

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

In the Matter of the Accusation
Against:

Muhammad Azam Gill, M.D.

**Physician's and Surgeon's
Certificate No. A 103683**

Case No.: 800-2020-070409

Respondent.

DECISION

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

This Decision shall become effective at 5:00 p.m. on August 6, 2025.

IT IS SO ORDERED: July 7, 2025.

MEDICAL BOARD OF CALIFORNIA

Michelle A. Bholat, MD

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

1 ROB BONTA
2 Attorney General of California
3 GREG W. CHAMBERS
4 Supervising Deputy Attorney General
5 D. MARK JACKSON
6 Deputy Attorney General
7 State Bar No. 218502
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 510-4441
Facsimile: (415) 703-5480
E-mail: Mark.Jackson@doj.ca.gov
Attorneys for Complainant

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. 800-2020-070409

12 MUHAMMAD AZAM GILL, M.D.
13 2801 Grewal Parkway
Apt 616, Modesto, CA, 95356

OAH No. 2024101046

14 Physician's and Surgeon's Certificate No. A
15 103683

STIPULATED SETTLEMENT AND DISCIPLINARY ORDER

16 Respondent.

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

PARTIES

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

26 2. Respondent Muhammad Azam Gill, M.D. (Respondent) is represented in this
27 proceeding by attorney Jeff Lewis, MD, JD, whose address is: 1700 South El Camino Real, Ste.
28 408, San Mateo, CA 94402-3050.

1 3. On or about May 2, 2008, the Board issued Physician's and Surgeon's Certificate No.
2 A 103683 to Respondent. The Physician's and Surgeon's Certificate was in full force and effect
3 at all times relevant to the charges brought in Accusation No. 800-2020-070409, and will expire
4 on October 31, 2025, unless renewed.

JURISDICTION

6 4. Accusation No. 800-2020-070409 was filed before the Board, and is currently
7 pending against Respondent. The Accusation and all other statutorily required documents were
8 properly served on Respondent on August 22, 2023. Respondent timely filed his Notice of
9 Defense contesting the Accusation.

10 5. A copy of Accusation No. 800-2020-070409 is attached as exhibit A and incorporated
11 herein by reference.

ADVISEMENT AND WAIVERS

13 6. Respondent has carefully read, fully discussed with counsel, and understands the
14 charges and allegations in Accusation No. 800-2020-070409. Respondent has also carefully read,
15 fully discussed with his counsel, and understands the effects of this Stipulated Settlement and
16 Disciplinary Order.

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

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

CULPABILITY

26 9. Respondent understands and agrees that the charges and allegations in Accusation
27 No. 800-2020-070409, if proven at a hearing, constitute cause for imposing discipline upon his
28 Physician's and Surgeon's Certificate.

1 10. For the purpose of resolving the Accusation without the expense and uncertainty of
2 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a *prima*
3 *facie* case with respect to the charges and allegations contained in the Accusation and that those
4 charges constitute cause for discipline. Respondent hereby gives up his right to contest that cause
5 for discipline exists based on those charges.

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

CONTINGENCY

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

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

23 14. Respondent agrees that if he ever petitions for early termination or modification of
24 probation, or if an accusation and/or petition to revoke probation is filed against him before the
25 Board, all of the charges and allegations contained in Accusation No. 800-2020-070409 shall be
26 deemed true, correct and fully admitted by respondent for purposes of any such proceeding or any
27 other licensing proceeding involving Respondent in the State of California.

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

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

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 103683
issued to Respondent MUHAMMAD AZAM GILL, M.D., is revoked.

10 1. STANDARD STAY ORDER. However, revocation is stayed and Respondent is
11 placed on probation for three (3) years upon the following terms and conditions.

12 2. EDUCATION COURSE. Within 60 calendar days of the effective date of this
13 Decision, and on an annual basis thereafter, Respondent shall submit to the Board or its designee
14 for its prior approval educational program(s) or course(s) which shall not be less than 40 hours
15 per year, for each year of probation. The educational program(s) or course(s) shall be aimed at
16 correcting any areas of deficient practice or knowledge and shall be Category I certified. The
17 educational program(s) or course(s) shall be at Respondent's expense and shall be in addition to
18 the Continuing Medical Education (CME) requirements for renewal of licensure. Following the
19 completion of each course, the Board or its designee may administer an examination to test
20 Respondent's knowledge of the course. Respondent shall provide proof of attendance for 65
21 hours of CME of which 40 hours were in satisfaction of this condition.

22 3. PRESCRIBING PRACTICES COURSE. Within 60 calendar days of the effective
23 date of this Decision, Respondent shall enroll in a course in prescribing practices approved in
24 advance by the Board or its designee. Respondent shall provide the approved course provider
25 with any information and documents that the approved course provider may deem pertinent.
26 Respondent shall participate in and successfully complete the classroom component of the course
27 not later than six (6) months after Respondent's initial enrollment. Respondent shall successfully
28 complete any other component of the course within one (1) year of enrollment. The prescribing

1 practices course shall be at Respondent's expense and shall be in addition to the Continuing
2 Medical Education (CME) requirements for renewal of licensure.

3 A prescribing practices course taken after the acts that gave rise to the charges in the
4 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
5 or its designee, be accepted towards the fulfillment of this condition if the course would have
6 been approved by the Board or its designee had the course been taken after the effective date of
7 this Decision.

8 Respondent shall submit a certification of successful completion to the Board or its
9 designee not later than 15 calendar days after successfully completing the course, or not later than
10 15 calendar days after the effective date of the Decision, whichever is later.

11 4. MEDICAL RECORD KEEPING COURSE. Within 60 calendar days of the effective
12 date of this Decision, Respondent shall enroll in a course in medical record keeping approved in
13 advance by the Board or its designee. Respondent shall provide the approved course provider
14 with any information and documents that the approved course provider may deem pertinent.
15 Respondent shall participate in and successfully complete the classroom component of the course
16 not later than six (6) months after Respondent's initial enrollment. Respondent shall successfully
17 complete any other component of the course within one (1) year of enrollment. The medical
18 record keeping course shall be at Respondent's expense and shall be in addition to the Continuing
19 Medical Education (CME) requirements for renewal of licensure.

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

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

28 5. PROFESSIONALISM PROGRAM (ETHICS COURSE). Within 60 calendar days of

1 the effective date of this Decision, Respondent shall enroll in a professionalism program, that
2 meets the requirements of Title 16, California Code of Regulations (CCR) section 1358.1.
3 Respondent shall participate in and successfully complete that program. Respondent shall provide
4 any information and documents that the program may deem pertinent. Respondent shall
5 successfully complete the classroom component of the program not later than six (6) months after
6 Respondent's initial enrollment, and the longitudinal component of the program not later than the
7 time specified by the program, but no later than one (1) year after attending the classroom
8 component. The professionalism program shall be at Respondent's expense and shall be in
9 addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

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

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

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

27 The Board or its designee shall provide the approved monitor with copies of the Decision(s)
28 and Accusation(s), and a proposed monitoring plan. Within 15 calendar days of receipt of the

1 Decision(s), Accusation(s), and proposed monitoring plan, the monitor shall submit a signed
2 statement that the monitor has read the Decision(s) and Accusation(s), fully understands the role
3 of a monitor, and agrees or disagrees with the proposed monitoring plan. If the monitor disagrees
4 with the proposed monitoring plan, the monitor shall submit a revised monitoring plan with the
5 signed statement for approval by the Board or its designee.

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

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

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

21 If the monitor resigns or is no longer available, Respondent shall, within 5 calendar days of
22 such resignation or unavailability, submit to the Board or its designee, for prior approval, the
23 name and qualifications of a replacement monitor who will be assuming that responsibility within
24 15 calendar days. If Respondent fails to obtain approval of a replacement monitor within 60
25 calendar days of the resignation or unavailability of the monitor, Respondent shall receive a
26 notification from the Board or its designee to cease the practice of medicine within three (3)
27 calendar days after being so notified. Respondent shall cease the practice of medicine until a
28 replacement monitor is approved and assumes monitoring responsibility.

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

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

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

15 8. **SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE**
16 **NURSES.** During probation, Respondent is prohibited from supervising physician assistants and
17 advanced practice nurses.

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

21 10. **INVESTIGATION/ENFORCEMENT COST RECOVERY.** Respondent is hereby
22 ordered to reimburse the Board its costs of investigation and enforcement, in the amount of
23 \$25,000 (twenty-five thousand dollars). Costs shall be payable to the Medical Board of
24 California. Failure to pay such costs shall be considered a violation of probation.

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

1 The filing of bankruptcy by respondent shall not relieve respondent of the responsibility to
2 repay investigation and enforcement costs, including expert review costs.

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

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

8 12. **GENERAL PROBATION REQUIREMENTS.**

9 Compliance with Probation Unit

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

11 Address Changes

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

17 Place of Practice

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

21 License Renewal

22 Respondent shall maintain a current and renewed California Physician's and Surgeon's
23 license.

24 Travel or Residence Outside California

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

28 In the event Respondent should leave the State of California to reside or to practice

1 Respondent shall notify the Board or its designee in writing 30 calendar days prior to the dates of
2 departure and return.

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

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

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

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

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

27 Periods of non-practice for a Respondent residing outside of California will relieve
28 Respondent of the responsibility to comply with the probationary terms and conditions with the

1 exception of this condition and the following terms and conditions of probation: Obey All Laws;
2 General Probation Requirements; Quarterly Declarations.

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

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

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

26 18. **PROBATION MONITORING COSTS.** Respondent shall pay the costs associated
27 with probation monitoring each and every year of probation, as designated by the Board, which
28 may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of

1 California and delivered to the Board or its designee no later than January 31 of each calendar
2 year.

3 19. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for
4 a new license or certification, or petition for reinstatement of a license, by any other health care
5 licensing action agency in the State of California, all of the charges and allegations contained in
6 Accusation No. 800-2020-070409 shall be deemed to be true, correct, and admitted by
7 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or
8 restrict license.

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ACCEPTANCE

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

DATED:

MUHAMMAD AZAM GILL, M.D.
Respondent

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

DATED

JEFF LEWIS, ESQ.
Attorney for Respondent

ENDORSEMENT

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

DATE D

2/24/25

Respectfully submitted,

ROB BONTA

Attorney General of California

GREG W. CHAMBERS
Supervising Engineer, Sanjour

Supervising Deputy Attorney General

D. Mark Jackson
D. MARK JACKSON
Deputy Attorney General
Attorneys for Complainant

SF2023400859

Exhibit A

Accusation No. 800-2020-070409

ROB BONTA
Attorney General of California
GREG W. CHAMBERS
Supervising Deputy Attorney General
MACHAEAL M. MINGARDI
Deputy Attorney General
State Bar No. 194400
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 510-3469
Facsimile: (415) 703-5480
Attorneys for Complainant

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

12 In the Matter of the Accusation Against: Case No. 800-2020-070409
13 Muhammad Azam Gill, M.D. A C C U S A T I O N
14 AEGIS Treatment Ctr.
15 1019 Jefferson St.
16 Delano, CA 93215
17 Physician's and Surgeon's Certificate
No. A 103683,
18 Respondent.

PARTIES

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

2. On or about May 2, 2008, the Medical Board issued Physician's and Surgeon's Certificate Number A 103683 to Muhammad Azam Gill, M.D. (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 October 31, 2023, unless renewed.

11

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JURISDICTION

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

6 4. Section 2227 (a) of the Code provides in pertinent part that a licensee whose matter
7 has been heard by an administrative law judge . . . who is found guilty . . . may, in accordance
8 with the provisions of this chapter:

- (1) Have his or her license revoked upon order of the board.
- (2) Have his or her right to practice suspended for a period not to exceed one upon order of the board.
- (3) Be placed on probation and be required to pay the costs of probation monitoring upon order of the board.
- (4) Be publicly reprimanded, which may include a requirement that the licensee complete relevant educational courses,
- (5) Have any other action taken in relation to discipline as part of an order of action.

16 5. Section 2234 of the Code, states:

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

- (a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the violation of, or conspiring to violate any provision of this chapter.
- (b) Gross negligence.
- (c) Repeated negligent acts. To be repeated, there must be two or more negligent acts or omissions. An initial negligent act or omission followed by a separate and distinct departure from the applicable standard of care shall constitute repeated negligent acts.
 - (1) An initial negligent diagnosis followed by an act or omission medically appropriate for that negligent diagnosis of the patient shall constitute a single negligent act.
 - (2) When the standard of care requires a change in the diagnosis, act, or omission that constitutes the negligent act described in paragraph (1), including, but not limited to, a reevaluation of the diagnosis or a change in treatment, and the licensee's conduct departs from the applicable standard of care, each departure constitutes a separate and distinct breach of the standard of care.

(d) Incompetence.

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

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

(g) The failure by a certificate holder, in the absence of good cause, to attend and participate in an interview by the board. This subdivision shall only apply to a certificate holder who is the subject of an investigation by the board.

6. Section 2266 of the Code states: The failure of a physician and surgeon to maintain adequate and accurate records relating to the provision of services to their patients constitutes unprofessional conduct.

COST RECOVERY

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

8. Specifically, Section 125.3 of the Code states:

(a) Except as otherwise provided by law, in any order issued in resolution of a disciplinary proceeding before any board within the department or before the Osteopathic Medical Board, upon request of the entity bringing the proceeding, the administrative law judge may direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

(b) In the case of a disciplined licensee that is a corporation or a partnership, the order may be made against the licensed corporate entity or licensed partnership.

(c) A certified copy of the actual costs, or a good faith estimate of costs where actual costs are not available, signed by the entity bringing the proceeding or its designated representative shall be *prima facie* evidence of reasonable costs of investigation and prosecution of the case. The costs shall include the amount of investigative and enforcement costs up to the date of the hearing, including, but not limited to, charges imposed by the Attorney General.

(d) The administrative law judge shall make a proposed finding of the amount of reasonable costs of investigation and prosecution of the case when requested pursuant to subdivision (a). The finding of the administrative law judge with regard to costs shall not be reviewable by the board to increase the cost award. The board may

1 reduce or eliminate the cost award, or remand to the administrative law judge if the
2 proposed decision fails to make a finding on costs requested pursuant to subdivision
3 (a).

4 (e) If an order for recovery of costs is made and timely payment is not made as
5 directed in the board's decision, the board may enforce the order for repayment in any
6 appropriate court. This right of enforcement shall be in addition to any other rights
7 the board may have as to any licensee to pay costs.

8 (f) In any action for recovery of costs, proof of the board's decision shall be
9 conclusive proof of the validity of the order of payment and the terms for payment.

10 (g) (1) Except as provided in paragraph (2), the board shall not renew or
11 reinstate the license of any licensee who has failed to pay all of the costs ordered
12 under this section.

13 (2) Notwithstanding paragraph (1), the board may, in its discretion,
14 conditionally renew or reinstate for a maximum of one year the license of any
15 licensee who demonstrates financial hardship and who enters into a formal agreement
16 with the board to reimburse the board within that one-year period for the unpaid
17 costs.

18 (h) All costs recovered under this section shall be considered a reimbursement
19 for costs incurred and shall be deposited in the fund of the board recovering the costs
20 to be available upon appropriation by the Legislature.

21 (i) Nothing in this section shall preclude a board from including the recovery of
22 the costs of investigation and enforcement of a case in any stipulated settlement.

23 (j) This section does not apply to any board if a specific statutory provision in
24 that board's licensing act provides for recovery of costs in an administrative
25 disciplinary proceeding.

26 **DEFINITIONS**

27 9. Citalopram hydrobromide, known by the trade name Celexa, is a selective serotonin
28 reuptake inhibitor ("SSRI") with a chemical structure unrelated to that of other SSRIs or of
tricyclic, tetracyclic, or other available antidepressant agents and is used in the treatment of
depression. It has primary CNS depressant effects and should be used with caution in
combination with other centrally acting drugs. Celexa is a dangerous drug pursuant to section
4022 of the Code.

10. Modafinil is a non-amphetamine central nervous system (CNS) stimulant with
wakefulness-promoting properties. It is used in the treatment of conditions that cause excessive
daytime sleepiness. It is a dangerous drug pursuant to section 4022 of the Code.

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FACTUAL ALLEGATIONS.

2 11. From July 31, 2020 to August 7, 2020, Respondent was scheduled to work as the lone
3 hospitalist at Healdsburg District Hospital. The emergency room was crowded during this time
4 with patients suffering from Covid-19.

5 12. At approximately midnight on August 2, 2020, during the middle of his shift,
6 Respondent stopped responding to calls and was unable to be located.

7 13. For several hours, hospital staff and staff from Respondent's locum company, Rural
8 Physician Group (RPG), made repeated attempts to contact and locate Respondent, all to no avail.
9 Respondent had several patients directly assigned to him, yet left the hospital without transferring
10 care to any other provider.

11 14. Respondent failed to inform the Healdsburg District Hospital and/or RPG that he was
12 leaving his work shift and his patients unattended. Respondent had previously been informed that
13 he was responsible for informing his locum company and the hospital if he would not be
14 attending his scheduled work shift, after he failed to appear for his shift in June 2020.

15 15. When staff went to the nearby apartment where hospitalists stay during their shifts,
16 they located Respondent's elderly mother. Respondent's mother was unaware of Respondent's
17 whereabouts and subsequently filed a missing person's report for Respondent, who did not return
18 to Healdsburg District Hospital for his scheduled shift.

19 16. Upon further investigation, it was discovered that Respondent had issued
20 prescriptions to both his mother and father without keeping any medical records.

21 17. On or about October 18, 2019, Respondent prescribed Citalopram to his mother. On
22 or about May 5, 2020, Respondent prescribed Modafinil to his mother.

23 18. From 2015 to 2018, Respondent prescribed testosterone to his father on at least four
24 occasions.

25 19. Respondent failed to document a patient history, a physical or progress notes for
26 either his mother or his father.

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11

FIRST CAUSE FOR DISCIPLINE

(Unprofessional Conduct – Gross Negligence/Repeated Negligent Acts)

3 20. Respondent Muhammad Azam Gill, M.D. is subject to disciplinary action under
4 section 2234, subdivisions (b) and (c) of the Code for gross negligence and/or repeated negligent
5 acts. The facts as set forth in paragraphs 11 through 19 are incorporated as if fully set forth
6 herein.

7 21. The standard of practice requires physicians to fulfill their obligations and
8 responsibilities, which include adhering to established schedules and being present for assigned
9 shifts. Failing to appear for a shift as a lone hospitalist can disrupt the continuity of care,
10 compromise patient safety and place an additional burden on a healthcare team.

11 22. As set forth above, Respondent left his hospitalist shift in the middle of the night on
12 August 3, 2020, without notice or warning. He left patients unattended and hospital staff
13 scrambling to locate him. He failed to inform his locum company of his departure and repeatedly
14 failed to answer attempts to contact and locate him. Respondent never returned to his work shift.
15 Respondent's actions constitute unprofessional conduct within the meaning of section 2234.

SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct: Failure to Maintain Adequate and Accurate Records)

19 23. The facts as set forth in paragraphs 17 through 19 are incorporated as if fully set forth
20 herein. Respondent is subject to disciplinary action under section 2234 and/or 2266 of the Code
21 in that Respondent failed to maintain medical records for his mother and father. Respondent
22 issued various prescriptions to his mother and father, yet failed to maintain any record of his
23 treatment of them. Respondent failed to document a patient history, a physical or progress notes
24 for either his mother or his father. Respondent's actions constitute unprofessional conduct
25 pursuant to section 2234 and/or failure to maintain adequate medical records pursuant to section
26 2266.

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PRAYER

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

4 1. Revoking or suspending Physician's and Surgeon's Certificate Number A 103683,
5 issued to Muhammad Azam Gill, M.D.;

6 2. Revoking, suspending or denying approval of Muhammad Azam Gill, M.D.'s
7 authority to supervise physician assistants and advanced practice nurses;

8 3. Ordering Muhammad Azam Gill, M.D., to pay the Board the costs of the
9 investigation and enforcement of this case, and if placed on probation, the costs of probation
10 monitoring; and

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

14 DATED: AUG 22 2023

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

SF2023400859