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

In the Matter of the Petition to Revoke Probation Against: Rajinder Singh Randhawa, M.D. Physician's and Surgeon's Certificate No. C50081 Respondent.	Case No. 800-2020-067421

DECISION

The attached Proposed Decision 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 February 5, 2021.

IT IS SO ORDERED January 7, 2021.

MEDICAL BOARD OF CALIFORNIA

By: Kristina Lawson

Kristina D. Lawson, J.D., Chair
Panel B

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

In the Matter of the Petition to Revoke Probation Against:

RAJINDER SINGH RANDHAWA, M.D., Respondent

Agency Case No. 800-2020-067421

OAH No. 2020080575

PROPOSED DECISION

Heather M. Rowan, Administrative Law Judge, Office of Administrative Hearings (OAH), State of California, heard this matter via videoconference on November 9, 2020, from Sacramento, California.

Aaron Lent, Deputy Attorney General, represented complainant, Christine J. Lally, Interim Executive Director of the Medical Board of California (Board).

There was no appearance by or on behalf of respondent Rajinder Singh Randhawa, M.D. Complainant established respondent was properly served with a Notice of Hearing. Consequently, this matter proceeded as a default hearing against the Department pursuant to Government Code section 11520, subdivision (a).

Oral and documentary evidence was received. The record was closed and the matter was submitted for decision on November 9, 2020.

ISSUE

Did complainant establish cause to revoke respondent's probation and institute the stayed certificate revocation?

FACTUAL FINDINGS

Background and Procedural History

1. On October 3, 1997, the Board issued respondent Physician's and Surgeon's Certificate number C 50081 (certificate). The certificate will expire on March 31, 2021, unless renewed or revoked.

2. On April 2, 2014, complainant Kimberly Kirchmeyer, former Executive Director for the Board, signed and thereafter filed an Accusation against respondent. The Accusation alleged respondent had: 1) engaged in unprofessional conduct when he altered his expired "pocket license" in a way that it appeared it had not expired; 2) signed a false document related to the practice of medicine when he alleged his license was current on an application for a position at Napa State hospital; and 3) engaged in dishonest and corrupt acts that were substantially related to the qualifications, functions, or duties of a physician or surgeon.

3. On March 12, 2015, respondent entered into a Stipulated Settlement and Disciplinary Order (Stipulated Surrender) with the Board, effective May 22, 2015. By the Stipulated Settlement, respondent admitted to the truth of the allegations in the Accusation. His certificate was revoked, but that revocation was stayed for five years, provided respondent comply with certain terms and conditions, including:

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

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

4. On May 20, 2020, complainant filed a Petition to Revoke Probation against respondent. Complainant alleged respondent violated the terms of his probation by paying the Board probation monitoring costs, in violation of Probation Term 13. Under Probation Term 11, the Board may revoke respondent's probation after giving him an opportunity to be heard.

5. Respondent timely filed a Notice of Defense, pursuant to Government Code section 11506. The matter was set for an evidentiary hearing before an

Administrative Law Judge of OAH, an independent adjudicative agency of the State of California, pursuant to Government Code section 11500 et seq.

Probation Violations

6. Jeffrey Routsong is a Probation Inspector II for the Board. As a Probation Inspector II, Mr. Routsong is assigned to probationers to explain their probation conditions, guide them through the process, and help to ensure compliance. He was assigned to monitor respondent's probation. He testified at hearing.

7. Catherine Cortez was respondent's probation monitor in 2015, when his probation began. Respondent signed a statement agreeing Ms. Cortez had provided him a copy of the Stipulated Settlement and she explained each term of probation and answered any questions he had.

8. On May 5, 2015, the Board sent respondent a letter informing him probation costs would be due each January 31 for the prior year. At that time, annual probation costs were $4,106. The letter informed respondent how he could submit payment.

9. On December 30, 2016, Ms. Cortez emailed respondent to ask if he needed a payment plan given he had not made any payments toward costs. Ms. Cortez arranged a $400 per month payment plan. On March 30, 2017, to complete her Quarterly Progress Report, Ms. Cortez called respondent to discuss his probation. He was making progress in completing the required course work and had completed his volunteer hours. He also hoped to make payments larger than $400 when he could. On March 14, 2017, respondent submitted a $400 payment to the Board.

10. Ms. Cortez held similar meetings or telephone calls with respondent on a quarterly basis from the beginning of respondent's probation to the time of case reassignment. Each time, respondent reported his progress in complying with his probation terms and acknowledged costs were due.

11. On September 30, 2019, Mr. Routsong sent respondent a "reassignment letter" informing respondent that Mr. Routsong had been assigned as his Probation Inspector.

12. On December 30, 2019, Mr. Routsong sent respondent a letter instructing him to pay $15,473 in outstanding monitoring fees no later than February 28, 2020. No payment was received. On May 11, 2020, to complete his Quarterly Progress Report, Mr. Routsong held a telephone conversation with respondent. Mr. Routsong confirmed respondent had complied with the terms of his probation, except for some late quarterly reports and he had not paid the costs of probation, which totaled $21,904 at that time. Respondent acknowledged he was not current with his payments and that failure to pay the Board probation costs could result in further discipline against his certificate.

13. On March 24, 2020, Mr. Routsong held a telephone conference with respondent for his Quarterly Progress Report. Mr. Routsong informed respondent that failure to pay the $21,904 he owed the Board could result in further disciplinary action. Respondent stated he understood. On May 5, 2020, Mr. Routsong created a "Probation Noncompliance Report," documenting respondent's failure to pay costs. He recommended respondent's probation be revoked.

Respondent's Evidence

14. Respondent did not appear at hearing and did not provide any evidence to contradict the above.

PRINCIPLES OF LAW

15. The purpose of the Medical Practice Act is to assure the high quality of medical practice; in other words, to keep unqualified and undesirable persons and those guilty of unprofessional conduct out of the medical profession. (*Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564, 574.) The purpose of administrative discipline is not to punish, but to protect the public by eliminating those practitioners who are dishonest, immoral, disreputable or incompetent. (*Fahmy v. Medical Board of California* (1995) 38 Cal.App.4th 810, 817.)

16. In a petition to revoke probation complainant must show by a preponderance of evidence that respondent's certificate should be revoked. (*Sandarg v. Dental Board of California* (2010) 184 Cal.App.4th 1434). If complainant meets his burden, rehabilitation is akin to an affirmative defense; consequently, the burden of proof of establishing an affirmative defense is on the respondent. (*Whetstone v. Board of Dental Examiners* (1927) 87 Cal.App. 156, 164.)

17. Business and Professions Code section 2004 states the Board is responsible for the following in relevant part:

> (a) The enforcement of the disciplinary and criminal provisions of the Medical Practice Act.
>
> (b) The administration and hearing of disciplinary actions.

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

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

18. Business and Professions Code section 2234, provides in relevant part:

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.

ANALYSIS

19. As set forth in Factual Findings 6 through 13, respondent failed to pay the costs of probation as he agreed to do per the Stipulated Settlement. While respondent has made some effort to comply with a payment plan, he has not consistently made payments and is in violation of Probation Condition 13. Complainant established cause to set aside the stay order and impose the stayed discipline of revocation of respondent's certificate under Probation Condition 11.

20. Given there was no mitigating or contradictory evidence presented, the stay order must be revoked and stayed discipline of revocation of respondent's certificate imposed under Probation Condition 11.

LEGAL CONCLUSION

21. Complainant established by a preponderance of the evidence cause to set aside the order staying imposition of discipline and impose the stayed discipline of revocation.

ORDER

Physician's and Surgeon's Certificate number C 50081 issued to respondent Rajinder Singh Randhawa is revoked.

DATE: November 24, 2020

Heather M. Rowan
Heather M. Rowan (Nov 24, 2020 13:25 PST)

HEATHER M. ROWAN
Administrative Law Judge
Office of Administrative Hearings

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Attorneys for Complainant

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

In the Matter of the Petition to Revoke Probation Against: **RAJINDER SINGH RANDHAWA, M.D.** 7720 Tennis Ct. Antelope, CA 95843 **Physician's and Surgeon's Certificate No. C 50081** Respondent.	Case No. 800-2020-067421 PETITION TO REVOKE PROBATION

Complainant alleges:

PARTIES

1. Christine J. Lally ("Complainant") brings this Petition to Revoke Probation solely in her official capacity as the Interim Executive Director of the Medical Board of California, Department of Consumer Affairs ("Board").

2. On or about October 3, 1997, the Medical Board of California issued Physician's and Surgeon's Certificate Number C 50081 to Rajinder Singh Randhawa, M.D. ("Respondent"). That

Certificate was in effect at all times relevant to the charges brought herein and will expire on March 31, 2021, unless renewed.

3. In a disciplinary action titled *In the Matter of the Accusation Against Rajinder Singh Randhawa, M.D.*, Case No. 02-2013-232013, the Board issued a decision, effective May 22, 2015, in which Respondent's Physician's and Surgeon's Certificate was revoked. However, the revocation was stayed and Respondent's Physician's and Surgeon's Certificate was placed on probation for a period of five (5) years with certain terms and conditions. A copy of that decision is attached as Exhibit A and is incorporated by reference.

JURISDICTION

4. This Petition to Revoke Probation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

5. Section 2004 of the Code states, in pertinent part:

> The Board shall have the responsibility for the following:
>
> (a) The enforcement of the disciplinary and criminal provisions of the Medical Practice Act,
>
> (b) The administration and hearing of disciplinary actions,
>
> (c) Carrying out disciplinary actions appropriate to findings made by a panel or an administrative law judge,
>
> (d) Suspending, revoking, or otherwise limiting certificates after the conclusion of disciplinary actions,
>
> ...

6. Section 2227 of the Code states in pertinent part:

> (a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary action with the board, may, in accordance with the provisions of this chapter:
>
> (1) Have his or her license revoked upon order of the board.

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

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

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

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

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

7. Section 2234 of the Code, states in pertinent part:

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.

...

CAUSE TO REVOKE PROBATION

(Failure to Pay Probation Monitoring Costs)

8. At all times after the effective date of Respondent's probation, Condition Number 13, PROBATION MONITORING COSTS, stated in relevant part:

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

9. At all times after the effective date of Respondent's probation, Condition Number 11, VIOLATION OF PROBATION, stated in relevant part:

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

10. Respondent's probation is subject to revocation because he failed to comply with Probation Condition 13, referenced above, by repeatedly failing to pay probation monitoring costs to the Board. The facts and circumstances regarding this violation are as follows:

A. The circumstances set forth in Paragraph 3 are incorporated by reference as if fully set forth herein.

B. On or about May 27, 2015, Respondent signed and dated a document entitled "Acknowledgement of Decision" as part of the intake procedures with the Board's probation department. The document stated that the Board had provided Respondent with a copy of the decision in MBC Case No. 02-2013-232013 and that his certificate was being placed on probation for a period of five years. The document further stated,

"Your signature in the space provided below acknowledges that you received a copy of said decision and that I explained all the terms and conditions of your probation to you and addressed any questions you had about the conditions of your probation."

C. On or about May 4, 2015, the Board sent a letter to Respondent stating that he would owe $2,520.00 in prorated probation monitoring costs for 2015 and that the total was due on or before January 31, 2016. He was also notified in the same letter that while the total probation monitoring costs for the current calendar year were $4,106.00, the amount might vary from year to year. On or about December 21, 2016, the Board sent an e-mail to Respondent notifying him that he had not paid anything for 2015 or 2016 probation monitoring costs. Respondent responded that he needed a payment plan and that he would begin paying $400.00 a month

towards his outstanding probation monitoring costs. At the time, Respondent owed $6,187.00 in probation monitoring costs to the Board for 2015 and 2016.

D. On or about March 14, 2017, the Board received a $400.00 payment from Respondent towards his outstanding probation monitoring costs. On or about March 30, 2017, during an interview with Respondent, a probation monitor informed Respondent that he would need to make approximately 15 monthly payments of $400.00 to pay off the 2015 and 2016 probation monitoring costs and that Respondent would incur an additional $4,537.00 in probation monitoring costs for 2017. Respondent stated that he intended to make larger payments but that he would continue to make a minimum payment of $400.00 a month.

E. On or about September 30, 2019, Respondent was notified by the Board that his probation file was being assigned to a new probation monitor. On or about November 21, 2019, the Board's new probation monitor interviewed Respondent at his place of employment. Respondent admitted that he was not in compliance with all of his terms and conditions of probation and admitted that he was behind on his probation monitoring costs. The probation monitor informed the Respondent that he owed the Board $15,473.00 for outstanding probation monitoring costs. The Respondent stated that he understood that he owed the Board $15,473.00. On or about December 30, 2019, the Board's probation monitor sent Respondent a letter stating that Respondent's current balance for outstanding probation monitoring costs was $15,473.00 and that he was to make payment by the end of February 2020.

F. On or about March 24, 2020, the Board's probation monitor interviewed Respondent at Respondent's place of employment. Respondent admitted that he did not comply with all of his terms and conditions of probation and he admitted that he was behind on his probation monitoring costs. The probation monitor informed the Respondent that he now owed $21,904.00 in probation monitoring costs and that payment was due in full before May 22, 2020, the scheduled expiration of his probation term. The probation monitor explained to Respondent that failure to pay his probation costs would result in further discipline against Respondent's license and the Respondent stated that he understood the consequences of not paying probation monitoring

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costs. As of May 8, 2020, Respondent still owes the Board $21,904.00 in outstanding probation monitoring costs.

DISCIPLINE CONSIDERATIONS

11. To determine the degree of discipline, if any, to be imposed on Respondent, Complainant alleges that on or about May 22, 2015, in a prior disciplinary action entitled *In the Matter of the Accusation Against Rajinder Singh Randhawa, M.D.* before the Medical Board of California, in Case No. 02-2013-232013, Respondent's license was revoked, with the revocation stayed, for Respondent improperly presenting an altered pocket license and for falsely representing that his medical license was current when in fact it was delinquent to a prospective employer. Prior to accepting the Board's stipulation for a Decision and Order in this matter, Respondent agreed that if the Board ever petitioned for revocation of probation, "all of the charges, and allegations contained in Accusation No. 02-2013-232013, shall be deemed true, correct, and fully admitted by Respondent for the purposes of that proceeding..." That decision is now final and is incorporated by reference as if fully set forth.

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PRAYER

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

1. Revoking the probation that was granted by the Medical Board of California in Case No. 02-2013-232013 and imposing the disciplinary order that was stayed thereby revoking Physician's and Surgeon's Certificate No. C 50081 issued to Rajinder Singh Randhawa, M.D.;

2. Revoking, suspending or denying approval of Rajinder Singh Randhawa, M.D.'s authority to supervise physician's assistants, pursuant to section 3527 of the Code;

3. If placed on probation, ordering Rajinder Singh Randhawa, M.D., to pay the Board the costs of probation monitoring; and,

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

DATED: May 20, 2020

CHRISTINE J. LALLY
Interim Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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Exhibit A

Decision and Order

Medical Board of California Case No. 02-2013-232013

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

In the Matter of the Accusation Against:	)	
RAJINDER SINGH RANDHAWA, M.D.	)	Case No. 02-2013-232013
Physician's and Surgeon's Certificate No. C 50081	)	
Respondent	)	

DECISION AND ORDER

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 May 22, 2015.

IT IS SO ORDERED: April 24, 2015.

MEDICAL BOARD OF CALIFORNIA

Dev Gnanadev MD

Dev Gnanadev, M.D., Chair
Panel B

MEDICAL BOARD OF CALIFORNIA
I do hereby certify that this document is a true and correct copy of the original on file in this office.
S. Woods
Signature
for Custodian of Records
Title
5/8/2020
Date

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Attorneys for Complainant

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

In the Matter of the Accusation Against: RAJINDER SINGH RANDHAWA, M.D. 7720 Tennis Court. Antelope, California 95843 Physician's and Surgeon's Certificate C 50081, Respondent.	Case No. 02-2013-232013 OAH No. 2014060483 **STIPULATED SETTLEMENT AND DISCIPLINARY ORDER**

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

PARTIES

1. Kimberly Kirchmeyer ("Complainant") is the Executive Director of the Medical Board of California ("Board"). She brought this action solely in her official capacity and is represented in this matter by Kamala D. Harris, Attorney General of the State of California, by John S. Gatschet, Deputy Attorney General.

2. Respondent Rajinder Singh Randhawa, M.D. ("Respondent") is representing himself in this proceeding and has chosen not to exercise his right to be represented by counsel.

3. On October 3, 1997, the Board issued Physician's and Surgeon's Certificate No. C 50081 to Respondent. That license expired on March 31, 2011. On April 1, 2011, Respondent's license went into delinquent status. On April 23, 2011, Respondent renewed his delinquent license. His license again expired on March 31, 2013. On April 1, 2013, Respondent's license went into delinquent status. On May 11, 2013, Respondent renewed his delinquent license. His license is currently in full force and effect and will expire on March 31, 2015, unless renewed.

JURISDICTION

4. Accusation No. 02-2013-232013 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on April 2, 2014. Respondent timely filed a Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 02-2013-232013 is attached as Exhibit A and is incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, and understands the charges and allegations in Accusation No. 02-2013-232013. Respondent has also carefully read, and understands the effects of this Stipulated Settlement and Disciplinary Order.

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

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

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CULPABILITY

9. Respondent understands and agrees that the charges and allegations in Accusation No. 02-2013-232013, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate.

10. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation, and that Respondent hereby gives up his right to contest those charges.

11. Respondent agrees that if he ever petitions for early termination or modification of probation, or if the Board ever petitions for revocation of probation, all of the charges, and allegations contained in Accusation No. 02-2013-232013, shall be deemed true, correct, and fully admitted by Respondent for purposes of that proceeding or any other licensing proceeding involving respondent in the State of California.

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

RESERVATION

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

CONTINGENCY

14. This stipulation shall be subject to approval by the Medical Board of California. Respondent understands and agrees that counsel for Complainant and the staff of the Medical Board of California may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this

stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

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

16. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED THAT Physician's and Surgeon's Certificate No. C 50081 issued to Respondent Rajinder Singh Randhawa, M.D. is revoked. However, the revocation is stayed and Respondent is placed on probation for five (5) years on the following terms and conditions.

1. COMMUNITY SERVICE - FREE SERVICES. Within 60 calendar days of the effective date of this Decision, Respondent shall submit to the Board or its designee for prior approval a community service plan in which Respondent shall within the first 2 years of probation, provide 100 hours of free services (e.g., medical or nonmedical) to a community or non-profit organization. If the term of probation is designated for 2 years or less, the community service hours must be completed not later than 6 months prior to the completion of probation.

Prior to engaging in any community service Respondent shall provide a true copy of the Decision(s) to the chief of staff, director, office manager, program manager, officer, or the chief executive officer at every community or non-profit organization where Respondent provides community service and shall submit proof of compliance to the Board or its designee within 15 calendar days. This condition shall also apply to any change(s) in community service.

Community service performed prior to the effective date of the Decision shall not be accepted in fulfillment of this condition.

2. PROFESSIONALISM PROGRAM ("ETHICS" COURSE). Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in a professionalism program, that meets the requirements of Title 16, California Code of Regulations (C.C.R.) section 1358. Respondent shall participate in and successfully complete that program. Respondent shall provide any information and documents that the program may deem pertinent. Respondent shall successfully complete the classroom component of the program not later than six (6) months after Respondent's initial enrollment, and the longitudinal component of the program not later than the time specified by the program, but no later than one (1) year after attending the classroom component. The professionalism program shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

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

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

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

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

4. SUPERVISION OF PHYSICIAN ASSISTANTS. During probation, Respondent is

prohibited from supervising physician assistants.

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

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

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

7. GENERAL PROBATION REQUIREMENTS.

Compliance with Probation Unit

Respondent shall comply with the Board's probation unit and all terms and conditions of this Decision.

Address Changes

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

Place of Practice

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

License Renewal

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

Travel or Residence Outside California

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

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

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

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

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

In the event Respondent's period of non-practice while on probation exceeds 18 calendar months, Respondent shall successfully complete a clinical training program that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

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

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

Periods of non-practice will relieve Respondent of the responsibility to comply with the probationary terms and conditions with the exception of this condition and the following terms and conditions of probation: Obey All Laws; and General Probation Requirements.

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

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

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

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

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ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order. 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: March 12, 2015

RAJINDER SINGH RANDHAWA, M.D.
Respondent

ENDORSEMENT

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

Dated: 3/12/15

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
ROBERT MCKIM BELL
Supervising Deputy Attorney General

JOHN S. GAUSCHEL
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 02-2013-232013

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Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO April 2, 2014
BY ANALYST

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

In the Matter of the Accusation Against: **RAJINDER SINGH RANDHAWA, M.D.** 7720 Tennis Court Antelope, California 95843 Physician's and Surgeon's Certificate C 50081 Respondent.	Case No. 02-2013-232013 **ACCUSATION**

Complainant alleges:

PARTIES

1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official capacity as the Executive Director of the Medical Board of California ("Board").

2. On October 3, 1997, the Board issued Physician's and Surgeon's Certificate number C 50081 to Rajinder Singh Randhawa, M.D. ("Respondent"). That license expired on March 31, 2011. On April 1, 2011, Respondent's license went into delinquent status. On April 23, 2011, the Respondent renewed his delinquent license. His license again expired on March 31, 2013. On April 1, 2013, Respondent's license went into delinquent status. On May 11, 2013, the

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Respondent renewed his delinquent license. His license is currently in full force and effect and will expire on March 31, 2015, unless renewed.

JURISDICTION

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

4. Section 2227 of the Code provides that a licensee who is found guilty under the Medical Practice Act may have his or her license revoked, suspended for a period not to exceed one year, placed on probation and required to pay the costs of probation monitoring, or such other action taken in relation to discipline as the Board deems proper.

5. Section 119 of the Code states:

"Any person who does any of the following is guilty of a misdemeanor:

" ...

"(f) Photographs, photostats, duplicates, manufactures, or in any way reproduces any license or facsimile thereof in a manner that it could be mistaken for a valid license, or displays or has in his or her possession any such photograph, Photostat, duplicate, reproduction, or facsimile unless authorized by this code.

" ...

"As used in this section, "license" includes "certificate," "permit," "authority," and "registration" or any other indicia giving authorization to engage in a business or profession regulated by this code or referred to in Section 1000 or 3600."

6. 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.

" ...

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

" ..."

7. Section 2261 of the Code states:

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

FIRST CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

8. Respondent is subject to disciplinary action pursuant to sections 119, subdivision (f) and 2234 of the Code, in that he reproduced an altered expired certificate ("pocket license") issued to him by the Medical Board of California in a manner that it could be mistaken for a valid license. The circumstances are as follows:

9. Complainant hereby realleges the facts concerning the license status of the Respondent as set forth in paragraph 2 as fully set forth at this point.

10. Respondent is a psychiatrist. He is currently employed by Kern County Mental Health.

11. On September 22, 2012, Respondent sent Pinnacle Health Services, Inc. (PHS) a copy of his "pocket license." PHS is a business that provides duly-licensed medical professionals to work at state psychiatric facilities. Respondent contracted with PHS to be an independent service-provider. The "pocket license" had an expiration date of March 31, 2013, and was retained in Respondent's prospective employment file at PHS.

12. On March 28, 2013, PHS sent an e-mail to the Napa State Hospital (NSH) medical staff coordinator stating that the Respondent wished to apply as a part time staff psychiatrist. PHS forwarded a copy of Respondent's "pocket license" with an expiration date of March 31, 2013.

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13. On April 30, 2013, the NSH medical staff coordinator requested additional documentation directly from the Respondent. That same day, the Respondent faxed the NSH medical staff coordinator a "pocket license" which had an expiration date of March 31, 2015.

14. On May 9, 2013, the NSF medical staff coordinator contacted the Medical Board to verify that the Respondent's license was valid. The NSF medical staff coordinator was informed by the Medical Board that the Respondent's license was delinquent.

15. On May 10, 2013, the NSF medical staff coordinator contacted the Medical Board and spoke to a regulatory analyst. The regulatory analyst again verified that the account was delinquent. The NSF medical staff coordinator informed the regulatory analyst that she had received a "pocket license" from the Respondent that had an expiration date of March 31, 2015. The regulatory analyst confirmed that the Medical Board had not issued Respondent a "pocket license" with an expiration date of March 31, 2015. The regulatory analyst concluded the expiration date had been altered.

16. After speaking to the Medical Board, the NSF medical staff coordinator informed her supervisor that Respondent's medical license was delinquent. The supervisor contacted the Respondent and informed him that his license was delinquent and that he could not start employment at NSH without a valid medical license.

17. On May 10, 2013, after being contacted by the supervisor, the Respondent renewed his medical license by making payment on-line to the Medical Board. The Medical Board sent the Respondent a valid "pocket license" with an expiration date of March 31, 2015.

18. On August 29, 2013, the Respondent admitted he received the valid "pocket license" from the Medical Board by mail approximately a week after May 10, 2013.

19. The Respondent is subject to disciplinary action because he sent a fraudulent "pocket license" to the Napa State Hospital in such a manner that it was mistakenly received as a valid license.

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SECOND CAUSE FOR DISCIPLINE

(Signing a false document directly related to the practice of medicine)

20. Respondent is subject to disciplinary action under section 2261 in that he signed a medical staff application which contained false information regarding his medical license. The circumstances are as follows:

21. Complainant realleges paragraphs 9 through 18, those paragraphs are incorporated by reference as if fully set forth herein.

22. On March 28, 2013, PHS sent Respondent an e-mail containing a blank copy of the NSH medical staff application.

23. On April 30, 2013, the Respondent faxed the completed NSH medical staff application to the NSH medical staff coordinator at NSH. On page three of Respondent's NSH medical staff application, under the section titled MEDICAL/PSYCHOLOGY LICENSURE/REGISTRATIONS, the Respondent's medical license number, C50081, was listed as having an expiration date of March 31, 2015.

24. On page five of the NSH medical staff application, under section XVI, titled ATTESTATION QUESTIONS, the following is listed under "A":

> "Has your license to practice in any jurisdiction, your Drug Enforcement Administration (DEA) registration or any applicable narcotic registration ever been denied, limited, restricted, suspended, revoked, not renewed, or subject to probationary conditions, or have you voluntarily or involuntarily relinquished any such license or registration or voluntarily accepted any such actions or conditions, or have you been fined or received a letter of reprimand or is such action pending?

Next to question "A", the answer "NO," is marked with an "x."

25. On page six of the NSH medical staff application, the following is listed:

> "I hereby affirm that the information in this Section XVI, Attestation Questions, and any addenda thereto is true, current, correct, and complete to the best of my knowledge and belief and is furnished in good faith. I understand that material, omissions or misrepresentations may result in denial of my reapplication or termination of my privileges, employment, or physician participation agreement."

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Respondent's name is printed in bold face print directly underneath the affirmation paragraph. The Respondent's signature is directly underneath the Respondent's printed name. On the signature line, directly next to Respondent's signature, is a typed date of April 24, 2013. On January 8, 2014, the Respondent admitted that the signature located on page six is his signature and admitted that he personally signed the document.

26. On page seven of the NSH medical staff application, the following is listed:

> "I hereby affirm that the information submitted in this reapplication and addenda thereto (including my curriculum vitae if attached) is true, current, correct, and complete to the best of my knowledge and belief and is furnished in good faith. I understand that material omissions or misrepresentations may result in denial of my reapplication or termination of my privileges, employment of physician participation agreement. A photocopy of this document shall be as effective as the original, however, current dates are required on pages 5 and 6.

Respondent's name is printed in bold face print directly underneath the affirmation paragraph. The Respondent's signature is directly underneath the Respondent's printed name. On the signature line, directly next to Respondent's signature, is a typed date of April 24, 2013. On January 8, 2014, the Respondent admitted that the signature located on page seven is his signature and admitted that he personally signed the document.

27. The Respondent is subject to disciplinary action because he signed a document directly related to the practice of medicine that falsely represented that he possessed a valid medical license.

THIRD CAUSE FOR DISCIPLINE

(Dishonest and Corrupt Acts)

28. Respondent is subject to disciplinary action under section 2234(e) in that he committed dishonest and corrupt acts which are substantially related to the qualifications, functions, or duties of a physician and surgeon. The circumstances are as follows:

29. Complainant realleges paragraphs 9 through 27, those paragraphs are incorporated by reference as if fully set forth herein.

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PRAYER

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

1. Revoking or suspending Physician's and Surgeon's Certificate Number C 50081, issued to Rajinder Singh Randhawa, M.D.;

2. Revoking, suspending or denying approval his authority to supervise physician's assistants, pursuant to section 3527 of the Code;

3. If placed on probation, ordering him to pay the Medical Board of California the costs of probation monitoring; and

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

DATED: April 2, 2014

KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California

Complainant

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