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

In the Matter of the Accusation Against Narinder Singh Parhar, M.D. Physician's and Surgeon's Certificate No. C43320 Respondent.	Case No. 800-2017-035680

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

July 24, 2020.

IT IS SO ORDERED June 25, 2020.

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 Accusation Against:

NARINDER SINGH PARHAR, M.D., Respondent

Case No. 800-2017-035680

OAH No. 2018030980.1

PROPOSED DECISION

Marcie Larson, Administrative Law Judge, Office of Administrative Hearings (OAH), State of California, heard this matter telephonically on May 14, 2020, in Sacramento, California.

Megan O'Carroll, Deputy Attorney General, represented Denise Pines, President of the Medical Board of California.

Lawrence Giardina, Attorney at Law, represented respondent Narinder Singh Parhar, M.D., who appeared telephonically at the hearing.

Evidence was received, the record closed, and the matter was submitted for decision on May 14, 2020.

FACTUAL FINDINGS

Background and Procedural History

1. The Medical Board of California (Board) issued respondent Physician's and Surgeon's Certificate Number C 43320 (license).[1]

2. On March 4, 2020, complainant Denise Pines, President of the Board, filed an Accusation against respondent. Complainant notified respondent that, pursuant to Business and Professions Code section 2232, his license was automatically revoked by operation of law effective on March 4, 2020. Specifically, respondent's license was subject to automatic revocation based on a criminal conviction and requirement that he register as a sex offender pursuant to Penal Code section 290. Respondent was notified of his right to request a hearing.

3. On March 30, 2020, respondent timely requested a hearing. The matter was set for an evidentiary hearing before an Administrative Law Judge of the Office of Administrative Hearings, an independent adjudicative agency of the State of California, pursuant to Government Code section 11500 et seq.

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[1] No evidence was presented at hearing concerning the date the license was issued.

Criminal Conviction

4. On November 27, 2019, in the Superior Court of California, County of Placer, respondent was convicted on his plea of nolo contendere of violating Penal Code section 243.4, subdivision (c), a felony, which states in part:

> Any person who touches an intimate part of another person for the purpose of sexual arousal, sexual gratification, or sexual abuse, and the victim is at the time unconscious of the nature of the act because the perpetrator fraudulently represented that the touching served a professional purpose, is guilty of sexual battery.

Respondent was sentenced to five years of formal probation. He was also ordered to register with the local policy agency as a sex offender, for life, pursuant to Penal Code section 290, within five days of his sentencing on December 11, 2019. Respondent was also ordered to not practice medicine. No evidence was presented at hearing concerning the circumstances underlying the conviction.

Respondent's Testimony

5. Respondent requested that an "extreme administrative action" be taken to prevent the revocation of his license. Respondent explained that he is involved in a lung treatment program that could treat patients affected by the coronavirus. If he is allowed to maintain his license, he will have the ability to present his research and treatment recommendations to many hospitals. Respondent further explained that he has been involved in patient care his entire career and does not want to "sit on the sidelines" while people are dying.

Analysis

6. Complainant establish by clear and convincing evidence that respondent was convicted of felony sexual battery and must register as a sex offender pursuant to Penal Code section 290, for the remainder of his life. As a result, pursuant to Business and Professions Code section 2232, subdivision (a), his license is automatically revoked.

LEGAL CONCLUSIONS

1. The burden of proof in this matter is on complainant to show by clear and convincing evidence to a reasonable certainty that respondent engaged in wrongful conduct that warrants disciplinary action. (*Ettinger v. Board of Medical Quality Assurance* (1982) 135 Cal.App.3d 853, 855-56.)

2. Business and Professions Code section 2232, subdivision (a) provides:

> (a) Except as provided in subdivisions (c), (d), and (e), the board shall automatically revoke the license of any person who, at any time after January 1, 1947, has been required to register as a sex offender pursuant to the provisions of Section 290 of the Penal Code, regardless of whether the related conviction has been appealed. The board shall notify the licensee of the license revocation and of his or her right to elect to have a hearing as provided in subdivision (b).

3. As set forth in Factual Finding 4, respondent was convicted of sexual battery, a violation of Penal Code section 243.4, subdivision (c), a felony. Respondent was ordered to register as a sex offender for life, pursuant to Penal Code section 290. Thus, revocation of respondent's license is mandatory.

ORDER

Physician's and Surgeon's Certificate Number C 43320 issued to Narinder Singh Parhar, M.D., is REVOKED.

DATE: May 20, 2020

DocuSigned by:
Marcie Larson
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MARCIE LARSON
Administrative Law Judge
Office of Administrative Hearings

XAVIER BECERRA
Attorney General of California
STEVE DIEHL
Supervising Deputy Attorney General
MEGAN R. O'CARROLL
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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: **Narinder Singh Parhar, M.D.** **584 N. Sunrise Ave. Ste 100** **Roseville, CA 95661** **Physician's and Surgeon's Certificate** **No. C 43320,** Respondent.	Case No. 800-2017-035680 OAH No. 2018030980 **NOTICE OF AUTOMATIC REVOCATION OF LICENSE** **Bus. & Prof. Code, § 2232**

TO: RESPONDENT, NARINDAR SINGH PARHAR, M.D.:

YOU ARE HEREBY NOTIFIED THAT the Medical Board of California, Department of Consumer Affairs (Board), has automatically revoked Physician's and Surgeon's Certificate No. C 43320 by operation of law after having received and reviewed a certified copy of the record of conviction(s) described below:

1. On or about January 17, 2020, the Medical Board received notice of your conviction and sentencing in Case No. 62-156769 of the Superior Court of the State of California for the

County of Placer, in the proceeding entitled *The People of the State of California v. Narinder Singh Parhar*. These documents establish that on November 27, 2019, Naridner Singh Parhar, M.D., pled no contest to one count of violating Penal Code section 243.4(c) a felony.

2. On December 11, 2019 you were sentenced as follows:

a. Formal probation for five (5) years;

b. Register with the local police agency as a sex offender, for life, pursuant to Penal Code section 290 within five days of sentencing;

c. Not practice medicine;

d. Not annoy, harass or contact the victim involved in the case;

e. Obey all laws and orders of the Court; and

f. Pay fines and fees totaling $3,415.00

3. The following documents support these findings, are attached hereto, and are incorporated by reference:

Attachment A: Certified Copy of the Minute Order in Placer County Case No. 62-156769, dated November 27, 2019.

Attachment B: Certified Copy of the Order Granting Probation and Judgment, dated December 11, 2019.

SEX OFFENDER REGISTRATION: AUTOMATIC REVOCATION

4. Section 2232 of the Code stats in pertinent part:

"(a) Except as provided in subdivisions (c), (d), and (e), the board shall automatically revoke the license of any person who, at any time after January 1, 1947, has been required to register as a sex offender pursuant to the provisions of Section 290 of the Penal Code, regardless of whether the related conviction has been appealed. The board shall notify the licensee of the license revocation and of his or her right to elect to have a hearing as provided in subdivision (b).

"(b) Upon revocation of the physician's and surgeon's certificate, the holder of the certificate may request a hearing within 30 days of the revocation. The proceeding shall be conducted in accordance with the Administrative Procedure Act (Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code."

WHEREFORE, THE MEDICAL BOARD OF CALIFORNIA, DEPARTMENT OF CONSUMER AFFAIRS, HEREBY NOTIFIES YOU THAT, by virtue of said conviction and requirement to register as a sex offender, Physician's and Surgeon's Certificate No. C 43320, issued to Narinder Singh Parhar, M.D., was automatically revoked by Operation of law, Effective March 4, 2020, pursuant to Business and Professions Code section 2232.

YOU ARE FURTHER NOTIFIED THAT you have a right to a hearing as provided by Business and Professions Code section 2232, subdivision (b), as set forth above. A request for a hearing may be made by delivering or mailing such a request to: Megan R. O'Carroll Deputy Attorney General, Department of Justice, Office of the Attorney General, 1300 I Street, Sacramento California. This notice is being served by a designee of the Board upon Narinder Singh Parhar, M.D. at his address of record.

Dated: MAR 0 4 2020

Denise Pines

DENISE PINES, President
Medical Board of California
Department of Consumer Affairs
State of California

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ATTACHMENT A

SUPERIOR COURT OF CALIFORNIA, COUNTY OF PLACER

#5 Date:11/27/19 Time: 8:30AM Department 43 Judge: Garen J. Horst

People vs. Parhar, Narinder Singh Case Number: 62-156769

Nature of Proceedings: Trial Assignment: Jury Trial - TW Custody Status: Bond - Bail

Motion Detail: Time Waiver: Time For Trial Waived through : 6/29/18

Additional Information:

Clerk: Vidal Reporter: M. Sing

Defense Counsel: Calabria, Donald

Defense Counsel: Tennen, Gina

Atty: D.D.A. Baxley

Interpreter: [ ] certified [ ] qualified Language: [ ] Oath on File

NEXT COURT APPEARANCE: Time Estimate:

JTS orders only 12/11/19 1:30 D-33 [X] vacate open events

[X] Defendant present [ ] not present [ ] PC977

[ ] Arrn waived [ ] Arrn completed [ ] Viol of Prob

Appt. [ ] Public Defender [ ] Conflict Firm

[ ] _____

[ ] Not guilty [ ] Denied [ ] Admitted

[ ] Advised financial responsibility

[ ] Case dismissed [ ] Petition dismissed

[ ] Amended _____

[ ] General time waiver [ ] Time not waived

[ ] Time waived to [ ] next hearing [ ] to _____

Preliminary hearing time waiver [ ] 10 [ ] 60

[ ] BW ordered. Bail $ _____ [ ] NCIC

[ ] Referred to DA for Arrest Warrant [ ] O/R revoked

[ ] BW held [ ] BW recalled [ ] Warrant remains active

[ ] Probation [ ] summarily revoked [ ] reinstated [ ] terminated

[ ] Bail forfeited [ ] Exonerated [ ] Forfeiture set aside

[ ] Bail is reinstated [ ] Reinstatement fee is waived

[ ] Defendant shall pay reinstatement fee $ _____

[ ] Civil assessment [ ] ordered [ ] confirmed

[ ] Criminal Protective Order filed & served

[ ] Dropped from calendar

[ ] Preliminary hearing is waived and defendant is held to answer,complaint deemed information

Trial time waiver [ ] general [ ] 60 days [ ] to next date [ ] not waived

Attend and provide proof of _____ self help meetings per week until further order of the Court

Proof [ ] shown _____ [ ] not shown

[ ] Motion for new jail turn in date [ ] granted [ ] denied. New turn in date _____ Previous date _____

[ ] Transcript request date _____ Reporter _____ requested by [ ] Court [ ] Defense [ ] DA

[ ] PREP CENTER: Defendant is ordered to report to probation for an assessment within 72 hours to determine qualification into the PREP center. Defendant is ordered to fully comply with case plans as established by probation if deemed qualified after assessment.

[ ] Defendant transitioned from Prop 36, the plea is withdrawn, case is dismissed and fees/fines are waived and set aside

[ ] Defendant ordered to undergo treatment pursuant to PC1210.1 in _____ county.

[ ] Defendant is found to be indigent and qualifies for court appointed counsel

[ ] DEJ [ ] PC1000 completed plea withdrawn and case is dismissed [ ] See Formal Order

[ ] Ordered booked and released

Defendant ordered to report to the: [ ] Criminal Division [ ] Revenue Services [ ] Public Defender

[ ] Probation Department [ ] Forthwith [ ] on _____

[ ] Remanded to custody of Sheriff until next appearance. Bail [ ] as set or $_____ [ ] Bail terms if released

[ ] CDCR [ ] PC1170(h) [ ] PC1170(h)(5) Charge:_____ [ ] Felony [ ] Misd

[ ] Committed to serve : jail _____ credits _____(_____actual _____ good time_____ pretrial)

[ ] Committed to _____ state hospital

[ ] Discharged [ ] O/R [ ] with terms [ ] Supervised Pretrial Release: [ ] O/R [ ] EMP [ ] Bail

Signture: _____

Defendant Jail Revenue Services Probation DA Defense Counsel 05-2016

Criminal Minutes CRIM001

SUPERIOR COURT OF CALIFORNIA, COUNTY OF PLACER

#5 Page Two
People vs. Parhar, Narinder Singh
62-156769
11/27/19 8:30AM Department 43

[ ] Guilty [X] Nolo contendere [ ] Admitted
[X] Dismissed BNAL cut [X] Amended PC 243.4(c) Add CT3 fel
[X] Boykin / Tahl rights waived [ ] oral [X] written

[X] Time waived for sentencing [ ] RPO waived [ ] BAC _____ [ ] DUI with drugs
[X] Appeal waiver [ ] Arbuckle waiver
[ ] Findings made pursuant to PC 29810
DADEJ:
[ ] Obey all Laws [ ] Complete Theft Class _____ Hours
[ ] Complete _____ hours of community services [ ] Stay away from _____

Violation of [ ] Probation [ ] Mandatory Supervision [ ] Post Release Community Supervision [ ] Parole

Offer / Indication : 5 yrs 10 m ~~6~~ add PC5 time
PC 290 for life, no practice of Medicine
while on PROB WAIVE APPEAL RIGHTS

Plea: CT 3 PC 243.4(c) fel not Serious

Evaluation:
[ ] Full [ ] Consultation [ ] General [ ] EC730 [ ] EC1017 [ ] PC1368 [ ] PC1026 [ ] PC288.1

Requested by: [ ] Court [ ] DA [ ] Defense, with DR._____
[ ] Doubt declared. Criminal proceedings suspended.
Court finds defendant [ ] IS competent to stand trial, criminal proceedings are reinstated [ ] IS NOT competent to stand trial.
[ ] Defendant lacks capacity to make decisions regarding medication.
[ ] Defendant has capacity to make decisions regarding medication.
[ ] Defendant consents to prescribed medication
[ ] On stipulation of parties, jury trial waived, proceed to court trial, and submit on report dated _____.
[ ] Referred to Mental Health Director for placement report.
[ ] Placement report reviewed by Court.
[ ] Court finds defendant [ ] IS NOT ordered suitable for MHC [ ] IS suitable & placed in _____.

PROMISE TO APPEAR -- I will appear at all times and places as ordered by the Court and have read and understand all conditions.

Defendant's signature _____

Address _____

Defendant Jail Revenue Services Probation DA Defense Counsel 05-2016

SUPERIOR COURT OF CALIFORNIA, COUNTY OF PLACER

ORDER GRANTING PROBATION
PROBATION TERMS
JUDGMENT FOR MONETARY PENALTIES

PEOPLE VS. Narinder Singh Parhar
Arresting Agency: Roseville Police Department

CASE NO. 62-156769
Probation File No. 100046303

IT IS HEREBY ORDERED that the ☒ Imposition ☐ execution of state prison sentence of is suspended and Defendant be admitted to:

FILED
Superior Court of California
Placer
DEC 11 2019
Jake Chatters
Executive Officer & Clerk
By: A. Vidal, Deputy

Probation ☒ FORMAL ☐ CONDITIONAL for a period of 5 years in case number(s): 62-156769

☐ Not withstanding PC19.2, defendant agrees to the following sentence, which exceeds one year in county jail CRIME(S)

CASE NO.	CHARGE		OFFENSE DATE	CASE NO.	CHARGE		OFFENSE DATE
62-156769	Ct. 3 243.4(c) PC	Felony	8/14/2017				

Defendant shall serve a disciplinary sentence in the Placer County Jail as follows:

CASE NO.	Days in Jail	Total Credits	Actual	Conduct	Pretrial	
62-156769	1	1	1	0	0	☒CS ☐CC
						☐CS ☐CC
						☐CS ☐CC
						☐CS ☐CC

☐	Conduct credits have been restricted in case(s) _____ for the following reason(s): _____.
☐	The defendant shall report to the Placer County Jail at: ☐ 2775 Richardson Drive in Auburn, California ☐ 11801 Go For Broke Road in Roseville, California and commence said sentence: ☐ forthwith ☐ on _____ at 7:30 PM ☐ Defendant must complete days in Placer County Jail including ☐ actual days and ☐ conduct credits. ☐ Balance of sentence is to commence on _____ at 7:30 PM. ☐ Defendant may apply for alternative sentencing on remaining balance from in custody. ☐ Upon bed availability, defendant may be released directly to a residential treatment program from custody to complete the balance of sentence.
☐	Defendant is ineligible for alternative sentencing or release programs.
☐	Defendant may be responsible for payment of all fees and costs of alternative sentencing or release programs.
☒	Defendant shall report to the Probation Department ☐ immediately upon release from custody ☒ within 72 hours of sentencing, and shall follow all reasonable directives of the probation officer.
☐	Defendant to serve _____ hours community service, _____ hours stayed (to be imposed at the Probation Officer's discretion in the event of a technical violation).
☐	Pursuant to PC1203.35(a), the Probation Department is authorized to use flash incarceration for any violation of the conditions of probation for a period of up to 10 days. Defendant waives a Court hearing prior to the imposition of a period of Flash Incarceration.
☐	Other orders: _____

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SUPERIOR C JRT OF CALIFORNIA, COUNTY(PLACER
ORDER GRANTING PROBATION
PROBATION TERMS
JUDGMENT FOR MONETARY PENALTIES

PEOPLE VS. Narinder Singh Parhar CASE NO. 62-156769

1.	☒	Obey all State & Federal laws, City & County ordinances and all rules, orders and regulations of the Court and Probation.
2.	☒	Report to the probation officer at such times and places as directed
3.	☒	Not leave the State of California or change residence without advance notice from the Court or Probation Officer. Should defendant leave the state of California, fail to appear as required and is apprehended defendant hereby waives extradition proceedings and agrees to be returned forthwith to California.
4.	☒	After completion of his/her jail commitment, enter into and continue such education, psychological, psychiatric, drug, alcohol, or other rehabilitation program as prescribed by the probation officer, and shall not leave or terminate such programs without the permission of the probation officer. Such program shall consist of: Community Resource Fair at the direction of probation.
5.	☒	Seek and maintain gainful employment.
6.	☐	Submit to drug, narcotic or alcohol testing as directed by the probation officer or any peace officer.
7.	☐	Totally abstain from the use and possession of intoxicants and not be in any place where alcohol is the primary item of sale, such as bars, liquor stores, bar areas of casinos and card rooms.
8.	☐	Not possess or use any narcotic or controlled substance without a valid medical prescription.
9.	☐	Totally abstain from the use or possession of marijuana.
10.	☐	Not operate a motor vehicle unless properly licensed and insured.
11.	☒	Submit person, place of residence, vehicle or area over which he/she has control to search and seizure at any time, day or night, with or without a search warrant, and with or without probable cause, by the probation officer or any peace officer for the purpose of determining compliance with conditions of release or probation.
12.	☐	Not own or have in possession or control any deadly weapon, firearm or ammunition.
13.	☐	Not associate with minors unless in the presence of the minor's parent or guardian.
14.	☒	Defendant shall not annoy, harass or contact in any way: Obey CLETS
15.	☒	Register pursuant to ☐PC186.30 ☒PC290 ☐PC457.1 ☐HS11590 within 5 days of sentencing and/or release from custody.
16.	☐	Not own or have control of any checks or checking account.
17.	☐	Defendant shall report to Placer County jail within 5 calendar days of this order to submit to the collection of specimens, samples and print impressions (295PC et.seq).
18.	☒	Defendant shall report to Placer County Probation within 30 days of this order to submit to the collection of DNA.
19.	☐	Defendant shall submit a blood test for evidence of anti-bodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS), pursuant to Penal Code Section 1202.1.
20.	☒	Defendant shall not harass, intimidate, retaliate against, or tamper with any victims of or any prosecution witnesses to the crime.
21.	☒	Defendant shall submit his/her person, place property, automobile, electronic storage devices, and any other object under his/her control, including but not limited to cell phones and computers, to search and seizure by an law enforcement officer or probation officer, any time of the day or night, with or without a warrant, with or without his/her presence or further consent. Defendant being advised of his/her constitutional and statutory rights pursuant to PC1546 et seq. in this regard, and having accepted probation, is deemed to have waived same and also specifically consented to searches of his/her electronic storage devices. Defendant shall provide access to any electronic storage devices and data contained therein, including disclosing and providing any and all information necessary to conduct a search.
22.	☐	Defendant is ordered to report to Probation for an assessment to determine qualification into the PREP center. Defendant is ordered to fully comply with case plans as established by Probation, if deemed qualified after assessment.
23.	☒	Other orders: Register pursuant to Penal Code Section 290 for life, no practice of medicine.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF PLACER
ORDER GRANTING PROBATION
PROBATION TERMS
JUDGMENT FOR MONETARY PENALTIES

PEOPLE VS. Narinder Singh Parhar CASE NO. 62-156769

DUI TERMS

24.	☐	Defendant's driving privilege shall be ☐ suspended ☐ revoked for a period of ___ months pursuant to Vehicle Code Section_____.
25.	☐	Defendant permitted to drive to and from ☐ employment ☐ treatment program ☐ _____.
26.	☐	Defendant shall attend and satisfactorily complete the First Offender Program ☐3 Month ☐6 month ☐ 9 month and enroll by _____. Defendant shall pay the enrollment fee at the time of registration.
27.	☐	Defendant shall attend Victim Impact Panel by _____.
28.	☐	Defendant shall successfully complete an 18 month program as established under the provisions of SB38 and enroll by _____.
29.	☐	Defendant shall not drive with any measurable amount of alcohol or intoxicants in system at all and shall not refuse to submit to a chemical test.
30.	☐	Defendant is designated as a Habitual Traffic Offender pursuant to VC23546.
31.	☐	Defendant shall install an IID in any vehicle owned / operated for a period of _____.
32.	☐	Defendant shall complete _____ self helps per week.

PC 1210 TERMS

33.	☐	Defendant shall participate in a drug treatment program pursuant to PC1210.1 as directed by the Court, probation officer or PC1210 program staff.
34.	☐	Defendant shall pay an assessment fee and/or monthly program fees through the Placer County Department of Health and Human Services at a rate established by HHS or to the appropriate agency as determined by HHS.

MENTAL HEATH TERMS

35.	☐	Enter into and complete a mental health treatment program as directed by a mental health treatment provider.
36.	☐	Defendant shall comply with the mental health medication regimen as prescribed by the treating physician.
37.	☐	By accepting the conditions of probation in this case, defendant hereby waives any right to confidentiality concerning defendant's participation and progress in treatment. All treatment providers are hereby authorized and directed to release to the Court, the District Attorney and Defense Counsel any information concerning the defendant's compliance with the terms of treatment, his/her degree of participation in any program or treatment, any issues or problems relating to his/her treatment, and his/her prognosis in treatment.

DOMESTIC VIOLENCE TERMS

38.	☐	Defendant shall successfully complete a batterer's program of not less than one year. (Section 1203.097(a)(6) PC).
39.	☐	Defendant shall report to and cooperate with a community service project for a period of 20 hours; service hours to begin after completion of disciplinary sentence and be completed before termination of probation. (Section 1203.097(a)(8) PC).

PEOPLE VS. Narinder Singh Parhar CASE NO. 62-156769

ELDER ABUSE TERMS

40.	☐	Defendant shall make restitution for the costs of medical or psychological treatment incurred by the victim as a result of the crime. Defendant shall seek and maintain legitimate employment and apply that portion of his or her earnings specified by the Court to those costs. (Penal Code Section 1203.1(j) – Applies to victims 65 and older.)
41.	☐	Defendant shall not be employed as a caretaker or employed in any capacity, in a board and care facility/home, assisted living facility/home, skilled nursing facility/home, or in the caretaker field in any capacity for either elder adults, as defined in Penal Code Section 368(g), or for dependent adults, as defined in Penal Code Section 368(h).
42.	☐	Defendant shall not hold a position of trust for either elder adults, as defined in Penal Code Section 368(g), or for dependent adults, as defined in Penal Code Section 368(h). A position of trust is defined as any situation in which the defendant is given Power of Attorney, made executor of an estate, or has a position in which he or she is the primary or secondary person responsible for the finances of another person.
43.	☐	Defendant shall not possess or execute any checks or other financial documents that are in the name of another.
44.	☐	Defendant shall not be a signatory on a joint checking account with any elder adult, as defined in Penal Code Section 368(g), or dependent adult, as defined in Penal Code Section 368(h).
45.	☐	Defendant shall not be in the presence of either an elder adult, as defined in Penal Code Section 368(g), or a dependent adult, as defined in Penal Code Section 368(h), without the presence of a legal guardian, supervisor, or caretaker.
46.	☐	Defendant shall not possess a computer or possess any method of accessing the Internet.
47.	☐	Defendant shall not possess any identifying information of another, including, but not limited to, a driver's license, a Social Security card, a credit card, personal checks, and/or a passport.

SUPERIOR( )URT OF CALIFORNIA, COUNTY(F PLACER
ORDER GRANTING PROBATION
PROBATION TERMS
JUDGMENT FOR MONETARY PENALTIES

PEOPLE VS. Narinder Singh Parhar CASE NO. 62-156769

RESTITUTION, FINES AND FEES
TERMS OF PROBATION

48.	☒	Restitution to the victim(s) is reserved.
49.	☐	A Restitution hearing will be held on _____ at _____ in Department_____.
50.	☐	The Defendant shall pay restitution to the victim(s) below ☐ joint & severally.
		Victim:_____ Amount _____
		Victim:_____ Amount _____

Case Number(s)	62-156769		
Base Fine:	$200.00		
Add code sections for base fine Additional base fine(s)			
☐ Alcohol Ed (VC23645)			
☐ Drug Prog (HS11372.7)			
☐ Theft (PC1202.5(a)			
☐ Fish & Game (FG12021)			
☐ Other:			
Total Base Fine	$200.00		
☐ Drug Prog (HS11372.7) (no penalty and assessments)			
☐ Lab (HS11372.5) (no penalty and assessments)			
State – PC1464	$200.00		
County – GC76000	$140.00		
Facility – GC 70372(a)/GC 70375(b)	$100.00		
Surcharge (PC1465.7)	$40.00		
DNA (GC76104.6&7)	$100.00		
EMSADD (HS1797.98a)	$40.00		
State Restitution Fund (PC1202.4) (per case)	$300.00		
State Restitution Fund – Suspended – PC1202.44	($300.00)		
State Restitution Fund – Suspended – PC1202.45			
MedAir Trans Fund GC76000.10(A) ($4 per conviction - VC codes only)			
PC290.3	300.00		
Wm's Shelter PC1203.097(c)(11) (up to $5,000)			
OTHER FINES FEES AND ASSESSMENTS			
Court Operations Fee (PC1465.8) (per convicted charge)	$40.00		
Criminal Assessment (GC70373) (per convicted charge)	$30.00		
OR Fee (PC1463.07)			
☐ Warrant fee (VC40508.5 & PC853.7a)			
Court Appointed Attorney Fees (PC 987.8, per PCC 2.124.060)			
Pre-Sentence Report (PC1203.1b, per PCC 2.96.030)			
Substance Abuse Testing (each test) (PC 1203.1ab, per PCC 2.124.040)			
Probation Supervision Fee (PC 1203.1b, per PCC 2.124.040)	$1,200.00		
Booking fee – Placer County ☐ Waived (GC 29550.2, per PCC 2.124.050)	$553.00		
Incarceration fee ☐ Waived (PC 1203.1c, per PCC 2.124.050)	$172.00		
Total County Fees:	3415.00		
Total fines, fees assessments & penalties			
☐ Clerk's office to calculate fine			

SUPERIOR COURT OF CALIFORNIA, COUNTY OF PLACER
ORDER GRANTING PROBATION
PROBATION TERMS
JUDGMENT FOR MONETARY PENALTIES

PEOPLE VS. Narinder Singh Parhar CASE NO. 62-156769

- All monetary and restitution/assessments are to be paid through the placer county revenue services department at a monthly rate to be set up by said department, such fines and assessments to be paid in full by the end of the probation term.
- Unless otherwise ordered, you are required to pay booking and incarceration fees subject to a financial evaluation of ability to pay and the right to a hearing on ability to pay.
- You are further ordered to contact revenue services, 10810 Justice Center Dr. Suite #100, Roseville, California 95678, within 5 days or within 5 days after you are released from custody for a financial evaluation and to establish a payment schedule for your fines, attorney fees (if applicable), booking and incarceration fees, pre-sentence report, and any other monetary assessment ordered. If you fail to appear for your financial evaluation, revenue services will recommend that the court order you to pay such costs in full.
- If the court as a condition of your probation ordered a fine, and if you fail to report to the department of revenue services, a warrant will be issued for your arrest.
- Installment fees are authorized

NOTICE:

Upon satisfactory completion of your probation and upon application to the Court, you may have your plea of guilty or conviction set aside and the charges dismissed; and, you may petition for a certificate of rehabilitation and pardon (PC 1203.4)

Dismissal pursuant to this section does not permit a person to own, possess, or have in his custody or control any firearm capable of being concealed upon the person or prevent this conviction under Penal Code Section 12021. The Federal Gun Law of 1968 prohibits the use or possession of a handgun, rifle, or shotgun by an individual convicted of a felony.

ACKNOWLEDGEMENT:

I have read and received a copy of the foregoing TERMS OF PROBATION, and agree to be bound by their terms and acknowledge the warning for failure to report to the Department of Revenue Services at (916) 543-3900, 10810 Justice Center Dr. Suite #100 Roseville, California 95678.

Address: _____ Telephone No: _____
Driver's License: _____ DOB: _____

Date: 12/11/19 Defendant's signature: _____

COURT ORDER: SO ORDERED

Dated: 12/11/19 Garen J. Horst
JUDGE/COMMISSIONER OF THE SUPERIOR COURT

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Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO February 16 2018
BY R. Fitzwater ANALYST

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

In the Matter of the Accusation Against: **Narinder Singh Parhar, M.D.** **584 N. Sunrise Ave. Ste 100** **Roseville, CA 95661** **Physician's and Surgeon's Certificate** **No. C 43320,** Respondent.	Case No. 800-2017-035680 **A C C U S A T I O N**

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, Department of Consumer Affairs (Board).

2. On or about October 11, 1995, the Medical Board issued Physician's and Surgeon's Certificate No. C 43320 to Narinder Singh Parhar, 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 May 31, 2019, unless renewed. On January 2, 2018, an Interim Suspension Order was issued pursuant to Government Code section 11529 prohibiting Respondent from practicing medicine. On January 31, 2018, it was ordered that the Interim Suspension Order remain in force and effect.

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 2234 of the Code, states:

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

"(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the violation of, or conspiring to violate any provision of this chapter.

"(b) Gross negligence.

"(c) Repeated negligent acts. To be repeated, there must be two or more negligent acts or omissions. An initial negligent act or omission followed by a separate and distinct departure from the applicable standard of care shall constitute repeated negligent acts.

"(1) An initial negligent diagnosis followed by an act or omission medically appropriate for that negligent diagnosis of the patient shall constitute a single negligent act.

"(2) When the standard of care requires a change in the diagnosis, act, or omission that constitutes the negligent act described in paragraph (1), including, but not limited to, a reevaluation of the diagnosis or a change in treatment, and the licensee's conduct departs from the

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applicable standard of care, each departure constitutes a separate and distinct breach of the standard of care.

"(d) Incompetence.

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

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

"(g) The practice of medicine from this state into another state or country without meeting the legal requirements of that state or country for the practice of medicine. Section 2314 shall not apply to this subdivision. This subdivision shall become operative upon the implementation of the proposed registration program described in Section 2052.5.

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

6. Section 726 of the Code states:

"(a) The commission of any act of sexual abuse, misconduct, or relations with a patient, client, or customer constitutes unprofessional conduct and grounds for disciplinary action for any person licensed under this or under any initiative act referred to in this division.

"(b) This section shall not apply to consensual sexual contact between a licensee and his or her spouse or person in an equivalent domestic relationship when that licensee provides medical treatment, to his or her spouse or person in an equivalent domestic relationship."

7. Section 729 (a) of the Code states:

"Any physician and surgeon, psychotherapist, alcohol and drug abuse counselor or any person holding himself or herself out to be a physician and surgeon, psychotherapist, or alcohol and drug abuse counselor, who engages in an act of sexual intercourse, sodomy, oral copulation, or sexual contact with a patient or client, or with a former patient or client when the relationship was terminated primarily for the purpose of engaging in those acts, unless the physician and surgeon, psychotherapist, or alcohol and drug abuse counselor has referred the patient or client to an independent and objective physician and surgeon, psychotherapist, or alcohol and drug abuse

counselor recommended by a third-party physician and surgeon, psychotherapist, or alcohol and drug abuse counselor for treatment, is guilty of sexual exploitation by a physician and surgeon, psychotherapist, or alcohol and drug abuse counselor."

FIRST CAUSE FOR DISCIPLINE

(Sexual Misconduct)

8. Respondent, Narinder Singh Parhar, M.D., is subject to disciplinary action under sections 2227, 2234, 726, and 729 (a) of the Code, in that he engaged in sexual abuse, misconduct, and/or relation with his patient. The facts are as follows:

9. On or about August 9, 2017, the patient[1] had an appointment with Respondent at his office on North Sunrise Avenue in Roseville, California for treatment of potentially cancerous growths on her face and thighs. She had been a patient of Respondent's for approximately nine years. Respondent took biopsies of three sites. During this visit, Respondent placed his hands inside her bra and felt both of her breasts. Respondent then had a nurse come into the treatment room to perform an EKG and blood pressure test.

10. On or about August 14, 2017, the patient received a phone call from Respondent asking her how her wounds from the biopsy were healing. The patient told Respondent that the wounds were still oozing. Respondent asked her if she could come in to have the sites checked at approximately 4:30 p.m. that afternoon. The patient agreed. About an hour later, Respondent called the patient back and asked her if she could come in at 3:15 p.m. that afternoon instead. The patient agreed.

11. When the patient arrived at the clinic at approximately 3:15 p.m., she immediately noticed that the office was empty and there was no receptionist. She signed in at the sign in sheet at the front desk, and about two minutes later, Respondent came out and showed her into an exam room. Respondent looked at the biopsy wounds and placed cream on three Band-Aids before applying them to the three sites. Respondent then gave the patient a gown and told her to remove her clothes and put on the gown opening in the front. Respondent returned to the room and began

[1] The patient will not be referenced by her name in the Accusation in order to preserve her privacy.

rubbing lotion on the patient's chest. He then began rubbing the patient's vagina and penetrated her vagina approximately a half inch. Respondent then told the patient to turn on her side at which point he began rubbing her bottom and then her back. The patient had previously reported some vaginal pain to Respondent, and she initially thought that he had possibly found something wrong and that was why he was touching her. Respondent then had the patient sit up and she stood on the edge of the platform of the examination table. Respondent grabbed the patient and hugged her tightly. At this time, the patient could feel Respondent's erect penis through his clothes. Respondent then kissed the patient and she turned her head so he kissed her cheek. The patient asked Respondent what he was doing, but he did not answer.

12. Respondent told the patient to go into another treatment room where he was going to perform a laser hair treatment. The patient stated she wanted to get dressed first, but Respondent told her she did not need to get dressed because she had the gown on. After they moved to the other treatment room, Respondent took the patient's gown off her shoulders and began rubbing some cream on her chest and back. The patient had a cyst on one of her nipples and thought that Respondent was checking her cyst. Respondent then put his mouth on the patient's left nipple and she immediately pushed him away and asked what he was doing. Respondent then placed a blindfold on the patient similar to the ones she had worn in the past before receiving laser hair treatments. Although Respondent indicated he was doing laser hair treatments, the patient did not hear the sound of the laser machine as she had during previous occasions when she had laser hair treatments. Respondent told the patient to get dressed and then to open the door so he could talk to her. After the patient was dressed, Respondent came back into the room and gave her a bag with three treatment creams in it. The patient reported that one of the creams is an expensive anti-wrinkle cream that Respondent sells at his practice. Respondent told the patient, "I will take really good care of you."

13. The patient left the appointment and went straight home and told her husband what had occurred. The patient and her husband called the Roseville Police Department (RPD) to report the incident. At approximately five minutes to 6:00 p.m. that evening, a detective

responded to the patient's home and took her statement. A Crime Scene Investigation (CSI) unit arrived and took swabs of the patient's breasts for potential DNA evidence.

14. On or about August 16, 2017, the patient met with detectives at the RPD. A pretext call was made to Respondent's office with detectives listening in. The patient was ultimately transferred to Respondent and spoke to him at approximately 5:20 p.m. Respondent attempted to schedule the patient to come in for an appointment, but the patient confronted him about rubbing her breasts and he did not deny having done so. He again attempted to schedule the patient to come in to speak to him in person. The patient accused Respondent of having placed his mouth on her breast, but he stated that he "did not recall that." Ultimately, he agreed to call the patient back the next day at 2:00 p.m. On or about August 17, 2017, the patient returned to RPD, and received Respondent's telephone call at approximately 2:02 p.m. During this call, the patient again accused Respondent of massaging her breasts and vagina and he stated that he did not recall that. Instead, Respondent stated that he could not say anything more about it, but that he respected the patient. The patient told Respondent that he sexually assaulted her and he responded, "I disagree with that. I don't think so." In neither telephone call did Respondent specifically deny the behavior the patient accused him of.

15. On or about August 22, 2017, RPD served a search warrant on the residence and office of Respondent. Detectives spoke with Respondent at his office. Respondent verified that the patient had come in for a biopsy check and hair treatment on August 14, 2017. He stated that the rest of the staff was absent at that time, having completed their duties for the day. He indicated that he does not normally see patients alone when no other staff are present, but that the patient usually brought her husband with her to appointments and he thought that she would have done so again that day. He confirmed that he checked the patient's biopsy sites and performed a laser hair treatment. He stated that the patient was fully clothed at the appointment, and never undressed or wore a gown. When detectives informed Respondent of the allegations that he put his mouth on the patient's breast, or tried to kiss her, he denied having done so. He indicated that if there had been a need for any kind of unclothed examination he would have had her return for the examination and had someone present during it. Respondent denied that there had ever been a

sign-in sheet for the patient's appointment on August 14, 2017. Detectives took a swab of Respondent's cheek to obtain a DNA profile.

16. RPD detectives obtained video footage of the front office area at Respondent's practice for August 14, 2017. It shows the patient entering the empty waiting room at approximately 3:15 p.m. and signing in on a sign in sheet. Respondent then met her in the front office area and took her back into the treatment area. Later footage shows Respondent and the patient exiting through the front office. On or about November 1, 2017, the Department of Justice Bureau of Forensic Services issued a report showing that DNA from Respondent was found to be present on the swab of the patient's left breast collected by RPD CSI personnel on or about August 14, 2017.

SECOND CAUSE FOR DISCIPLINE

(General Unprofessional Conduct)

17. Respondent Narinder Singh Parhar, M.D. is further subject to disciplinary action under sections 2227 and 2234, of the Code, in that he has engaged in conduct which breaches the rules or ethical code of the medical profession, or conduct which is unbecoming to a member in good standing of the medical profession, and which demonstrates an unfitness to practice medicine, as more particularly alleged in paragraphs 8 through 16, above, which are hereby incorporated by reference and realleged 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 No. C 43320, issued to Narinder Singh Parhar, M.D.;

2. Revoking, suspending or denying approval of Narinder Singh Parhar, M.D.'s authority to supervise physician assistants and advanced practice nurses;

3. Ordering Narinder Singh Parhar, 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: February 16, 2018

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

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