

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

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

Saji T. John, M.D.

**Physician's & Surgeon's
Certificate No A 52030**

Respondent.

Case No. 800-2018-042672

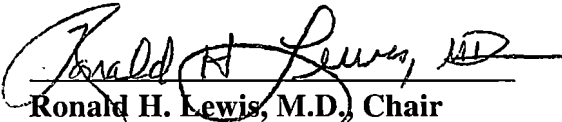
DECISION

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

This Decision shall become effective at 5:00 p.m. on June 18, 2021

IT IS SO ORDERED May 20, 2021

MEDICAL BOARD OF CALIFORNIA



**Ronald H. Lewis, M.D., Chair
Panel A**

1 XAVIER BECERRA
Attorney General of California
2 STEVE DIEHL
Supervising Deputy Attorney General
3 MICHAEL C. BRUMMEL
Deputy Attorney General
4 State Bar No. 236116
California Department of Justice
5 2550 Mariposa Mall, Room 5090
Fresno, CA 93721
6 Telephone: (559) 705-2307
Facsimile: (559) 445-5106
7 E-mail: Michael.Brummel@doj.ca.gov
Attorneys for Complainant

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

13 In the Matter of the Accusation Against:

14 **SAJI T. JOHN, M.D.**
15 **11567 Devonshire Ave**
Fresno, CA 93730

16 **Physician's and Surgeon's Certificate**
17 **No. A 52030**

18 Respondent.

Case No. 800-2018-042672

OAH No. 2020100106

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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

21 **PARTIES**

22 1. William Prasifka (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 Xavier Becerra, Attorney General of the State of California, by Michael C. Brummel,
25 Deputy Attorney General.

26 2. Respondent Saji T. John, M.D. (Respondent) is represented in this proceeding by
27 attorney Ann H. Larson, Esq., whose address is: 2420 Camino Ramon, Suite 202, San Ramon,
28 CA 94583-4202.

1 3. On or about June 14, 1993, the Board issued Physician's and Surgeon's Certificate
2 No. A 52030 to Saji T. John, M.D. (Respondent). The Physician's and Surgeon's Certificate was
3 in full force and effect at all times relevant to the charges brought in Accusation No. 800-2018-
4 042672, and will expire on May 31, 2021, unless renewed.

JURISDICTION

6 4. Accusation No. 800-2018-042672 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 13, 2020. Respondent timely filed her Notice of
9 Defense contesting the Accusation.

10 5. A copy of Accusation No. 800-2018-042672 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. 800-2018-042672. Respondent has also carefully read,
15 fully discussed with her counsel, and understands the effects of this Stipulated Settlement and
16 Disciplinary Order.

17 7. Respondent is fully aware of her 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 her; the right to present evidence and to testify on her 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. 800-2018-042672, if proven at a hearing, constitute cause for imposing discipline upon her
28 Physician's and Surgeon's Certificate.

1 **DISCIPLINARY ORDER**

2 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 52030 issued
3 to Respondent Saji T. John, M.D. is Publicly Reprimanded pursuant to Business and Professions
4 Code section 2227, subdivision (a)(4). This Public Reprimand, which is issued in connection
5 with Respondent's care and treatment of a single patient, as set forth in Accusation No. 800-
6 2018-042672, is as follows:

7 This reprimand is issued pursuant to Code section 2227, subdivision (a)(4) as a result of the
8 allegations set forth in the Accusation, relating to her failure to conduct an adequate abdominal
9 examination on Patient A, failure to obtain prompt labs from Patient A; and failure to adequately
10 respond to Patient A's critical potassium levels.

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

21 2. FAILURE TO COMPLY. Any failure by Respondent to comply with the terms and
22 conditions of the Disciplinary Order set forth above shall constitute unprofessional conduct and
23 grounds for further disciplinary action.

24 3. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for
25 a new license or certification, or petition for reinstatement of a license, by any other health care
26 licensing action agency in the State of California, all of the charges and allegations contained in
27 Accusation No. 800-2018-042672 shall be deemed to be true, correct, and admitted by
28 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or

1 restrict license.

2 **ACCEPTANCE**

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

8

9 DATED: _____
10 SAJI T. JOHN, M.D.
11 *Respondent*

12 I have read and fully discussed with Respondent Saji T. John, M.D. the terms and
13 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
14 I approve its form and content.


15 DATED: _____
16 Ann H. Larson, Esq.
17 *Attorney for Respondent*

18 **ENDORSEMENT**

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

21 DATED: March 11, 2021

22 Respectfully submitted,
23 XAVIER BECERRA
24 Attorney General of California
25 STEVE DIEHL
26 Supervising Deputy Attorney General

27 
28 MICHAEL C. BRUMMEL
29 Deputy Attorney General
30 *Attorneys for Complainant*

31 FR2020301846/95379669

1 restrict license.

2 **ACCEPTANCE**

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

8
9 DATED: 3/10/21 Saji John
10 SAJI T. JOHN, M.D.
Respondent

11 I have read and fully discussed with Respondent Saji T. John, M.D. the terms and
12 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
13 I approve its form and content.

14 DATED: 3/11/21 Ann H. Larson
15 Ann H. Larson, Esq.
Attorney for Respondent

16
17 **ENDORSEMENT**

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

20
21 DATED: _____

Respectfully submitted,
XAVIER BECERRA
Attorney General of California
STEVE DIEHL
Supervising Deputy Attorney General

MICHAEL C. BRUMMEL
Deputy Attorney General
Attorneys for Complainant

22
23
24
25
26
27
28 FR2020301846/95379669

Exhibit A

Accusation No. 800-2018-042672

1 XAVIER BECERRA
Attorney General of California
2 STEVE DIEHL
Supervising Deputy Attorney General
3 MICHAEL C. BRÜMMEL
Deputy Attorney General
4 State Bar No. 236116
2550 Mariposa Mall, Room 5090
5 Fresno, CA 93721
Telephone: (559) 705-2307
6 Facsimile: (559) 445-5106
Attorneys for Complainant
7

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

14 In the Matter of the Accusation Against: Case No. 800-2018-042672
15 **SAJI T. JOHN, M.D.** ACCUSATION
16 **11567 Devonshire Ave.**
Fresno, CA 93730
17 **Physician's and Surgeon's Certificate**
No. A 52030.
18 Respondent.
19

20 **PARTIES**

- 21 1. William Prasifka (Complainant) brings this Accusation solely in his official capacity
22 as the Executive Director of the Medical Board of California, Department of Consumer Affairs
23 (Board).
24 2. On or about June 14, 1993, the Medical Board issued Physician's and Surgeon's
25 Certificate No. A 52030 to Saji T. John, M.D. (Respondent). The Physician's and Surgeon's
26 Certificate was in full force and effect at all times relevant to the charges brought herein and will
27 expire on May 31, 2021, unless renewed.
28 ///

1 JURISDICTION

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

5 4. Section 2227 of the Code states:

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

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

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

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

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

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

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

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

28 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:

...

(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 (g) The failure by a certificate holder, in the absence of good cause, to attend
2 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.

3 **FIRST CAUSE FOR DISCIPLINE**

4 **(Gross Negligence)**

5 6. Respondent has subjected her Physician's and Surgeon's Certificate No. A 52030 to
6 disciplinary action under sections 2227 and 2234, as defined by section 2234, subdivision (b), of
7 the Code, in that she was grossly negligent in her care and treatment of Patient A,¹ as more
8 particularly alleged hereinafter:

9 7. On or about October 10, 2015, Patient A, a then 78-year-old female presented to
10 urgent care at Kaiser Permanente (Kaiser) with complaints of nausea, vomiting, and acute
11 constant abdominal pain. Abdominal tenderness was noted on physical examination, and her vital
12 signs were found to be within normal limits. The treating physician diagnosed the patient with
13 likely food poisoning. Patient A was provided intravenous (IV) Zofran,² a prescription for oral
14 Zofran, and was discharged home with instructions to follow-up with her primary care physician³
15 if her symptoms persist.

16 8. On or about October 12, 2015, Respondent reviewed the urgent care notes from
17 Patient A's visit and contacted her by phone. At that time, the patient reported that she was still
18 feeling sick and tired, had no energy, no appetite, dry lips, and was trying to drink fluids.
19 Respondent did not inquire about the duration, severity, or location of her abdominal pain.
20 Respondent recommended the patient make an appointment to come see her either that day or the
21 next day.

22 9. On or about October 13, 2015, Patient A presented to Respondent with continued
23 complaints of nausea, vomiting, feeling tired, weak, and requested hospitalization for IV fluids.
24 The patient's vital signs were found to be within normal limits. Respondent did not perform an

25 ¹ To protect the privacy of the patient involved, the patient's name has not been included
26 in this pleading. Respondent is aware of the identity of the patient referred to herein.

27 ² Zofran (brand name for ondansetron) is a medication used to prevent nausea and
vomiting.

28 ³ Respondent had been Patient A's primary care physician since approximately 2006.

1 abdominal examination, and did not inquire about the duration, severity, or location of her
2 abdominal pain, or about her bowel movements, bloody stools, or flatus. Respondent diagnosed
3 Patient A with dehydration, and ordered labs that included a complete blood count (CBC) and IV
4 fluids.

5 10. After leaving Respondent's office, Patient A reported for her labs and IV fluids as
6 directed. Only partial labs were able to be drawn from the patient at that time. Later that day,
7 Respondent reviewed the patient's partial lab results, which revealed a CBC within normal limits.
8 Respondent did not order repeat complete labs.

9 11. On or about October 16, 2015, at approximately 11:15 a.m., Patient A presented to
10 Kaiser with continued complaints of nausea, vomiting, and abdominal pain, and was seen by
11 M.R., M.D. (Dr. M.R.). Patient A reported that her last bowel movement was four (4) days prior,
12 but denied any fever or chills. Dr. M.R. noted some distention and tenderness on abdominal
13 exam, and diagnosed Patient A with lower left quadrant abdominal pain and possible
14 diverticulitis. Dr. M.R. ordered a CT scan and instructed the patient to complete the labs that had
15 been previously ordered by Respondent.

16 12. After leaving Dr. M.R.'s office, Patient A reported for her labs as directed at
17 approximately 12:30 p.m., the results of which were notable for hypokalemia with a potassium
18 level of 2.7. Respondent acknowledged receipt of these critical lab results at approximately
19 1:24 p.m., and subsequently mailed a letter to the patient to inform her that her labs showed a
20 very low potassium level, and instructed her to repeat the labs in one to two weeks.

21 13. Patient A presented for her CT scan as instructed at approximately 1:15 p.m., which
22 revealed findings concerning for small bowel obstruction and left femoral hernia containing loop
23 of bowel. This information was urgently conveyed to Dr. M.R., at approximately 2:42 p.m., who
24 then contacted the patient by phone to advise her to immediately report to the emergency
25 department (ED).

26 14. Patient A presented to the ED as instructed at approximately 4:39 p.m., where she
27 was diagnosed with left femoral hernia with obstruction. Shortly thereafter, the patient underwent
28 an emergent operation that revealed gross fecal contamination in all four quadrants, perforated

1 and necrotic dead bowel, and purulent peritonitis and stool from strangulated hernia. Patient A
2 was subsequently transferred to the intensive care unit and died on or about October 18, 2015,
3 from cardiac arrest due to ventricular tachycardia and severe sepsis due to bowel perforation and
4 obstruction.

5 15. On or about September 4, 2019, an investigator on behalf of the Board (MBC
6 Investigator) contacted Respondent by email to schedule an interview about her care and
7 treatment of Patient A.

8 16. On or about September 11, 2019, Respondent responded to MBC Investigator by
9 email and indicated that she is on extended medical leave and inquired as to how she should
10 proceed.

11 17. On or about September 19, 2019, MBC Investigator emailed Respondent asking her
12 to have Kaiser legal counsel contact the investigator about setting up a phone interview so the
13 interview could proceed while she is on extended medical leave.

14 18. On or about October 11, 2019, MBC Investigator emailed the Kaiser legal department
15 to schedule an interview with Respondent, and advised them that the interview would likely be
16 over the phone.

17 19. On or about January 24, 2020, MBC Investigator emailed the Kaiser legal department
18 again to schedule an interview with Respondent.

19 20. On or about March 5, 2020, MBC Investigator emailed Respondent to inform her that
20 the Kaiser legal department had not been responsive and asked of her availability for the
21 interview.

22 21. On or about March 10, 2020, MBC Investigator emailed the Kaiser legal department
23 again to schedule an interview with Respondent, and advised them that the interview could be by
24 phone if Respondent was still on medical leave.

25 22. On or about April 7, 2020, MBC Investigator emailed Respondent to let her know she
26 could waive her right to an interview and instead provide a detailed letter to the Board, or she can
27 proceed with scheduling a phone interview. MBC Investigator requested a response by April 21,
28 2020. As of June 17, 2020, Respondent had not responded to MBC Investigator.

1 23. Respondent committed gross negligence in her care and treatment of Patient A, which
2 included, but was not limited to, the following:

3 A. Failing to properly evaluate and manage the patient's nausea and vomiting in
4 the setting of abdominal pain; and

5 B. Failing to properly manage the patient's hypokalemia.

6 **SECOND CAUSE FOR DISCIPLINE**

7 **(Repeated Negligent Acts)**

8 24. Respondent has further subjected her Physician's and Surgeon's Certificate No.
9 A 52030 to disciplinary action under sections 2227 and 2234, as defined by section 2234,
10 subdivision (c), of the Code, in that she committed repeated negligent acts in her care and
11 treatment of Patient A, as more particularly alleged in paragraphs 6 through 23, above, which are
12 hereby incorporated by reference and realleged as if fully set forth herein.

13 **THIRD CAUSE FOR DISCIPLINE**

14 **(Failure to Attend and Participate in Interview by the Board)**

15 25. Respondent has further subjected her Physician's and Surgeon's Certificate No.
16 A 52030 to disciplinary action under sections 2227 and 2234, as defined by section 2234,
17 subdivision (g), of the Code, in that without good cause, she failed to attend and participate in an
18 interview by the board, as more particularly alleged in paragraphs 15 through 22, above, which
19 are hereby incorporated by reference and realleged as if fully set forth herein.

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

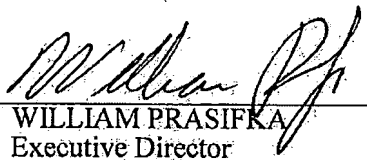
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 No. A 52030, issued to Respondent, Saji T. John, M.D.;
2. Revoking, suspending, or denying approval of Respondent, Saji T. John, M.D.'s authority to supervise physician assistants and advanced practice nurses;
3. Ordering Respondent, Saji T. John, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and
4. Taking such other and further action as deemed necessary and proper.

DATED: AUG 13 2020



WILLIAM PRASIFKA
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

FR2020301846
95354341.docx