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

In the Matter of the Accusation Against: **MASSOUD SIAHKALROUDI AMINI, M.D.** **19923 Hemmingway Street** **Winnetka, CA 91306-2341** **Physician's and Surgeon's Certificate No. A 53396,** Respondent.	Case No. 800-2022-084831 **DEFAULT DECISION AND ORDER** [Gov. Code, §11520]

FINDINGS OF FACT

1. On or about October 19, 2023, Complainant Reji Varghese, in his official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs, filed Accusation No. 800-2022-084831 against MASSOUD SIAHKALROUDI AMINI, M.D. (Respondent) before the Medical Board of California.

2. On or about August 17, 1994, the Medical Board of California (Board) issued Physician's and Surgeon's Certificate No. A 53396 to Respondent. On or about October 3, 2023, Respondent's Physician's and Surgeon's Certificate was suspended, pending a full administrative hearing. The Physician's and Surgeon's Certificate was in full force and effect at all other times

relevant to the charges brought herein and will expire on February 29, 2024, unless renewed. A copy of the Certificate of Licensure is attached as **Exhibit A to the accompanying Evidence Packet**.

3. On or about October 19, 2023, Sharee Woods, an employee of the Board, served by Certified Mail a copy of Accusation No. 800-2022-084831, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent at his address of record with the Board, which was and is 19923 Hemmingway Street, Winnetka, California 91306-2341. Ms. Woods also served by Certified Mailed a copy of the aforementioned documents to an address provided by Respondent and noted as his updated address, which is 17845 Valley Vista Boulevard, Encino, California 91316. A copy of the Accusation, the related documents, and Declaration of Service are attached as **Exhibit B to the accompanying Evidence Packet**, and are incorporated herein by reference.

4. On or about October 23, 2023, the U.S. Postal Service (USPS) forwarded the documents that were originally mailed to Respondent's Winnetka address. Additionally, on or about October 23, 2023, the USPS successfully delivered the documents mailed to Respondent's Encino address. Copies of the U.S. Postal Service Tracking History are attached as **Exhibit C to the accompanying Evidence Packet**.

5. Service of the Accusation was effective as a matter of law under the provisions of Government Code section 11505, subdivision (c).

6. Government Code section 11506 states, in pertinent part:

> (c) The respondent shall be entitled to a hearing on the merits if the respondent files a notice of defense, and the notice shall be deemed a specific denial of all parts of the accusation not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing.

7. Respondent failed to file a Notice of Defense within 15 days after service upon him of the Accusation, and therefore waived his right to a hearing on the merits of Accusation No. 800-2022-084831.

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8. Additionally, on or around November 6, 2023, Respondent was sent a Courtesy Notice of Default, which included a copy of the Accusation and Notice of Defense previously served on Respondent, advising him that if he failed to take action to file a Notice of Defense by November 20, 2023, the Board would enter a Default Decision against his license, which may be revoked without a hearing. (See **Exhibit D to the accompanying Evidence Packet.**) Service of the Courtesy Notice of Default was perfected to Respondent's addresses in Winnetka and Encino, California. The USPS attempted to deliver the Courtesy Notice of Default at Respondent's address of record in Winnetka, but the documents were forwarded. On or about November 20, 2023, the documents served to the Winnetka address were designated "Return to Sender" by the USPS. On or about November 10, 2023, the USPS attempted delivery of the Courtesy Notice of Default at Respondent's address in Encino. On or about November 14, 2023, the USPS left a notice for Respondent to retrieve the Courtesy Notice of Default or to schedule redelivery of the documents, or the documents would be returned to the sender. On or about November 29, 2023, the documents served to the Encino address were designated "Return to Sender" by the USPS. (See **Exhibit D to the accompanying Evidence Packet.**)

9. Despite being served with the Accusation, and related documents, to his address of record in Winnetka, California and his other known address in Encino, California, and being served with a Courtesy Notice of Default that enclosed the Accusation and Notice of Defense form, Respondent failed to file a Notice of Defense or give any notice to Complainant of his intent to contest the Accusation. **Exhibit E to the accompanying Evidence Packet** is a declaration stating that no Notice of Defense has been received or submitted.

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

> (a) If the respondent either fails to file a notice of defense or to appear at the hearing, the agency may take action based upon the respondent's express admissions or upon other evidence and affidavits may be used as evidence without any notice to respondent.

11. **Exhibit F to the accompanying Evidence Packet** contains a Declaration of Alex Sahba, M.D., declaring that he conducted a mental examination of Respondent and found that

Respondent suffers from Major Neurocognitive Disorder, unspecified, which renders Respondent incapable of safely practicing medicine at this time.

12. **Exhibit G to the accompanying Evidence Packet** contains a Declaration of Lorne Label, M.D., declaring that he conducted a physical/neurological examination of Respondent and found that Respondent suffers from a moderately severe type of dementia, most likely Alzheimer's disease, with vascular dementia as a secondary possibility. Dr. Label opined that Respondent is not fit to care for patients and is a danger to himself and others.

13. Pursuant to its authority under Government Code section 11520, the Board finds Respondent is in default. The Board will take action without further hearing and, based on Respondent's express admissions by way of default and the evidence before it, contained in Exhibits A, B, C, D, E, F, and G, finds that the allegations in Accusation No. 800-2022-084831 are true.

DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent MASSOUD SIAHKALROUDI AMINI, M.D. has subjected his Physician's and Surgeon's Certificate No. A 53396 to discipline.

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

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

4. The Medical Board of California is authorized to revoke Respondent's Physician's and Surgeon's Certificate based upon the following violations alleged in the Accusation:

a. Inability to practice medicine safely, pursuant to Business and Professions Code section 822. (See Exhibits F and G.)

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ORDER

IT IS SO ORDERED that Physician's and Surgeon's Certificate No. A 53396, heretofore issued to Respondent MASSOUD SIAHKALROUDI AMINI, M.D., is revoked.

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

This Decision shall become effective on January 12, 2024.

It is so ORDERED December 14, 2023

Reji Varghese, Executive Director
FOR THE MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS

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

In the Matter of the Accusation Against: **Massoud Siahkalroudi Amini, M.D.** **19923 Hemmingway Street** **Winnetka, CA 91306-2341** **Physician's and Surgeon's Certificate No. A 53396,** Respondent.	Case No. 800-2022-084831 **A C C U S A T I O N**

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 August 17, 1994, the Medical Board issued Physician's and Surgeon's Certificate Number A 53396 to Massoud Siahkalroudi Amini, 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 February 29, 2024, unless renewed.

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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 2004 of the Code states:

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.

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

(f) Approving undergraduate and graduate medical education programs.

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

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

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

STATUTORY PROVISIONS

5. Section 820 of the Code states:

Whenever it appears that any person holding a license, certificate or permit under this division or under any initiative act referred to in this division may be unable to practice his or her profession safely because the licentiate's ability to practice is impaired due to mental illness, or physical illness affecting competency, the licensing agency may order the licentiate to be examined by one or more physicians and surgeons or psychologists designated by the agency. The report of the examiners shall be made available to the licentiate and may be received as direct evidence in proceedings conducted pursuant to Section 822.

6. Section 822 of the Code states:

If a licensing agency determines that its licentiate's ability to practice his or her profession safely is impaired because the licentiate is mentally ill, or physically ill affecting competency, the licensing agency may take action by any one of the

following methods:

(a) Revoking the licentiate's certificate or license.

(b) Suspending the licentiate's right to practice.

(c) Placing the licentiate on probation.

(d) Taking such other action in relation to the licentiate as the licensing agency in its discretion deems proper.

The licensing section shall not reinstate a revoked or suspended certificate or license until it has received competent evidence of the absence or control of the condition which caused its action and until it is satisfied that with due regard for the public health and safety the person's right to practice his or her profession may be safely reinstated.

7. Section 824 of the Code states:

The licensing agency may proceed against a licentiate under either Section 820, or 822, or under both sections.

FACTUAL ALLEGATIONS

8. Respondent is a seventy-three year-old family medicine practitioner, who works at Sina Urgent Care in Woodland Hills, CA.

9. On or about January 7, 2022, the Board received a patient complaint alleging that, during the patient's visit, Respondent refused to answer questions, was combative, and Respondent had an overall unprofessional demeanor during the visit.

10. On or about November 8, 2022, the Board began its investigation into Respondent and the patient complaint.

11. On or about July 7, 2023, a Board representative interviewed Respondent. During that interview, the Board representative requested that Respondent submit to a voluntary mental and physical examination to determine if he could safely practice medicine. Respondent agreed to the Board's request.

12. Following his mental examination, performed on August 10, 2023, it was determined that Respondent meets the DSM-5[1] criteria for Major Neurocognitive Disorder, which renders him unable to practice medicine safely. The psychiatrist, who performed the mental examination,

[1] DSM-5 is the Diagnostic and Statistical Manual of Mental Disorder, Fifth Edition, which is the taxonomic and diagnostic tool published by the American Psychiatric Association (APA). The DSM serves as the principal authority for psychiatric diagnoses.

found that Respondent has significant cognitive impairment in the domains of learning, memory, and language.

13. The psychiatrist indicated that the etiology of Respondent's disorder is unspecified and he needed imaging studies, genetic studies, and a consultation with a neurologist to have a definitive diagnosis. The psychiatrist recommended that Respondent immediately seek care from a psychiatrist and neurologist.

14. Following his physical examination, performed on August 17, 2023, it was found that Respondent has abnormalities in his frontal, parietal, and temporal lobes, causing issues with insight, judgment, executive function, memory, and communication skills.

15. The physician, who performed the physical examination, determined that Respondent suffers from moderately severe dementia, most likely Alzheimer's disease, with vascular dementia as a secondary possibility. The physician determined that Respondent is not mentally fit to care for patients and is a danger to himself and others.

16. The physician recommended that Respondent undergo a complete evaluation and treatment for his condition, and that Respondent refrain from operating a motor vehicle.

CAUSE FOR DISCIPLINE

(Inability to Practice Medicine Safely)

17. Respondent Massoud Siahkalroudi Amini, M.D.'s Physician's and Surgeon's Certificate A 53396 is subject to action under Code section 822 in that Respondent cannot safely practice medicine at this time. The circumstances are as follows:

18. Complainant refers to and, by this reference, incorporates paragraphs 8 through 16, above, as though fully set forth fully herein.

DISCIPLINARY CONSIDERATIONS

19. To determine the degree of discipline, if any, to be imposed on Respondent, Complainant alleges that on October 3, 2023, in a prior disciplinary action titled *In the Matter of the Petition for an Interim Suspension Order Against Massoud Siahkalroudi Amini, M.D.*, before the Medical Board of California, in Case No. 800-2022-084831, Respondent's license was suspended pending a full administrative determination of Respondent's fitness to practice

medicine. During the period of suspension Respondent shall not: (a) practice or attempt to practice any aspect of medicine or surgery; (b) advertise, by any means, or hold himself out as practicing or available to practice medicine or to supervise physician assistants or advanced practice nurses; (c) be present in any location or office which is maintained for the practice of medicine, or at which medicine is practiced, for any purpose except as a patient or as a visitor of family or friends; (d) possess, order, purchase, receive, prescribe, furnish, administer, or otherwise distribute controlled substances or dangerous drugs as defined by federal or state law, except as may be lawfully prescribed to Respondent by a licensed medical professional; (e) do any other act for which a physician's and surgeon's certificate is required. That Order is currently pending and is incorporated by reference as if fully set forth herein.

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 A 53396, issued to Respondent Massoud Siahkalroudi Amini, M.D.;

2. Revoking, suspending or denying approval of Respondent Massoud Siahkalroudi Amini, M.D.'s authority to supervise physician assistants and advanced practice nurses;

3. Ordering Respondent Massoud Siahkalroudi Amini, M.D., if placed on probation, to pay the costs of probation monitoring; and

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

DATED: OCT 19 2023

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

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