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

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| In the Matter of the Accusation Against:<br><br>**MOHAMMED ALI ABDEL-RAHIM, M.D.**<br>**21010 Pacific City Cir.**<br>**Huntington Beach, CA 92648-8501**<br><br>**Physician's and Surgeon's Certificate No. A 137806**<br><br>Respondent. | Case No. 800-2022-092462<br><br>**DEFAULT DECISION AND ORDER**<br><br>[Gov. Code, §11520] |

## FINDINGS OF FACT

1. On or about October 17, 2024, Complainant Reji Varghese, in his official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs, filed Accusation No. 800-2022-092462 against Mohammed Ali Abdel-Rahim, M.D. (Respondent) before the Medical Board of California.

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2. On or about August 14, 2015, the Medical Board of California (Board) issued Physician's and Surgeon's Certificate No. A 137806 to Respondent. The Physician's and Surgeon's Certificate expired on December 31, 2022, and has not been renewed. A copy of Respondent's Certificate of Licensure is attached as Exhibit A to the accompanying Default Decision Evidence Packet.[1]

3. On or about October 17, 2024, Merlene Francis, an employee of the Complainant Agency, served by Certified and First Class Mail a copy of the Accusation No. 800-2022-092462, Statement to Respondent; Notice of Defense; Request for Discovery; and Discovery Statutes to Respondent's address of record with the Board, which was and is 21010 Pacific City Cir., Huntington Beach, CA 92648-8501. A copy of the Accusation, the related documents, and Declaration of Service are attached as Exhibit B, and are incorporated herein by reference.

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

5. On or about October 26, 2024, the aforementioned documents were returned by the U.S. Postal Service marked "Return to Sender; Insufficient Address; Unable to Forward; Return to Sender." A copy of the envelope returned by the post office is attached as Exhibit C, and is incorporated herein by reference.

6. On or about November 13, 2024, I. Chavarin, an employee of the Department of Justice, served by Certified and First Class Mail a Courtesy Notice of Default including a copy of the Accusation No. 800-2022-092462, Statement to Respondent; Notice of Defense; Request for Discovery; and Discovery Statutes to Respondent's address of record with the Board, which was 1466 Barton Dr., Sunnyvale, CA 94087.[2] A copy of the Courtesy Notice of Default, the related documents, and Declaration of Service are attached as Exhibit D, and are incorporated herein by reference.

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[1] All exhibits are true and correct copies of the originals and are attached to the accompanying Default Decision Evidence Packet. The Default Decision Evidence packet is hereby incorporated by refence, in its entirety, as if fully set forth herein.

[2] Respondent has relocated multiple times during the enforcement process. The Board has served documents on Respondent's address of record on file as of the dates of events listed within this pleading. As of the time of writing, his current address of record is 21010 Pacific City Cir., Huntington Beach, CA 92648-8501.

7. On or about December 6, 2024, the aforementioned documents were noted as "Delivered, Individual Picked Up at Postal Facility" by the tracking history maintained by the U.S. Postal Service. A copy of the tracking information is attached as Exhibit E, and is incorporated herein by reference.

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

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

9. 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.

10. The declaration of Robert W. Lincoln, Deputy Attorney General, in support of the Default Decision and Order attesting to the attempts to serve Respondent with Accusation No. 800-2022-092462 is attached as Exhibit F to the accompanying Default Decision Evidence Packet.

11. Respondent failed to file a Notice of Defense within 15 days after service upon mail of the Accusation, and therefore waived male right to a hearing on the merits of Accusation No. 800-2022-092462.

12. The declaration of Robert W. Lincoln, Deputy Attorney General, attesting to the costs of investigation and enforcement of Accusation No. 800-2022-092462 is attached as Exhibit G and incorporated herein by reference.

13. The declaration of Christopher Jensen, Investigator, attesting to the facts obtained in support of Accusation No. 800-2022-092462 is attached as Exhibit H and incorporated herein by reference.

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14. 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.

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

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

16. 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, G, H, I, and J, finds that the allegations in Accusation No. 800-2022-092462 are true.

## FACTUAL ALLEGATIONS

17. On October 10, 2022, the Board received a notification that Respondent had been arrested in the early hours of October 6, 2022, pursuant to Penal Code section 422, threatening crime with intent to terrorize, a felony charge. (Exhibit H).

18. On or about October 6, 2022, the Huntington Beach Police Department responded to a call of disturbing the peace in an apartment complex. Security guards had made a citizen's arrest of Respondent based on Respondent throwing things and yelling inside his unit and threatening to kill everyone in the area. When the security guards contacted Respondent, he made threatening movements toward the guards and threatened to gouge out the eyes of one of the guards. When the police officers arrived, Respondent swung a saxophone around, placed the saxophone on the ground, and warned the officers not to cross an invisible line around it. (Exhibits H and J-1)

19. On or about November 21, 2022, based upon his review of the investigation materials, VP. K, MBChB, MBA, FACS, FSSO, (Dr. K) determined that Respondent may be

suffering from a severe mental and/or physical illness affecting his practice of medicine and professional competency. Dr. K further opined that a mental and/or physical impairment may impact Respondent's ability to practice medicine safely and competently due to its potential impact on clinical judgment and skills. Impairment in clinical judgment and skills could adversely affect Respondent's professional competency as a physician and would potentially place patients at risk for harm. The declaration of Dr. K concerning Respondent's mental illness and/or physical illness affecting his competency to practice medicine safely and order to compel mental and physical examination, as alleged in Accusation 800-2022-092462, is attached as Exhibit I to the accompanying Default Decision Evidence packet.

20. Dr. K opined that a psychiatric and physical evaluation with biological fluid testing was necessary to determine whether the Respondent is safe to practice medicine. (Exhibit I).

21. On or about November 22, 2022, the Board sent Respondent a request for voluntary agreement to undergo voluntary mental and physical examination. Respondent has not replied to the Board's request for voluntary examinations to date. (Exhibit H).

22. On or about December 16, 2022, Respondent was charged by the Orange County District Attorney's Office in *The People of the State of California v. Mohammed Ali Abdel-Rahim*, Case No. 22WM12622, with one count of violation of Penal Code section 422(a), a misdemeanor, for making criminal threats. (Exhibit H).

23. On or about July 20, 2023, Respondent entered into a court-initiated misdemeanor diversion program, where the successful completion of the terms and conditions would result in the dismissal of the above-mentioned criminal case. Respondent was ordered to complete eighteen (18) months of diversion, with a six-month progress review and other various terms and conditions, including anger management and eighty (80) hours of community service. (Exhibit H).

24. On or about May 9, 2023, the Board served Respondent with an Order to Compel Mental and Physical Examination (Order). However, later, the Board learned Respondent was served at the incorrect address and re-served the Order again with the correct address of record. (Exhibits H and J-3).

25. On or about April 3, 2024, the Board re-served the Order to Compel Mental/Physical Examination. (Exhibit J-4).

25. On or about April 19, 2024, the Order was returned as "undeliverable," with a forwarding address. On or about April 23, 2024, United States Postal Service (USPS) tracking indicated the Order was delivered. (Exhibit J-5). To this date there has been no response to the Board from Respondent. Respondent has a duty to maintain a correct address of record with the Board.

26. On or about March 27, 2024, Respondent failed to attend a court appointment for a court-initiated diversion termination hearing. As a result, a bench warrant was issued for Respondent and bail was set at $50,000. As of this date, Respondent is still a fugitive. (Exhibit J-2).

## DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Mohammed Ali Abdel-Rahim, M.D., has subjected his Physician's and Surgeon's Certificate No. A 137806 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. Pursuant to Business and Professions Code section 125.3, the Board is authorized to order Respondent to pay the Board the reasonable costs of investigation and enforcement of the case prayed for in the Accusation total $21,241.25, based on the Certification of Costs attached as Exhibit C in the Exhibit Package.

5. 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. Failure to Comply with Board Order or Examination, pursuant to sections 2227 and 821 of the Code;

b. General Unprofessional Conduct, pursuant to sections 2227 and 2234 of the Code; and

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c. Mental Illness and/or Physical Illness Affecting Competency, pursuant to section 822 of the Code.

**ORDER**

IT IS SO ORDERED that Physician's and Surgeon's Certificate No. A 137806, heretofore issued to Respondent Mohammed Ali Abdel-Rahim, M.D., is revoked. Respondent Mohammed Ali Abdel-Rahim, M.D. is ordered to pay the Board the costs of the investigation and enforcement of this case in the amount of $21,241.25.

The filing of bankruptcy by Respondent shall not relieve Respondent of his responsibility to reimburse the Board for its costs. Respondent's Physician's and Surgeon's Certificate may not be renewed or reinstated unless all costs ordered under Business and Professions Code section 125.3 have been paid. If Respondent ever files an application for re-licensure or reinstatement in the State of California, the Board shall treat it as a petition for reinstatement of a revoked license. Respondent must comply with all the laws, regulations, and procedures for reinstatement of a revoked license in effect at the time the petition is filed.

**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 APR 22 2025.

It is so ORDERED APR 10 2025

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

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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:<br><br>**Mohammed Ali Abdel-Rahim, M.D.**<br>**21010 Pacific City Cir.**<br>**Huntington Beach, CA 92648**<br><br>**Physician's and Surgeon's Certificate No. A 137806,**<br><br>Respondent. | Case No. 800-2022-092462<br><br>**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 14, 2015, the Medical Board issued Physician's and Surgeon's Certificate No. A 137806 to Mohammed Ali Abdel-Rahim, M.D. (Respondent). The Physician's and Surgeon's Certificate expired on December 31, 2022, and has not been 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 2227 of the Code states:

> (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.
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> (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.

5. Section 118 of the Code states:

> (a) The withdrawal of an application for a license after it has been filed with a board in the department shall not, unless the board has consented in writing to such withdrawal, deprive the board of its authority to institute or continue a proceeding against the applicant for the denial of the license upon any ground provided by law or to enter an order denying the license upon any such ground.
>
> (b) The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground.

(c) As used in this section, "board" includes an individual who is authorized by any provision of this code to issue, suspend, or revoke a license, and "license" includes "certificate," "registration," and "permit."

## STATUTORY PROVISIONS

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

The Board shall take action against any licensee who is charged with unprofessional conduct...

7. Unprofessional conduct under Business and Professions Code section 2234 is conduct which breaches the rules or ethical codes of the medical profession, or conduct which is unbecoming a member in good standing of the medical profession, and which demonstrates an unfitness to practice medicine. (*Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564, 575.)

8. Section 2021 of the Code states:

"..."

(b) Each licensee shall report to the board each and every change of address, including an email address, within 30 days after each change, fiving both the old and new address. If an address reported to the board at the time of application for licensure or subsequently is a post office box, the applicant shall also provide the board with a street address. If another address is the licensee's address of record, the licensee may request that the second address not be disclosed to the public.

"..."

9. 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.

10. Section 821 of the Code states:

The Licentiate's failure to comply with an order issued under Section 820 shall constitute grounds for the suspension or revocation of the licentiate's certificate or license.[1]

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[1] The Court of Appeals has upheld the Board's authority to discipline a licensee for failure to comply with an Order to submit to examinations. With regards to disciplinary action taken pursuant to Section 821, all that is relevant is that the licensee did not comply with the Order. (Lee v. Board of Registered Nursing (2012) 209 Cal.App.4th 793, 798.)

## COST RECOVERY

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

## FACTUAL ALLEGATIONS

12. On October 10, 2022, the Board received a notification that Respondent had been arrested in the early hours of October 6, 2022, pursuant to Penal Code section 422, threatening crime with intent to terrorize, a felony charge.

13. On or about October 6, 2022, the Huntington Beach Police Department responded to a call of disturbing the peace in an apartment complex. Security guards had made a citizen's arrest of Respondent based on Respondent throwing things and yelling inside his unit and threatening to kill everyone in the area. When the security guards contacted Respondent, he made threatening movements toward the guards and threatened to gouge out the eyes of one of the guards. When the police officers arrived, Respondent swung a saxophone around, placed the saxophone on the ground, and warned the officers not to cross an invisible line around it.

14. On or about November 21, 2022, based upon his review of the investigation materials, VP. K, MBChB, MBA, FACS, FSSO, (Dr. K) determined that Respondent may be suffering from a severe mental and/or physical illness affecting his practice of medicine and professional competency. Dr. K further opined that a mental and/or physical impairment may impact Respondent's ability to practice medicine safely and competently due to its potential impact on clinical judgment and skills. Impairment in clinical judgment and skills could adversely affect Respondent's professional competency as a physician and would potentially place patients at risk for harm.

15. Dr. K opined that a psychiatric and physical evaluation with biological fluid testing was necessary to determine whether the Respondent is safe to practice medicine.

16. On or about November 22, 2022, the Board sent Respondent a request for voluntary agreement to undergo voluntary mental and physical examination. Respondent has not replied to the Board's request for voluntary examinations to date.

17. On or about December 16, 2022, Respondent was charged by the Orange County District Attorney's Office in *The People of the State of California v. Mohammed Ali Abdel-Rahim*, Case No. 22WM12622, with one count of violation of Penal Code section 422(a), a misdemeanor, for making criminal threats.

18. On or about July 20, 2023, Respondent entered into a court-initiated misdemeanor diversion program, where the successful completion of the terms and conditions would result in the dismissal of the above-mentioned criminal case. Respondent was ordered to complete eighteen (18) months of diversion, with a six-month progress review and other various terms and conditions, including anger management and eighty (80) hours of community service.

19. On or about May 9, 2023, the Board served Respondent with an Order to Compel Mental and Physical Examination (Order). However, later, the Board learned Respondent was served at the incorrect address and re-served the Order again with the correct address of record.

20. On or about April 19, 2024, the Order was returned as "undeliverable," with a forwarding address. On or about April 23, 2024, United States Postal Service (USPS) tracking indicated the Order was delivered. To this date there has been no response to the Board from Respondent. Respondent has a duty to maintain a correct address of record with the Board.

21. On or about March 27, 2024, Respondent failed to attend a court appointment for a court-initiated diversion termination hearing. As a result, a bench warrant was issued for Respondent and bail was set at $50,000. As of to date, Respondent is still a fugitive.

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**FIRST CAUSE FOR DISCIPLINE**

**(Failure to Comply with Board Order or Examination)**

22. Respondent has subjected his Physician's and Surgeon's Certificate No. A 137806 to disciplinary action under sections 2227 and 821 of the Code, in that Respondent failed to comply with an Order issued pursuant to section 820 of the Code, as more particularly alleged in paragraphs 12 through 21, above, which are hereby incorporated by reference as if fully set forth herein.

**SECOND CAUSE FOR DISCIPLINE**

**(General Unprofessional Conduct)**

23. Respondent has further subjected his Physician's and Surgeon's Certificate No. A 137806 to disciplinary action under sections 2227 and 2234 of the Code, in that Respondent has engaged in conduct which breaches the rules or ethical code of the medical profession, or conduct which is unbecoming a member in good standing of the medical profession, and which demonstrates an unfitness to practice medicine, as more particularly alleged in paragraphs 12 through 21, above, which are hereby incorporated by reference as if fully set forth herein.

**CAUSE FOR ACTION**

**(Mental Illness and/or Physical Illness Affecting Competency)**

24. Respondent has subjected his Physician's and Surgeon's Certificate No. A 137806 to action under section 822 of the Code, in that Respondent's ability to practice medicine safely is impaired due to a mental illness and/or physical illness affecting competency, as a result of his cognitive impairment, as more particularly alleged in paragraphs 12 through 21, above, which are hereby 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. Taking action as authorized by section 822 of the Code as the Medical Board, in its discretion, deems necessary and proper;

2. Revoking or suspending Physician's and Surgeon's Certificate No. A 137806, issued to Respondent Mohammed Ali Abdel-Rahim, M.D.;

3. Revoking, suspending or denying approval of Respondent Mohammed Ali Abdel-Rahim, M.D.'s authority to supervise physician assistants and advanced practice nurses;

4. Ordering Respondent Mohammed Ali Abdel-Rahim, M.D., to pay the Board the costs of the investigation and enforcement of this case, and if placed on probation, the costs of probation monitoring;

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

DATED: OCT 17 2024

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