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

In the Matter of the Accusation Against: **Parviz Lahiji, M.D.** **16103 Royal Oak Rd.** **Encino, CA 91436** **Physician's and Surgeon's Certificate No. A 42614,** Respondent.	Case No. 800-2014-006785 **DEFAULT DECISION AND ORDER** [Gov. Code, §11520]

FINDINGS OF FACT

1. On May 28, 2015, Complainant Kimberly Kirchmeyer, in her official capacity as the Executive Director of the Medical Board of California ("Board"), filed Accusation number 800-2014-006785 against Parviz Lahiji, M.D. ("Respondent") before the Board.

2. On or about April 21, 1986, the Medical Board issued Physician's and Surgeon's Certificate Number A 42614 to Parviz Lahiji, 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.

3. On May 28, 2015, Dianne Richards, an employee of the Board, served by Certified Mail a copy of the Accusation in case number 800-2014-006785 to Respondent's address of record with the Board, which was and is 16103 Royal Oak Road, Encino, California 91436. A copy of the Accusation, the related documents, and Declaration of Service are attached as Exhibit A, and are incorporated herein by reference.

4. Service of the Accusation by certified mail to the respondent's address of record was effective as a matter of law under the provisions of Government Code section 11505, subdivision (c).

5. 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."

6. 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. 800-2014-006785.

7. 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."

8. 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, and C, finds that the allegations in Accusation No. 800-2015-015063 are true.

DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Parviz Lahiji M.D. has subjected his Physician's and Surgeon's Certificate No. A 42614 to discipline.

2. A copy of the Accusation and the related documents and Declaration of Service are attached.

3. The agency 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 because on or about March 16, 2015, Respondent underwent a mental evaluation by a physician. The physician reported that notwithstanding receiving a score in the mild cognitive impairment range, Respondent "has a definite diagnosis of Dementia." The physician further stated that Respondent "is not and will not be able to practice medicine and would be unsafe to the public." In addition, the physician stated that Respondent "would not be able to practice medicine with or without supervision."

ORDER

IT IS ORDERED THAT

1. Physician's and Surgeon's Certificate No. A 42614, heretofore issued to Respondent Parviz Lahiji, M.D, is revoked.

2. 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 agency 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 March 8, 2018, at 5:00 p.m.

IT IS SO ORDERED February 6, 2018

MEDICAL BOARD OF CALIFORNIA

Kimberly Kirchmeyer
Executive Director

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STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO May 28 20 15
BY D. Richards ANALYST

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

In the Matter of the Accusation Against: **Parviz Lahiji, M.D.** **16103 Royal Oak Rd.** **Encino, CA 91436** **Physician's and Surgeon's Certificate No. A 42614,** Respondent.	Case No. 800-2014-006785 **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 April 21, 1986, the Medical Board issued Physician's and Surgeon's Certificate Number A 42614 to Parviz Lahiji, 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, 2015, unless renewed.

JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following

laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2004 of the Code provides among other things that the Board shall have the responsibility for reviewing the quality of medical practice carried by out physician and surgeon certificate holders under the jurisdiction of the Board and issuing licenses and certificates under the Board's jurisdiction.

5. Section 2001.1 of the Code states:

"Protection of the public shall be the highest priority of the Medical Board of California in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount."

6. Section 2229 of the Code states, in relevant part, "Where rehabilitation and protection are inconsistent, protection shall be paramount."

7. 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."

8. Code section 822 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."

CAUSE FOR ACTION

(Impairment Due to Mental Illness or Physical Illness affecting Competency)

9. Respondent Parviz Lahiji, M.D. is subject to Board action under Code section 822 in that his ability to practice medicine safely is impaired due to mental illness or physical illness affecting competency. The circumstances are as follows:

10. On or about August 28, 2013, in a prior disciplinary action entitled *In the Matter of the Reprimand Against Parviz Lahiji, M.D.* in Case Number 05-2010-205945, the Board issued an order calling for a public reprimand of Respondent after his completion of an education course and a record keeping course.

11. In or around 2013, Respondent retired from the practice of medicine following neck surgery. He closed his Encino, California practice and referred his patients to another physician, to whom all the patient medical charts were transferred.

12. On or about July 10 and 11, 2014, Respondent attended a medical record keeping course at the University of California, San Diego Physician Assessment and Clinical Education (PACE) Program pursuant to the order referenced in paragraph 10 above. During his attendance at the PACE Program, signs of dementia were observed by the course instructor.

13. On or about November 14, 2014, an investigator working on behalf of the Board contacted Respondent and requested that he voluntarily undergo a physical and psychological examination.

14. On or about January 2, 2015, Respondent signed a Voluntary Agreement for Mental Evaluation.

15. On or about March 16, 2015, Respondent was evaluated by a physician. The physician reported that notwithstanding receiving a score in the mild cognitive impairment range,

Respondent "has a definite diagnosis of Dementia." The physician further stated that Respondent "is not and will not be able to practice medicine and would be unsafe to the public." In addition, the physician stated that Respondent "would not be able to practice medicine with or without supervision."

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 42614, issued to Parviz Lahiji, M.D.;

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

3. Ordering Parviz Lahiji, 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: May 28, 2015

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

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