurance as required by K.S.A. 40-3402, and amendments thereto, and has paid the premium surcharges as required by K.S.A. 40-3404, and amendments thereto.

6. K.S.A. 40-3402 states:

(a) A policy of professional liability insurance approved by the commissioner and issued by an insurer duly authorized to transact business in this state in which the

limit of the insurer's liability is not less than \$200,000 per claim, subject to not less than a \$600,000 annual aggregate for all claims made during the policy period, shall be maintained in effect by each resident health care provider as a condition of active licensure or other statutory authorization to render professional service as a health care provider in this state, unless such health care provider is a self-insurer. . .

(b) A nonresident health care provider shall not be licensed to actively render professional services as a health care provider in this state unless such health care provider maintains continuous coverage in effect as prescribed by subsection (a), except such coverage may be provided by a non-admitted insurer who has filed the form required by subsection (b)(1). This provision shall not apply to optometrists and pharmacists on or after July 1, 1991 nor to physical therapists on and after July 1, 1995.

(1) Every insurance company authorized to transact business in this state, that is authorized to issue professional liability insurance in any jurisdiction, shall file with the commissioner, as a condition of its continued transaction of business within this state, a form prescribed by the commissioner declaring that its professional liability insurance policies, wherever issued, shall be deemed to provide at least the insurance required by this subsection when the insured is rendering professional services as a nonresident health care provider in this state. Any nonadmitted insurer may file such a form.

(2) Every nonresident health care provider who is required to maintain basic coverage pursuant to this subsection shall pay the surcharge levied by the board of governors pursuant to subsection (a) of K.S.A. 40-3404 and amendments thereto directly to the board of governors and shall furnish to the board of governors the information required in subsection (a)(1). . .

7. K.S.A. 40-3404 states:

(a) Except for any health care provider whose participation in the fund has been terminated pursuant to subsection (i) of K.S.A. 40-3403, and amendments thereto, the board of governors shall levy an annual premium surcharge on each health care provider who has obtained basic coverage and upon each self-insurer for each year.

(b) In the case of a resident health care provider who is not a self-insurer, the premium surcharge shall be collected in addition to the annual premium for the basic coverage by the insurer and shall not be subject to the provisions of K.S.A. 40-252, 40-955 and 40-2801 et seq., and amendments thereto. The amount of the premium surcharge shall be shown separately on the policy or an endorsement thereto and shall be specifically identified as such. Such premium surcharge shall be due and payable by the insurer to the board of governors within 30 days after the annual premium for the basic coverage is received by the insurer. Within 15 days immediately following the effective date of this act, the board of governors shall

send to each insurer information necessary for their compliance with this subsection. The certificate of authority of any insurer who fails to comply with the provisions of this subsection shall be suspended pursuant to K.S.A. 40-222, and amendments thereto, until such insurer shall pay the annual premium surcharge due and payable to the board of governors. In the case of a nonresident health care provider or a self-insurer, the premium surcharge shall be paid upon submitting documentation of compliance with K.S.A. 40-3402, and amendments thereto.

8. Under K.S.A. 65-2836, a license may be revoked, suspended or limited, or the licensee may be publicly censured or placed under probationary conditions, upon a finding of the existence of any of the following grounds:

(z) The licensee has failed to pay the premium surcharges as required by K.S.A. 40-3404.

Conclusions of Law

9. The Board has jurisdiction over Licensee as well as the subject matter of this proceeding, and such proceeding is held in the public interest.

10. The Board finds that Licensee violated K.S.A. 65-2836(z), in that Licensee has failed to pay the premium surcharges as required by K.S.A. 40-3404.

11. Based on the facts and circumstances set forth herein, the use of summary proceedings in this matter is appropriate, in accordance with the provisions set forth in K.S.A. 77-537(a), in that the use of summary proceedings does not violate any provision of law, and the protection of the public interest does not require the Board to give notice and opportunity to participate to persons other than Licensee.

IT IS HEREBY ORDERED that Licensee's license is SUSPENDED until such time as he comes into compliance with KHCSF statutory requirements.

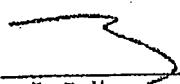
IT IS FURTHER ORDERED that Licensee is hereby PUBLICLY CENSURED, and that Licensee is assessed a CIVIL FINE in the amount of one thousand dollars (\$1,000.00) for violations of the Healing Arts Act, due within thirty (30) days after this Order becomes a Final Order. Such fine shall be paid to the "Kansas State Board of Healing Arts," in full. All monetary payments, which shall be in the form of check or money order, relating to this Summary Order shall be mailed to the Board certified and addressed to:

Compliance Coordinator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level - Suite A
Topeka, Kansas 66612
KSBHA_ComplianceCoordinator@ks.gov

PLEASE TAKE NOTICE that upon becoming effective as a Final Order, this document shall be deemed a public record and be reported to any reporting entities authorized to receive such disclosure.

Dated this 15th day of April, 2021.

KANSAS STATE BOARD
OF HEALING ARTS


Tucker L. Polley
Executive Director

FINAL ORDER NOTICE OF RIGHTS

PLEASE TAKE NOTICE that this is a Final Order. A Final Order is effective upon service. A party to an agency proceeding may seek judicial review of a Final Order by filing a petition in the District Court as authorized by K.S.A. 77-601, *et seq.* Reconsideration of a Final Order is not a prerequisite to judicial review. A petition for judicial review is not timely unless filed within 30 days following service of the Final Order. A copy of any petition for judicial review must be served upon Tucker L. Poling, Executive Director, Kansas Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true copy of the foregoing FINAL ORDER was served this 17th day of May 2021 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

CONFIDENTIAL

Licensee

And a copy was hand-delivered to:

Matthew Gaus
Associate Litigation Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Compliance Coordinator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Licensing Administrator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Office of the General Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

And the original was filed with the office of the Executive Director.



1

FINAL ORDER
Vijil K. Rahulan
KSBHA Docket No. 21-HA00077

EXHIBIT C

BEFORE THE
NORTH CAROLINA MEDICAL BOARD

In re:)
Vijil Komanthakkal Rahulan, M.D.,) CONSENT ORDER
Respondent.)

This matter is before the North Carolina Medical Board ("Board") regarding information provided to the Board concerning Vijil Komanthakkal Rahulan, M.D. ("Dr. Rahulan"). Dr. Rahulan makes the following admissions, and the Board makes the following findings and conclusions:

STATUTORY AUTHORITY

The Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted to it in Article 1 of Chapter 90 of the North Carolina General Statutes and the rules and regulations promulgated thereto.

FINDINGS OF FACT

Dr. Rahulan was first issued a license to practice medicine by the Board on or about November 16, 2012, license number 2012-002216.

At all times relevant hereto, Dr. Rahulan practiced critical care-internal medicine in Michigan.

On April 15, 2021, the Board of Healing Arts of the State of Kansas ("Kansas Board") entered a Summary Order in which Dr. Rahulan was suspended, publicly censured, and assessed a \$1,000.00 civil fine.

The Kansas Board Summary Order was based upon Dr. Rahulan's failure to pay the annual surcharge to the Kansas Health Care Stabilization Fund ("KHCSF") as required by the Kansas Healing Arts Act 40-3404 during the 2017-2018 and 2019-2020 periods, and Dr. Rahulan's improper certification that such surcharges had been paid.

On May 17, 2021, the Summary Order became a Final Order.

Dr. Rahulan's Kansas medical license is currently suspended as he remains out of compliance with the KHCSF statutory requirements.

CONCLUSIONS OF LAW

Dr. Rahulan acknowledges that his conduct, as described above, constitutes Dr. Rahulan's license to practice medicine being restricted or acted against by the licensing authority of any jurisdiction within the meaning of N.C. Gen. Stat. § 90-14(a)(13) which is grounds under that section of the North Carolina General Statutes for the Board to annul, suspend, revoke, condition, or limit Dr. Rahulan's license to practice medicine or to deny any application he may make in the future.

PROCEDURAL STIPULATIONS

Dr. Rahulan acknowledges and agrees that the Board has jurisdiction over him and over the subject matter of this case.

Dr. Rahulan knowingly waives his right to any hearing and to any judicial review or appeal in this case.

Dr. Rahulan acknowledges that he has read and understands this Consent Order and enters into it voluntarily.

Dr. Rahulan desires to resolve this matter without the need for more formal proceedings.

The Board has determined that it is in the public interest to resolve this case as set forth below.

ORDER

NOW, THEREFORE, with Dr. Rahulan's consent, it is ORDERED that:

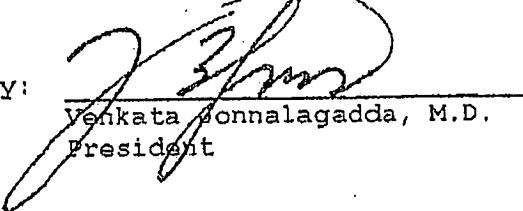
1. Dr. Rahulan is hereby REPRIMANDED.
2. This Consent Order shall take effect immediately upon its execution by both Dr. Rahulan and the Board, and it shall continue in effect until specifically ordered otherwise by the Board.
3. Dr. Rahulan hereby waives any requirement under any law or rule that this Consent Order be served on him.
4. Upon execution by Dr. Rahulan and the Board, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be

subject to public inspection and dissemination pursuant to the provisions thereof. Additionally, it will be reported to persons, entities, agencies, and clearinghouses as required and permitted by law including, but not limited to, the Federation of State Medical Boards and the National Practitioner Data Bank.

By Order of the North Carolina Medical Board this the 29th day of October, 2021.

NORTH CAROLINA MEDICAL BOARD

By:


Venkata Bonnalagadda, M.D.
President

Consented to this the 29th day of October, 2021.



Vijil Komanthakkal Rahulan, M.D.

State of TELANGANA

County of INDIA

I, J.CHIRANJEEVI BABU, do hereby certify that
Vijil Komanthakkal Rahulan, M.D. personally appeared before me
this day and acknowledged the due execution of the foregoing
instrument.

Witness my hand and official seal this the 29th day of
October, 2021.

ATTESTED//

Notary Public

B.Com, LL.B

ADVOCATE & NOTARY
127/128/C Sri Krishna Nagar,
Near Sri Kiran Public School
Oosuguda Hyderabad-500 045
Mobile 9848476177

My Commission Expires: 19-12-2021

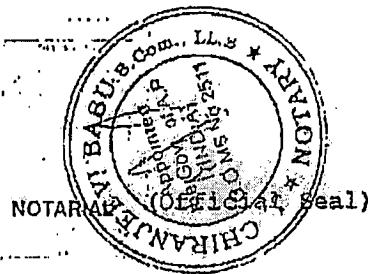


EXHIBIT D

BEFORE THE
BOARD OF REGISTRATION FOR THE HEALING ARTS
STATE OF MISSOURI

MISSOURI STATE BOARD OF REGISTRATION FOR THE HEALING ARTS)	
)	
Petitioner,)	
)	
V.)	Case Numbers: 2021-003272
)	2021-003468
VIJIL K. RAHULAN, MD,)	2021-005140
)	
Respondent.)	

FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER OF REVOCATION IN DEFAULT

The Missouri State Board of Registration for the Healing Arts ("the Board"), in accordance with law and pursuant to proper notice, took up this matter against Vijil K. Rahulan, M.D., ("Respondent") during its meeting on October 27, 2022, via WebEx videoconference, for the purpose of determining whether Respondent's physician and surgeon's license is subject to discipline pursuant to section 334.102.7(1)(b),¹ RSMo.

In reaching the decision stated in this Order, each member of the Board present at the hearing read and considered the Complaint filed on October 7, 2022. The Complaint alleged Respondent's license is subject to discipline due to final disciplinary actions taken by several state licensing authorities. In addition, Respondent demonstrated a pattern of noncompliance with state regulations governing his practice, which is an aggravating factor.

The Board was represented by Adam Grayson, Contract Counsel. Thomas Townsend, Legal Counsel for the Division of Professional Registration, served as the Board's legal advisor in this proceeding. Respondent was not present at the hearing, nor

¹ All references to Missouri statute are to the Revised Statutes of Missouri (RSMo) (Cum. Supp. 2020), unless otherwise stated.

was Respondent represented by legal counsel at the hearing. Respondent did not respond to the Complaint or the Notice of Hearing the Board mailed on October 12, 2022. All members of the Board were present and participated in the hearing except Jeffrey D. Carter, M.D., Katherine J. Mathews, M.D., and David E. Tannehill, D.O.

During the hearing, the Board admitted into the record the Complaint and took official notice of the statutes and regulations referenced therein. Subsequently, the following exhibits were offered by Petitioner and admitted into evidence: Exhibit 1, Notice of Intent to Use Business Records with twenty (22) pages of Business Records attached, including Notice of Hearing and Complaint that were mailed to Respondent on October 12, 2022, the Kansas Order, Virginia Order and North Carolina Order ; and Exhibit 2, an Affidavit from Kayci Hollingsworth establishing the licensure status of Respondent, including the address last given to the Board.

Being fully advised, the Board now enters its findings of fact, conclusions of law and disciplinary order as set forth below.

Findings of Fact

1. The Board is an agency of the state of Missouri, created and established pursuant to section 334.120, RSMo, for the purpose of executing and enforcing the provisions of Chapter 334, RSMo.
2. Respondent is licensed by the Board as a physician and surgeon, license number 2011032233, which was first issued on September 22, 2011. Respondent's license is current, and was current and active at all times relevant herein. Ex. 2.
3. Respondent's last address on file with the Board is 2885 Sanford Ave SW, Grandville, Michigan, 49418.
4. Respondent had a history of non-compliance with the statutes and regulations governing his practice.

5. On March 16, 2016, the Michigan Board of Medicine ("Michigan Board") reprimanded Respondent for violating the Michigan practice act,² based on a finding that Respondent prescribed through telehealth medication and treatment to five (5) Michigan patients without obtaining their histories, performing physical exam, reviewing prior medical records, ordering laboratory or diagnostic tests, issuing diagnoses or treatment plans, or properly following up with the patients.
6. On or about January 17, 2018, the Wisconsin Medical Examining Board reprimanded Respondent based on the action taken by the Michigan Board and for his failure to report the disciplinary actions taken by eight states—Maryland, California, Kentucky, North Carolina, Pennsylvania, Maine, Tennessee and Missouri.
7. On April 15, 2021, the Board of Healing Arts of the State of Kansas ("Kansas Board") suspended Respondent's license until he complies with statutory requirements of Kansas Health Care Stabilization Fund ("Kansas Order"). Ex. 1
8. The Kansas Order was based on Respondent's failure to pay the annual surcharge to the Kansas Health Care Stabilization Fund as required by the Kansas Healing Arts Act 40-3404 during the 2017-2018 and 2019-2020 periods, and Respondent's false certification that such surcharges had been paid.
9. On May 17, 2021, the Kansas Order became a final order.
10. The Kansas Order constitutes final disciplinary action taken against Respondent by any other state licensing authority.
11. On June 15, 2021, the Virginia Department of Health Professions (hereinafter "Virginia Board") entered an Order of Mandatory Suspension (hereinafter "Virginia Order"), in which Respondent's license to practice medicine in Virginia was suspended. Ex. 1.
12. The Virginia Order was based on the disciplinary action taken by the Kansas Board.

² Mich. Comp. Laws Section 333.16221(a).

13. The Virginia Order constitutes final disciplinary action taken against Respondent by another state licensing authority.
14. On or about October 29, 2021, Respondent voluntarily entered a Consent Order (hereinafter "North Carolina Order") with the North Carolina Medical Board (hereinafter "North Carolina Board") wherein Respondent's license to practice medicine in North Carolina was reprimanded. Ex. 1.
15. The North Carolina Order was based on the disciplinary action taken by the Kansas Board.
16. The North Carolina Order constitutes final disciplinary action taken against Respondent by another state licensing authority.
17. On April 22, 2022, Respondent met with the Board via WebEx to discuss a complaint alleging Respondent used telehealth to prescribe multiple Missouri residents with expensive topical creams and foot baths without conducting sufficient physical examination.
18. During the meeting, Respondent revealed more information indicating he continued the pattern of non-compliance with state regulations governing his practice. Specifically,
 - a. He did not maintain any records on the patients he prescribed medication through telehealth, in violation of section 334.097.1, RSMo;
 - b. He did not obtain a reliable medical history or perform a physical examination of the patients prior to prescribing them medication or treatment, in violation of section 334.108, RSMo;
 - c. He claimed the patients were examined by a nurse practitioner who was collaborating with him but he never practiced with the nurse practitioner at a location where he was continuously present for at least one (1) month, violating section 334.104.9, RSMo;
 - d. He relocated out of state without timely updating his address with the Board, in violation of section 334.100.2(4)(q) and rule 20 CSR 2150-2.045;
 - e. He purposefully refused to cooperate with the Board investigation by repeatedly ignoring the Board's correspondence and requests for information (despite confirming they were sent to the correct address), which constitutes violation of section 334.100.2(4)(m).
19. The Board finds a Complaint was filed in this matter on October 7, 2022, and mailed to Respondent's last address on file with the Board on October 12, 2022, along with a Notice of Hearing for the October 27, 2022 hearing, as required by section 536.067, RSMo.

20. The Board finds the Notice of Intent to Use Business Records was filed and mailed to Respondent on October 17, 2022, along with twenty-two (22) pages of business records maintained by the Board, pursuant to section 536.070(10), RSMo, Ex. 1.
21. The Board finds the Notice of Intent to Use Affidavit was filed and mailed to Respondent on October 17, 2022, along with the Affidavit of Kayci Hollingsworth, pursuant to section 536.070(12), RSMo, Ex. 2.
22. The Board finds Respondent has submitted no response and has stated no defense to the allegations stated in the Complaint pending before the Board. The Board finds no evidence has been offered constituting good cause for Respondent's failure to respond.
23. The Board finds the discipline imposed is necessary to protect the public.

Conclusions of Law

24. The Board has jurisdiction to conduct a disciplinary hearing against Respondent pursuant to section 334.102.7(1)(b), RSMo, which states:

334.102.7(1) The board may initiate a hearing before the board for discipline of any licensee's license or certificate upon receipt of one of the following:

(a) Evidence of final disciplinary action against the licensee's license, certification or registration issued by any other state, by any other agency or entity of this state or any other state or the United States or its territories, or any other country;

(2) The board shall provide the licensee not less than ten days notice of any hearing held pursuant to chapter 536.

(3) Upon a finding that cause exists to discipline a licensee's license the board may impose any discipline otherwise available when disciplining licensees of that same profession

25. Based on the Kansas Order, Virginia Order and North Carolina Order, the Board has cause to discipline Respondent's physician and surgeon's license, pursuant to section 334.102.7, RSMo.
26. Respondent's failure to plead or otherwise defend against the Complaint filed in this matter requires the Board to issue a default order without further proceedings, pursuant to sections 324.045 and 536.067, RSMo:

324.045.1 Notwithstanding any provision of chapter 536, in any proceeding initiated by the division of professional registration or any board, committee, commission, or office within the division of professional registration to determine the appropriate level of discipline or additional discipline, if any, against a licensee of the board, committee, commission, or office within the division, if the licensee against whom the proceeding has been initiated upon a properly pled writing filed to initiate the contested case and upon proper notice fails to plead or otherwise defend against the proceeding, the board, commission, committee, or office within the division shall enter a default decision against the licensee without further proceedings. The terms of the default decision shall not exceed the terms of discipline authorized by law for the division, board, commission, or committee. The division, office, board, commission, or committee shall provide the licensee notice of the default decision in writing.

536.067. (5) When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under this section upon a properly pled writing filed to initiate the contested case under this chapter, a default decision shall be entered against the holder of a license, registration, permit, or certificate of authority without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office. In the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process.

27. The Board finds a default decision pursuant to sections 324.045 and 536.067, is required in this matter because a contested case was correctly commenced, pursuant to section 536.063, with the filing of the Complaint, a properly pleaded writing before the Board; notices were provided to Respondent pursuant to sections 536.067 and 536.070, RSMo;

and Respondent failed to plead or otherwise respond to the allegations set forth in the Complaint.

28. The Board finds Respondent is in default and no good cause exists why the Board should not proceed to issue an Order.
29. Section 334.102.7(3), RSMo, provides that "Upon a finding that cause exists to discipline a licensee's license the board may impose any discipline otherwise available when disciplining licensees of that same profession."

Order of Revocation

30. Upon the foregoing findings of fact and conclusions of law, it is the ORDER of the Missouri State Board of Registration for the Healing Arts that the physician and surgeon's license issued to Respondent, Vijil K. Rahulan, MD, number 2011032233, is hereby REVOKED.
31. Respondent shall immediately cease practicing in the state of Missouri; and within fifteen (15) days of the effective date of this Order, he shall return his pocket card and license to the Board.
32. If Respondent is licensed in other jurisdictions, he shall forward written notice of this disciplinary action to the licensing authorities of those jurisdictions within thirty (30) days of the effective date of this Order. Respondent shall submit a copy of the written notice to the Board contemporaneously with sending it to the relevant licensing authority. If Respondent is not licensed in other jurisdictions, he shall notify the Board of that fact, in writing, within thirty (30) days of the date of this Order.
33. Respondent shall, within thirty (30) days of the effective date of this Order, forward written notice of this disciplinary action to all employers, hospitals, nursing homes, out-patient centers, clinics and any other facility where Respondent practices or has privileges. Respondent shall, contemporaneously with the giving of such notice, submit a copy of the notice to the Board for verification by the Board or its designated representative. If Respondent does not have an employer, staff privileges or practice at any facility, he shall

notify the Board of that fact, in writing, within thirty (30) days of the date of this Order.

34. Respondent shall, within thirty (30) days of the effective date of this Order, forward written notice of this disciplinary action to any allied health care professionals that Respondent supervises. Respondent shall, contemporaneously with the giving of such notice, submit a copy of the notice to the Board for verification by the Board or its designated representative. If Respondent does not supervise any allied health professionals, he shall notify the Board of that fact, in writing, within thirty (30) days of the date of this Order.

35. For purposes of this Order and unless otherwise specified herein, all reports, documentation, evaluations, notices or other materials that Respondent is required to submit to the Board shall be forwarded to the Missouri State Board of Registration for the Healing Arts, Attention: Enforcement, P.O. Box 4, Jefferson City, Missouri 65102.

36. Respondent is advised that his compliance with the terms of this Order and the discharge of his professional obligation to transfer his patients' care and records to other providers will be assessed by the Board in the event he submits an application for reinstatement.

37. This document shall be maintained by the Board as an open and public record as provided in Chapters 324, 334 and 610, RSMo, and the Board will report this action to the National Practitioner Data Bank and the Federation of State Medical Boards.

SO ORDERED, EFFECTIVE THIS 22nd DAY OF December, 2022.


James Leggett, Executive Director
Missouri State Board of Registration for the Healing Arts

EXHIBITE E

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 2097

FILED OF RECORD

AUG 18 2023

K.B.M.L.

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY VIJIL K. RAHULAN, M.D., LICENSE NO. 46287, 2885
SANFORD AVENUE, SW 18083, GRANDVILLE, MICHIGAN 49418

ORDER OF REVOCATION

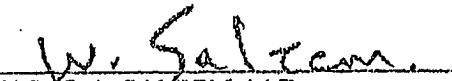
On August 17, 2023, the Kentucky Board of Medical Licensure ("the Board"), acting by and through its Hearing Panel A, took up this case for final action. The members of Panel A reviewed the Complaint filed of record March 16, 2023; the Hearing Officer's Recommended Order Granting Motion for Default Ruling, dated May 31, 2023; and a memorandum from the Board's counsel, dated June 26, 2023.

Having considered all the information available and being sufficiently advised, Hearing Panel A accepts the hearing officer's recommended order and adopts the findings set forth therein and incorporated them by reference into this Order; Hearing Panel A further accepts and adopts the hearing officer's Recommended Order. (Attachment) Having considered all of the sanctions available under KRS 311.595 and the nature of the violations in this case, Hearing Panel A has determined that revocation is the appropriate sanction. Accordingly, Hearing Panel A ORDERS:

1. The license to practice medicine held by Vijil K. Rahulan, M.D., is hereby REVOKED and he may not perform any act which constitutes the "practice of medicine," as that term is defined by KRS 311.550(10) - the diagnosis, treatment, or correction of any and all human conditions, ailments, diseases, injuries, or infirmities by any and all means, methods, devices, or instrumentalities - in the Commonwealth of Kentucky;
2. The provisions of KRS 311.607 SHALL apply to any petition for reinstatement filed by the licensee. The Board shall not consider a petition for reinstatement of license pursuant to KRS 311.607 unless and until:
 - a. At least two (2) years have passed from the date of filing of this Order of Revocation;
 - b. The licensee has regained full unrestricted licenses to practice medicine in Missouri, Kansas, and Virginia;

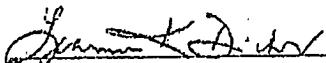
- c. The licensee has completed a Board-approved clinical skills assessment(s) and/or evaluation(s), at his expense; and
- d. Pursuant to KRS 311.565(1)(v), the licensee has fully reimbursed the Board the costs of the proceedings in the amount of \$312.50.

SO ORDERED this 18th day of August, 2023.


WAQAR A. SALEEM, M.D.
CHAIR, HEARING PANEL A

CERTIFICATE OF SERVICE

I certify that the original of the foregoing Order of Revocation was delivered to Mr. Michael S. Rodman, Executive Director, Kentucky Board of Medical Licensure, 310 Whittington Parkway, Suite 1B, Louisville, Kentucky 40222; a copy was mailed, first-class postage prepaid, to Thomas J. Hellmann, Esq., Hearing Officer, 810 Hickman Hill Road, Frankfort, Kentucky 40601; and via certified mail return-receipt requested to the licensee, Vijil K. Rahulan, M.D., License No. 46287, 2885 Sanford Avenue SW #18083, Grandville, MI, 49418, on this 18th day of August, 2023.


Leanne K. Diakov
General Counsel
Kentucky Board of Medical Licensure
310 Whittington Parkway, Suite 1B
Louisville, Kentucky 40222
Tel. (502) 429-7150

EFFECTIVE DATE AND APPEAL RIGHTS

Pursuant to KRS 311.593(1) and 13B.120, the effective date of this Order will be thirty (30) days after this Order of Revocation is received by the licensee.

The licensee may appeal from this Order, pursuant to KRS 311.593 and 13B.140-.150, by filing a Petition for Judicial Review in Jefferson Circuit Court within thirty (30) days after this Order is mailed or delivered by personal service. Copies of the petition shall be served by the licensee upon the Board and its counsel. The Petition shall include the names and addresses of all parties to the proceeding and the agency involved, and a statement of the grounds on which the review is requested, along with a copy of this Order.

FILED OF RECORD

JUN 18 2023

K.B.M.L.

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 2097

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY VIJIL K. RAHULAN, M.D., LICENSE NO. 46287,
2885 SANFORD AVENUE, SW 18083, GRANDVILLE, MICHIGAN 49418

RECOMMENDED ORDER GRANTING
MOTION FOR DEFAULT RULING

This action is before the hearing officer on the *Motion for Default Ruling* filed by the Kentucky Board of Medical Licensure. The licensee, Dr. Vijil K. Rahulan, has not filed a response. After reviewing the Board's motion, the hearing officer finds it has substantial merit and that Dr. Rahulan is in default. Therefore, the hearing officer recommends the Board issue a Final Order finding Dr. Rahulan guilty of the allegations set forth in the *Complaint* and take any appropriate action against his license for violating the Board's statutes governing the practice of medicine. In support of his recommendation the hearing officer states the following:

On March 16, 2023, the Board issued the *Complaint* alleging Dr. Rahulan violated KRS 311.595(12) and (17). *Complaint*, page 4. Under KRS 311.595(12), a physician is subject to discipline for violating "any provision or term of any medical practice act." Under KRS 311.595(17), a physician is subject to discipline if he "had his license to practice medicine or osteopathy in any other state, territory, or foreign nation revoked, suspended, restricted, or limited or has been subjected to other disciplinary action by the licensing authority thereof."

As factual support for Dr. Rahulan's violations of KRS 311.595(12) and (17), the Board alleges that Dr. Rahulan had been placed on probation for five years by the Board

in 2016. The basis for that sanction was his failure to notifying the Board on his 2016 application to renew his medical license of a pending action by the Michigan Board of Medicine against his license and his later failure to timely notify the Board when that Michigan action was resolved. *Complaint*, pages 1-2.

As further support for the violations of KRS 311.595(12) and (17), the Board alleges that the Missouri State Board of Registration for the Healing Arts (hereinafter "the Missouri Board") revoked Dr. Rahulan's license to practice medicine. *Id.*, page 2. In support of its order the Missouri Board found that Dr. Rahulan "had a history of non-compliance with the statutes and regulations governing his practice." *Id.* The Missouri Board also found that the Wisconsin Medical Examining Board had reprimanded Dr. Rahulan's license in response to the Michigan Board's decision to sanction of his license for failing to report disciplinary actions against him in eight other states. *Id.* As further support for its order of revocation, the Missouri Board cited three separate "final disciplinary actions" that had been issued against his by the medical licensing authorities in Kansas, Virginia, and North Carolina. *Id.*, pages 2-3. Finally, the Missouri Board found that Dr. Rahulan "continued a pattern of non-compliance with [Missouri] regulations governing his practice," and that he "has submitted no response and has stated no defense to the allegations stated in the Complaint pending before the [Missouri] Board." *Id.*, pages 3-4.

In accordance with KRS 311.591(4) the Board mailed the *Complaint* to Dr. Rahulan by certified mail, return receipt requested, at his last known address of record with the Board. *Motion for Default Ruling*, page 1. Dr. Rahulan was directed to file a response to the *Complaint* within thirty days of service. *Complaint*, numbered

paragraph 10, pages 4-5. Attached to the Board's motion are documents confirming that on March 20, 2023, Dr. Rahulan was served with a copy of the *Complaint* at his address of record with the Board. *Motion for Default Ruling*, Attachment 2.

When Dr. Rahulan failed to file a response to the *Complaint* by April 19, 2023, as required by the provisions of KRS 311.591(4), the Board filed on April 26, 2023, the *Motion for Default Ruling*. Thereafter, the hearing officer issued an order directing Dr. Rahulan to file within ten days a response to the Board's motion and a response to the *Complaint*. *Order Requiring Filing of Responses*. Dr. Rahulan did not file anything in response to that order.

Due to Dr. Rahulan's failure to respond to the *Complaint* or to the hearing officer's order, Dr. Rahulan is in default, and under the provisions of KRS 311.591(4), the Board may take his failure to respond to the allegations against him "as an admission of the charges." Based upon the factual allegations set forth in the *Complaint* and Dr. Rahulan's implied admission to the allegations against him, he is in violation of KRS 311.595(12) and (17).

Due to the hearing officer's issuance of a recommended order in this action, the administrative hearing scheduled for July 12, 2023, is canceled.

RECOMMENDED ORDER

Since Dr. Vijil K. Rahulan is in default, the hearing officer recommends the Board issue a Final Order finding the factual allegations in the *Complaint* to be true and that Dr. Rahulan has violated KRS 311.595(12) and (17). The hearing officer further recommends the Board take any appropriate action against Dr. Rahulan's license for his violation of those statutes.

NOTICE OF EXCEPTION AND APPEAL RIGHTS

Pursuant to KRS 13B.110(4) a party has the right to file exceptions to this recommended decision:

A copy of the hearing officer's recommended order shall also be sent to each party in the hearing and each party shall have fifteen (15) days from the date the recommended order is mailed within which to file exceptions to the recommendations with the agency head.

A party also has a right to appeal the Final Order of the agency pursuant to KRS 13B.140(1) which states:

All final orders of an agency shall be subject to judicial review in accordance with the provisions of this chapter. A party shall institute an appeal by filing a petition in the Circuit Court of venue, as provided in the agency's enabling statutes, within thirty (30) days after the final order of the agency is mailed or delivered by personal service. If venue for appeal is not stated in the enabling statutes, a party may appeal to Franklin Circuit Court or the Circuit Court of the county in which the appealing party resides or operates a place of business. Copies of the petition shall be served by the petitioner upon the agency and all parties of record. The petition shall include the names and addresses of all parties to the proceeding and the agency involved, and a statement of the grounds on which the review is requested. The petition shall be accompanied by a copy of the final order.

Pursuant to KRS 23A.010(4), "Such review [by the circuit court] shall not constitute an appeal but an original action." Some courts have interpreted this language to mean that summons must be served upon filing an appeal in circuit court.

SO RECOMMENDED this 31st day of May, 2023.

THOMAS J. HELLMANN
HEARING OFFICER
810 HICKMAN HILL RD
FRANKFORT KY 40601
(502) 330-7338
thellmann@mac.com

CERTIFICATE OF SERVICE

3/24 I hereby certify that the original of this RECOMMENDATION was mailed this day of May, 2023, by first-class mail, postage prepaid, to:

JILL LUN
KY BOARD OF MEDICAL LICENSURE
HURSTBOURNE OFFICE PARK STE 1B
310 WHITTINGTON PKWY
LOUISVILLE KY 40222

for filing; and a true copy was sent by first-class mail, postage prepaid, to:

VIJIL K RAHULAN MD
2885 SANFORD AVE SW #18083
GRANDVILLE MI 49418

LEANNE K DIAKOV
GENERAL COUNSEL
KY BOARD OF MEDICAL LICENSURE
HURSTBOURNE OFFICE PARK STE 1B
310 WHITTINGTON PKWY
LOUISVILLE KY 40222

THOMAS J. HELLMANN

2097FC

EXHIBIT F

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE

Commonwealth of Pennsylvania :
Bureau of Professional and :
Occupational Affairs :
: Case No. 23-49-004004
: v.
: :
Vijil K. Rahulan, M.D., :
Respondent :
:

FINAL ORDER MAKING HEARING EXAMINER'S
ADJUDICATION AND ORDER FINAL

AND NOW, this 22nd day of August 2023, noting that neither party filed an *Application for Review* and that the State Board of Medicine ("Board") did not issue a *Notice of Intent to Review*, in accordance with 1 Pa. Code § 35.226(a)(3) and 49 Pa. Code § 16.57, the hearing examiner's *Adjudication and Order* filed on July 26, 2023 and appended to this Order as Attachment A, is now the FINAL ORDER¹ of the Board in this proceeding. The license to practice as a medical physician and surgeon in the Commonwealth of Pennsylvania issued to Vijil K. Rahulan, M.D., license number MD444506, is hereby REVOKED and a CIVIL PENALTY of ONE THOUSAND DOLLARS (\$1,000) is assessed against Respondent.

This Order is retroactive to August 15, 2023, twenty days from the date of mailing of the Hearing Examiner's *Adjudication and Order*. The Civil Penalty shall be paid on or before September 22, 2023, thirty days from the date of this Order.

BY ORDER:

¹ It is noted that Finding of Fact #3 on the attached *Adjudication and Order* should also cite paragraph #4 of the OTSC and Finding of Fact #9 should Cite paragraph 13 of the OTSC, not paragraph 16.

BUREAU OF PROFESSIONAL AND
OCCUPATIONAL AFFAIRS

Arion R. Claggett

ARION R. CLAGGETT
ACTING COMMISSIONER

STATE BOARD OF MEDICINE

Mark B. Woodland

MARK B. WOODLAND, M.D., M.S.
CHAIRPERSON

Respondent:
9489009000276566496017

Vijil K. Rahulan, M.D.
2885 Sanford Avenue, SW
Suite 18083
Grandville, MI 49418
vkrahulan@gmail.com

For the Commonwealth:

Keith E. Bashore, Esquire

Board Counsel:

Dana M. Wucinski, Esquire

Date of Mailing:

August 23, 2023

Attachment A

RECEIVED

JUL 26 2023

Department of State
Prothonotary

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE

Commonwealth of Pennsylvania, :
Bureau of Professional and :
Occupational Affairs :
: Case No. 23-49-004004
v. :
:
Vijil K. Rahulan, M.D., :
Respondent :
:

ADJUDICATION AND ORDER

Carmen L. Rivera
Hearing Examiner

COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL
DEPARTMENT OF STATE
OFFICE OF HEARING EXAMINERS
P.O. Box 2649
Harrisburg, PA 17105-2649
(717) 772-2686

HISTORY

This matter comes before a hearing examiner for the State Board of Medicine ("Board") on the Commonwealth's filing of a three-count *Order to Show Cause* ("OTSC") on March 17, 2023, against Vijil K. Rahulan, M.D. ("Respondent"). The Commonwealth charged that Respondent is subject to disciplinary action under sections 41(4), (6) and (11) of the Medical Practice Act of 1985,¹ ("Act") 63 P.S. §§ 422.41(4), because Respondent had a license or other authorization to practice the profession revoked by the proper licensing authority of another state; in that Respondent violated a lawful order of the Board previously entered by the Board in a disciplinary proceeding; and based on Respondent's false or deceptive biennial registration with the Board at Counts One, Two and Three of the OTSC, respectively.

On March 17, 2023, the Commonwealth mailed the OTSC to Respondent by certified mail, return receipt requested, and by first-class mail, postage prepaid, at his last known address on file with the Board: 2885 Sanford Ave, SW, Suite 18083, Grandville, MI 49418. The OTSC that was mailed to Respondent by certified mail, electronic return receipt requested, was delivered on March 20, 2023, and signed for by Respondent or Respondent's agent, as evidenced by the United States Postal Service return receipt for Certified Mail™ item number 9171 9690 0935 0292 0100 29. Hence, the Commonwealth accomplished service of its OTSC in accordance with the requirements of the General Rules of Administrative Practice and Procedure ("GRAPP"), 1 Pa. Code § 31.1 *et seq.*, at 1 Pa. Code § 33.31.²

¹ Act of December 20, 1985, P.L. 457, No. 112, as amended, 63 P.S. §§ 422.1-422.51a.

² Section 33.31. Service by the agency.

Orders, notices and other documents originating with an agency, including forms of agency action, complaints and similar process and other documents designated by the agency for this purpose, shall be served by the office of the agency by mail, except when service by another method shall be

The OTSC directed Respondent to file a written answer within thirty (30) days of the date on the OTSC, and specifically advised Respondent that the factual allegations of the OTSC may be deemed admitted if Respondent failed to file an answer within the time period allowed. Respondent was also advised that if he failed to file an answer, the Board may revoke, suspend, or impose other restrictions against his license; and the Board may also impose a civil penalty of up to \$10,000.00 for each violation of the Act. Respondent did not file an answer to the OTSC.

On April 25, 2023, the Commonwealth filed a *Motion to Deem Facts Admitted and Enter Default* ("MDFA"). The MDFA was mailed to Respondent on April 26, 2023, by first-class mail, postage prepaid, at 2885 Sanford Ave. SW, Suite 18083, Grandville, MI 49418. This is the same address where the OTSC had been served. Respondent did not file a response to the MDFA.

On May 24, 2023, an *Order Granting Commonwealth's Motion to Deem Facts Admitted and Enter Default* ("MDFA Order") was issued on grounds that Respondent received the OTSC but failed to file an answer as required. The MDFA Order was mailed to Respondent on May 24, 2023, by first-class mail, postage prepaid, at 2885 Sanford Ave. SW, Suite 18083, Grandville, MI 49418. This is the same address where the OTSC and MDFA were served. The MDFA Order was not returned to the Department of State Prothonotary and, therefore, it is presumed to have been delivered to Respondent.

Pursuant to section 35.37 of GRAPP, 1 Pa. Code § 35.37,³ the MDFA Order advised

specifically required by the agency, by mailing a copy thereof to the person to be served, addressed to the person designated in the initial pleading or submittal at his principal office or place of business. If service is not accomplished by mail, it may be effected by anyone authorized by the agency in the manner provided in 231 Pa. Code Rules 400—441 (relating to service of original process).

¹ Pa. Code § 33.31.

³ § 35.37. Answers to orders to show cause.

Respondent that he was in default of filing an answer and that the factual allegations in the OTSC were deemed admitted. The *MDFA Order* also advised Respondent that an Adjudication and Order would be issued in due course. To date, Respondent has not responded to either the OTSC or the *MDFA*.

This matter is now ripe for disposition.

A person upon whom an order to show cause has been served...shall, if directed so to do, respond to the same by filing within the time specified in the order an answer in writing....A respondent failing to file an answer within the time allowed shall be deemed in default, and relevant facts stated in the order to show cause may be deemed admitted.

1 Pa. Code § 35.37.

FINDINGS OF FACT

1. Respondent holds a license to practice as a medical physician and surgeon in the Commonwealth of Pennsylvania, license number MD444506. (Official Notice of Board records⁴; OTSC ¶ 1)

2. Respondent's license was originally issued on November 8, 2011, is current through December 31, 2024, and has been on probation since February 7, 2017. (Board records; OTSC ¶¶ 2-4; OTSC at Exhibit A)

3. On February 7, 2017, the Board approved a Consent Agreement and issued a Final Order in the matter of *Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs v. Vijil K. Rahulan, M.D.*, Case No. 16-49-06298, approving and adopting terms and conditions, including that "Respondent shall abide by and obey all laws of the United States, the Commonwealth of Pennsylvania and its political subdivisions and all rules and regulations and laws pertaining to the practice as a medical physician and surgeon in this Commonwealth or any other state of jurisdiction in which Respondent holds an authorization to practice the profession."⁵ (OTSC ¶¶ 14, 19; OTSC at Exhibit A)

4. At all times pertinent to the factual allegations in the Commonwealth's OTSC, Respondent held a license to practice as a medical physician and surgeon in the Commonwealth of Pennsylvania. (Board records; OTSC ¶ 6)

⁴ Official notice of the Board's records may be taken pursuant to the General Rules of Administrative Practice and Procedure (GRAPP), 17 Pa. Code § 31.1 *et seq.*, at § 35.173, which permits the presiding officer to take official notice of the Board's own records. See *Cleaton v. State Bd. of Medicine*, 900 A.2d 430, 440 (Pa. Cmwlth. 2006), *appeal denied*, 917 A.2d 316 (Pa. 2007). All citations to "Board records" are based on this taking of official notice.

⁵ The Pennsylvania Board's decision to impose a \$6,000 civil penalty and place Respondent's license on probation for five years was based on the fact that the Kentucky Board of Medical Licensure had issued Respondent a reprimand and \$6,000 civil penalty, and placed his license to practice medicine in Kentucky on probation for a minimum period of five years, subject to specific terms and conditions, based on its findings that Respondent had been disciplined by the Michigan Board of Medicine, and because Respondent had failed to report the Michigan discipline to the Kentucky Board. (OTSC at Exhibit A)

5. Respondent's last known address on file with the Board is 2885 Sanford Ave. SW, Suite 18083, Grandville, MI 49418. (Board records; OTSC ¶ 7)

Missouri and Kentucky Disciplinary Actions

6. At all relevant and material times, Respondent was authorized to practice as a physician in the State of Missouri. (OTSC ¶ 9)

7. On December 22, 2022, the Missouri State Board of Registration for the Healing Arts issued Findings of Fact, Conclusions of Law and Order of Revocation in Default in the matter of *Missouri State Board of Registration for the Healing Arts, Petitioner v. Vijil K. Rahulan, MD, Respondent*, at Case Numbers 2021-003272, 2021-003468, and 2021-005140. (OTSC ¶¶ 10-11; OTSC at Exhibit B)

8. The Missouri Board revoked Respondent's license to practice as a physician and surgeon in the State of Missouri based on findings that Respondent had final disciplinary actions taken by several other licensing authorities, which was aggravated by a demonstrated pattern of noncompliance with state regulations governing his practice. (OTSC ¶ 12; OTSC at Exhibit B)

9. At all relevant and material times, Respondent was authorized to practice as a physician in the Commonwealth of Kentucky. (OTSC ¶ 16)

10. On February 21, 2023, the Kentucky Board of Medical Licensure issued an Emergency Order of Suspension *In RE: The License to Practice Medicine in the Commonwealth of Kentucky held by Vijil K. Rahulan, M.D., License No. 16287, 2885 Sanford Avenue SW 18083, Grandville, Michigan 49418*. (OTSC ¶¶ 14-15; OTSC at Exhibit C)

11. The Kentucky Board summarily suspended Respondent's license to practice medicine in the Commonwealth of Kentucky, based on the disciplinary action in Michigan and

Missouri, and failing to report those disciplinary actions to the Kentucky Board. (OTSC ¶ 16; OTSC at Exhibit C)

Violation of Board Order

12. Respondent failed to abide by and obey all rules and regulations and laws of the licensing boards pertaining to the practice as a medical physician and surgeon in the State of Missouri and in the Commonwealth of Kentucky. (OTSC ¶¶ 9-16, 20-21; OTSC at Exhibits B and C)

Respondent's 2022 Renewal Application

13. On December 11, 2022, Respondent submitted an online application for renewal of his license, MD444506, to the Pennsylvania Board for the biennial licensure period of January 1, 2023, through December 31, 2024. (OTSC ¶¶ 24-25; OTSC at Exhibit D)

14. Respondent indicated "No" to the following question #6 on his licensure renewal application: "With the exception of the one you are currently renewing, do you hold, or have you ever held a license, certificate, permit, registration or other authorization to practice a profession or occupation in any state or jurisdiction?" (OTSC ¶ 26; OTSC at Exhibit D)

15. Respondent indicated "No" to the following question #8 on his licensure renewal application: "Since your initial application or last renewal, whichever or later, have you had disciplinary action taken against a professional or occupational license, certificate, permit, registration or other authorization to practice a profession or occupation issued to you in any state or jurisdiction or have you agreed to voluntary surrender in lieu of discipline?" (OTSC ¶ 27; OTSC at Exhibit D)

16. The Missouri Board Order, *supra*, comprising three separate dockets, states in pertinent part that:

"On April 15, 2021, the Board of Healing Arts of the State of Kansas ... suspended Respondent's license until he complies with statutory requirements of Kansas Health Care Stabilization Fund .;"

"On June 15, 2021, the Virginia Department of Health Professions ... entered an Order of Mandatory Suspension ... in which Respondent's license to practice medicine in Virginia was suspended."

"On or about October 29, 2021, Respondent voluntarily entered a Consent Order ... with the North Carolina Medical Board ... wherein Respondent's license to practice medicine in North Carolina was reprimanded.

(OTSC ¶¶ 28-30; OTSC at Exhibit B)

Service of OTSC

17. On March 17, 2023, the Commonwealth filed an OTSC alleging that Respondent is subject to disciplinary action under sections 41(4), (6) and (11) of the Act, 63 P.S. §§ 422.41(4)(6) and (11). (OTSC; MDFA ¶ 1)

18. On March 17, 2023, the Commonwealth mailed the OTSC to Respondent by certified mail, electronic return receipt requested, and by first-class mail, postage prepaid, at his last known address on file with the Board: 2885 Sanford Ave. SW, Suite 18083, Grandville, MI 49418. (OTSC ¶ 6; OTSC at Certificate of Service; MDFA ¶ 2)

19. The OTSC that was mailed to Respondent by certified mail, electronic return receipt requested, was delivered on March 20, 2023, and signed for by Respondent or Respondent's agent, as evidenced by the United States Postal Service electronic return receipt for Certified Mail™ item number 9171 9690 0935 0292 0100 29. (MDFA ¶¶ 3-4; MDFA at Exhibit A)

Due Process

20. The OTSC directed Respondent to file a written answer within thirty (30) days of

the date on the *OTSC*, and specifically advised Respondent that the factual allegations of the *OTSC* may be deemed admitted if Respondent failed to file an answer within the time period allowed. (OTSC at Notice and Procedures; MDFA ¶ 5)

21. The *OTSC* also advised Respondent that if he failed to file an answer, the Board may revoke, suspend, or impose other restrictions against his license; and the Board may also impose a civil penalty of up to \$10,000.00 for each violation of the Act. (OTSC at Penalties and Procedures)

22. To date, Respondent has not filed an answer to the *OTSC*. (Case No. 23-49-004004; MDFA ¶ 6)

23. On April 25, 2023, the Commonwealth filed an *MDFA* in this matter and mailed it to Respondent on April 26, 2023, by first-class mail, postage prepaid, at the same address at which the *OTSC* had been served: 2885 Sanford Ave. SW, Suite 18083, Grandville, MI 49418. (MDFA at Certificate of Service)

24. To date, Respondent has not filed a response to the *MDFA*. (Case No. 23-49-004004)

25. On May 24, 2023, an *MDFA Order* was issued, entering judgment by default and deeming the factual allegations in the *OTSC* admitted, on grounds that Respondent received the *OTSC* but failed to file an answer as required. (Case No. 23-49-004004)

26. The *MDFA Order* was emailed to Respondent's email of record and mailed to Respondent, by first-class mail, postage prepaid, at 2885 Sanford Ave. SW, Suite 18083, Grandville, MI 49418, which is the same address where the *OTSC* and *MDFA* had been served, on May 24, 2023. (Case No. 23-49-004004)

27. The *MDFA Order* mailed to Respondent at 2885 Sanford Ave. SW, Suite 18083

was not returned to the Department of State Prothonotary and, therefore, it is presumed to have been delivered to Respondent. (Case No. 23-49-004004)

28. Respondent was served with the *OTSC, MDFA and MDFA Order* filed of record in this matter. (Case No. 23-49-004004)

CONCLUSIONS OF LAW

1. The Board has jurisdiction in this matter. (Findings of Fact 1-4)
2. Respondent has been afforded reasonable notice of the charges against him and an opportunity to be heard in this proceeding, in accordance with section 5 of the Administrative Agency Law, 2 Pa. C.S. § 504. (Findings of Fact 5, 17-28)
3. Respondent is subject to disciplinary action under section 41(4) of the Act, 63 P.S. § 422.41(4), as alleged in Count One of the OTSC, in that Respondent had his license to practice medicine were disciplined by the proper licensing authority of other states, Missouri (revocation) and Kentucky (suspension). (Findings of Fact 6-12)
4. Respondent is subject to disciplinary action under section 41(6) of the Act, 63 P.S. § 422.41(6), as alleged in Count Two of the OTSC, because Respondent violated a lawful order of the Board previously entered by the Board in a disciplinary proceeding. (Findings of Fact 3, 6-12, 16)
5. Respondent is subject to discipline under section 41(11) of the Act, 63 P.S. § 422.41(11), as alleged in Count Three of the OTSC, in that Respondent submitted a false and deceptive biennial registration with the Board. (Findings of Fact 13-16)

DISCUSSION

Violation

The OTSC is brought under sections 41(4), (6) and (11) of the Act, which provide as follows:

Section 41. Reasons for refusal, revocation, suspension or other corrective actions against a licensee or certificate holder

The board shall have authority to impose disciplinary or corrective measures on a board-regulated practitioner for any or all of the following reasons:

* * *

(4) Having a license or other authorization to practice the profession revoked or suspended or having other disciplinary action taken, or an application for a license or other authorization refused, revoked or suspended by a proper licensing authority of another state, territory, possession or country, or a branch of the Federal Government.

(6) Violating a lawful regulation promulgated by the board or violating a lawful order of the board previously entered by the board in a disciplinary proceeding.

(11) Making a false or deceptive biennial registration with the board.

63 P.S. §§ 422.41(4), (6) and (11) (emphasis added).

The Commonwealth charged in its OTSC that Respondent was disciplined by the proper licensing authorities of other states, Missouri and Kentucky (Count One); violated a prior Board Consent Agreement and Order by failing to abide by the rules, regulations and laws pertaining to the practice of medicine in other states between 2021 and 2023; in that Respondent's medical licenses were disciplined by the licensing boards in Kansas, Virginia, North Carolina, Missouri,

and Kentucky (Count Two); and because Respondent made false and deceptive representations on his Pennsylvania biennial registration (renewal application) filed with the Board (Count Three).

The Commonwealth's evidence, attached to the *OTSC*, consists of a copy of the Pennsylvania Consent Agreement and Order at File No. 16-49-06298 (Exhibit A), the Missouri Board disciplinary matter dated December 22, 2022 (Exhibit B), the Kentucky Board disciplinary matter dated February 21, 2023 (Exhibit C), and Respondent's biennial renewal application filed with the Pennsylvania Board on December 11, 2022 (Exhibit D). Given that Respondent has been found in default, the facts deemed admitted, and the corresponding attachments, constitute the evidence in this matter.

The facts deemed admitted establish that the Missouri Board revoked Respondent's medical license in that state on December 22, 2022, and that the Kentucky Board suspended Respondent's medical license by order dated February 21, 2023, in violation of the Act at 63 P.S. § 422.41(4). Therefore, Count One of the *OTSC* is sustained.

Through the Missouri and Kentucky disciplinary matters and the disciplinary actions issued against Respondent by the Kansas Board on April 15, 2021, by the Virginia Board on June 15, 2021, and by the North Carolina Board on October 29, 2021, the Commonwealth has proven that Respondent violated the terms and conditions of the Consent Agreement approved by the Pennsylvania Board by Order dated February 7, 2017. Specifically, Respondent has violated the Consent Agreement at Paragraph 5(c)(1), which states as follows:

"Respondent shall abide by and obey all laws of the United States, the Commonwealth of Pennsylvania and its political subdivisions and all rules and regulations and laws pertaining to the practice as a medical physician and surgeon in this Commonwealth or any other state of jurisdiction in which Respondent holds an authorization to practice the profession ..."

* * *

The Board adopted and approved the Consent Agreement, including paragraph 5(c)(1), quoted in relevant part above, noting that the terms and conditions of the Consent Agreement "shall constitute the Board's Order and is now issued in resolution of this matter." Board's Order of February 7, 2017. Respondent has not complied with that Order, in violation of 63 P.S. § 422.41(6), so the Commonwealth has proven the Count Two of its OTSC by a preponderance of the evidence.

On December 11, 2022, Respondent represented on his biennial registration application filed with the Board that he did not hold licenses to practice a profession in any other jurisdiction, and that he has not had disciplinary action taken against the professional or occupational licenses to practice the profession in any state or jurisdiction. Respondent's representations on his renewal applications were false and deceptive because in 2021, Respondent held medical licenses that were disciplined by the proper licensing authorities of Kansas, Virginia and North Carolina, on April 15, 2021, June 15, 2021, and October 29, 2021, respectively. Respondent failed to provide this information to the Pennsylvania Board on his 2022 biennial registration. Respondent violated 63 P.S. § 422.41(11) by filing a false or deceptive biennial registration with the Board, so the Commonwealth has proven the Count Three of its OTSC by a preponderance of the evidence.

The Commonwealth has met its burden of proof on all three counts of the OTSC.⁶

⁶ The degree of proof required to establish a case before an administrative tribunal in an action of this nature is a preponderance of the evidence. *Lansberry v. Pennsylvania Pub. Util. Comm'n*, 578 A.2d 600, 602 (Pa. Cmwlth. 1990), *appeal denied*, 602 A.2d 863 (Pa. 1992). A preponderance of the evidence is generally understood to mean that the evidence demonstrates a fact is more likely to be true than not to be true, or if the burden were viewed as a balance scale, the evidence in support of the Commonwealth's case must weigh slightly more than the opposing evidence. *Se-Ling Hosiery, Inc. v. Margulies*, 70 A.2d 854, 856 (Pa. 1950). The Commonwealth therefore has the burden of proving the charges against Respondent with evidence that is substantial and legally credible, not by mere "suspicion" or by only a "scintilla" of evidence. *Lansberry*, 578 A.2d at 602.

Sanction

Section 42(a) of the Act, 63 P.S. § 422.42(a), sets forth the type of disciplinary or corrective measures that may be imposed for violations of the Act, including Respondent's violation of sections 41(4), (6) and (11) of the Act. Specifically, section 42(a) of the Act provides, in relevant part, as follows:

Section 42. Types of corrective action

(a) **Authorized actions.**—When the board is empowered to take disciplinary or corrective action against a board-regulated practitioner under the provisions of this act or pursuant to other statutory authority, the board may:

* * *

- (2) Administer a public reprimand with or without probation.
- (3) Revoke, suspend, limit or otherwise restrict a license or certificate.
- (4) Require the board-regulated practitioner to submit to the care, counseling or treatment of a physician or a psychologist designated by the board.
- (5) Require the board-regulated practitioner to take refresher educational courses.
- (6) Stay enforcement of any suspension, other than that imposed in accordance with section 40, [footnote omitted] and place a board-regulated practitioner on probation with the right to vacate the probationary order for noncompliance.
- (7) Impose a monetary penalty in accordance with this act.⁷

* * *

⁷ A maximum civil penalty up to one thousand dollars (\$1,000.00) for each violation of the Act is authorized under Section 39(b) of the Act, 63 P.S. § 422.39(b).

63 P.S. § 422.42(a). Additionally, a maximum civil penalty up to \$10,000.00 for each violation of the Act is authorized under Section 908 of the Medical Care Availability and Reduction of Error Act (MCARE Act), Act of March 20, 2002, P.L. 154, No. 13, 40 P.S. § 1303.908. The Board may also impose a civil penalty of up to \$10,000.00 for each violation of the Act and costs of investigation⁸ upon Respondent, under 63 Pa.C.S. § 3108(b)(4) and (b)(5).

The Board is charged with the responsibility and authority to oversee the profession and to regulate and license professionals to protect the public health and safety. *Barran v. State Bd. of Medicine*, 670 A.2d 765, 767 (Pa. Cmwlth. 1996), *appeal denied*, 679 A.2d 230 (Pa. 1996). With public protection in mind, the Board considers the seriousness of the violation and any mitigating evidence in fashioning a sanction fitted to the circumstances of a given disciplinary matter.

There is no mitigating evidence to consider here because, although he has been given appropriate notice and the opportunity to respond, Respondent has not defended himself in the matter now before the Board. Therefore, the Board has only the seriousness of the Missouri and Kentucky disciplinary actions, the violations of the Board's disciplinary order, and Respondent's blatantly false and deceptive representations on his biennial registration application filed with the Board to consider when determining the appropriate sanction.

The Missouri Board has already found it appropriate to revoke Respondent's Missouri medical license, and the Kentucky Board has suspended Respondent's Kentucky medical license in that state. In addition, Respondent's Kansas, Virginia, and North Carolina medical licenses were also disciplined in 2021. These foreign disciplinary actions also constitute serious violations

⁸ Because there is no evidence of record as to the costs of investigation in this matter, no consideration will be given in this proposed decision to imposing any such costs on Respondent as part of the sanction.

of the probationary terms and conditions of the Board's 2017 Consent Agreement and Order still in effect.

Respondent has further compounded his violations by lying on his Pennsylvania renewal application in 2022 when he denied holding professional licenses in other states and lied about having disciplinary action taken against any other professional licenses, when in fact his Kansas, Virginia, and North Carolina medical licenses had been disciplined in 2021. In order for the Board to properly review licensees' renewal applications and regulate the profession, licensees must provide accurate information about their licensure history to the Board on their biennial renewal applications.

Respondent's discipline in Missouri and Kentucky, his violation of Pennsylvania prior Board order, and his obscuring further foreign discipline from the Board warrants not only the revocation of Respondent's medical license for violation of Counts One and Two of the OTSC, but also the imposition a \$1,000.00 civil penalty for Count Three of the OTSC under Section 39(b) of the Act, 63 P.S. § 422.39(b), to serve as a reminder to Respondent, as well as to similarly-situated licensees, that the information they provide on their renewal applications must be accurate.

According to the above findings of fact, conclusions of law and discussion, the following order will issue:

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE

Commonwealth of Pennsylvania,
Bureau of Professional and
Occupational Affairs

Case No. 23-49-004004

v.

Vijil K. Rahulan, M.D.,
Respondent

ORDER

AND NOW, this 26th day of July 2023, upon consideration of the foregoing findings of fact, conclusions of law and discussion, it is ORDERED that the license to practice medicine and surgery issued to Respondent, Vijil K. Rahulan, M.D., license no. MD444506, is REVOKED.

IT IS FURTHER ORDERED that Respondent shall be assessed a CIVIL PENALTY of ONE THOUSAND DOLLARS (\$1,000.00). The civil penalty shall be paid by certified check, attorney's check or U.S. Postal Service money order, made payable to the "Commonwealth of Pennsylvania," within 30 days of the Board's Final Order, and mailed to:

Board Counsel
State Board of Medicine
P.O. Box 69523
Harrisburg, PA 17106-9523

Respondent shall refrain from practicing medicine and surgery in this Commonwealth and shall, by the effective date of this order, return any Pennsylvania licensure documents in his possession, including his wall certificate and wallet card, by forwarding them to the address for Board Counsel above.

This order shall take effect twenty (20) days from the date of mailing unless otherwise ordered by the State Board of Medicine.

BY ORDER:

Carmen L. Rivera

Carmen L. Rivera
Hearing Examiner

For Respondent: Vijil K. Rahulan, M.D.
2885 Sanford Avenue, SW, Suite 18083
Grandville, MI 49418

For the Commonwealth: Keith E. Bashore, Esquire
Prosecuting Attorney
GOVERNOR'S OFFICE OF GENERAL COUNSEL
DEPARTMENT OF STATE OFFICE OF CHIEF COUNSEL
PROSECUTION DIVISION
P.O. Box 69521
Harrisburg, PA 17106-9521

Date of Mailing: 07/26/2023



NOTICE

REHEARING AND/OR RECONSIDERATION: A party may file an application for rehearing or reconsideration within 15 days of the mailing date of this adjudication and order. The application must be captioned "Application for Rehearing," "Application for Reconsideration," or "Application for Rehearing or Reconsideration." It must state specifically and concisely, in numbered paragraphs, the grounds relied upon in seeking rehearing or reconsideration, including any alleged error in the adjudication. If the adjudication is sought to be vacated, reversed, or modified by reason of matters that have arisen since the hearing and decision, the matters relied upon by the petitioner must be set forth in the application.

APPEAL TO BOARD: An application to the State Board of Medicine for review of the hearing examiner's adjudication and order must be filed by a party within 20 days of the date of mailing of this adjudication and order. The application must be captioned "Application for Review." It must state specifically and concisely, in numbered paragraphs, the grounds relied upon in seeking the Board's review of the hearing examiner's decision, including any alleged error in the adjudication. Within an application for review a party may request that the Board hear additional argument and take additional evidence.

An application to the Board to review the hearing examiner's decision may be filed irrespective of whether an application for rehearing or reconsideration is filed. However, the filing of an application for rehearing and/or reconsideration does not extend, or in any other manner affect, the time period in which an application for review may be filed.

STAY OF HEARING EXAMINER'S ORDER: Neither the filing of an application for rehearing and/or reconsideration nor the filing of an application for review operates as a stay of the hearing examiner's order. To seek a stay of the hearing examiner's order, the party must file an application for stay directed to the Board.

FILING AND SERVICE: An original and three (3) copies of all applications shall be filed with:

Prothonotary
P.O. Box 2649
Harrisburg, PA 17105-2649

A copy of all applications must also be served on all parties.

Applications must be received for filing by the Prothonotary within the time limits specified. The date of receipt at the office of Prothonotary, and not the date of deposit in the mail, is determinative.

NOTICE

The attached Final Order represents the final agency decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a Petition for Review with that Court within 30 days after the entry of the order in accordance with the Pennsylvania Rules of Appellate Procedure. See Chapter 15 of the Pennsylvania Rules of Appellate Procedure entitled "Judicial Review of Governmental Determinations," Pa. R.A.P 1501 - 1561. Please note: An order is entered on the date it is mailed. If you take an appeal to the Commonwealth Court, you must serve the Board with a copy of your Petition for Review. The agency contact for receiving service of such an appeal is:

Board Counsel
P.O. Box 69523
Harrisburg, PA 17106-9523

The name of the individual Board Counsel is identified on the Final Order.