

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

In the Matter of the First Amended)	
Accusation Against:)	
)	
SADASHIV Y. RAJADHYAKSHA, M.D.)	MBC Case No. 18-2010-205190
)	
Physician's and Surgeon's Certificate)	OAH No. 2012010161
No. A 36544)	
)	
Respondent)	
_____)	

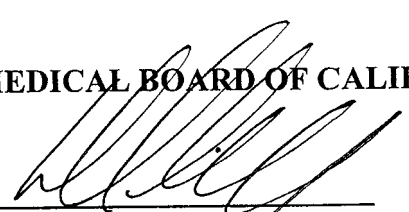
DECISION

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

This Decision shall become effective at 5:00 p.m. on August 23, 2012.

IT IS SO ORDERED August 16, 2012.

MEDICAL BOARD OF CALIFORNIA

By: 

Linda K. Whitney
Executive Director

1 KAMALA D. HARRIS
Attorney General of California
2 THOMAS S. LAZAR
Supervising Deputy Attorney General
3 ABRAHAM M. LEVY
Deputy Attorney General
4 State Bar No. 189671
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5 San Diego, CA 92101
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6 San Diego, CA 92186-5266
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7 Facsimile: (619) 645-2061
Attorneys for Complainant

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

12 In the Matter of the First Amended Accusation
Against:

13 **SADASHIV Y. RAJADHYAKSHA, M.D.**
14 **21520-G Yorba Linda Blvd., #410**
15 **Yorba Linda, CA 92887**

16 Physician's and Surgeon's Certificate Number
A 36544,

17 Respondent.
18
19

Case No. 18-2010-205190

OAH No. 2012010161

**STIPULATED SURRENDER OF
LICENSE AND DISCIPLINARY ORDER**

20 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
21 proceeding that the following matters are true:

22 **PARTIES**

23 1. Complainant Linda K. Whitney (Complainant) is the Executive Director of the
24 Medical Board of California. She brought this action solely in her official capacity and is
25 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by
26 Abraham M. Levy, Deputy Attorney General.

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1 Director shall have a reasonable period of time in which to consider and act on this Stipulated
2 Surrender of License and Disciplinary Order after receiving it. By signing this stipulation,
3 respondent fully understands and agrees that he may not withdraw his agreement or seek to
4 rescind this stipulation prior to the time the Executive Director, on behalf of the Medical Board,
5 considers and acts upon it.

6 13. The parties agree that this Stipulated Surrender of License and Disciplinary
7 Order shall be null and void and not binding upon the parties unless approved and adopted by the
8 Executive Director on behalf of the Board, except for this paragraph, which shall remain in full
9 force and effect. Respondent fully understands and agrees that in deciding whether or not to
10 approve and adopt this Stipulated Surrender of License and Disciplinary Order, the Executive
11 Director and/or the Board may receive oral and written communications from its staff and/or the
12 Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the
13 Executive Director, the Board, any member thereof, and/or any other person from future
14 participation in this or any other matter affecting or involving respondent. In the event that the
15 Executive Director on behalf of the Board does not, in her discretion, approve and adopt this
16 Stipulated Surrender of License and Disciplinary Order, with the exception of this paragraph, it
17 shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied
18 upon or introduced in any disciplinary action by either party hereto. Respondent further agrees
19 that should this Stipulated Surrender of License and Disciplinary Order be rejected for any reason
20 by the Executive Director on behalf of the Board, respondent will assert no claim that the
21 Executive Director, the Board, or any member thereof, was prejudiced by its/his/her review,
22 discussion and/or consideration of this Stipulated Surrender of License and Disciplinary Order or
23 of any matter or matters related hereto.

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1 **ADDITIONAL PROVISIONS**

2 14. This Stipulated Surrender of License and Disciplinary Order is intended by the
3 parties herein to be an integrated writing representing the complete, final and exclusive
4 embodiment of the agreements of the parties in the above-entitled matter.

5 15. The parties agree that facsimile copies of this Stipulated Surrender of License
6 and Disciplinary Order, including facsimile signatures of the parties, may be used in lieu of
7 original documents and signatures and, further, that facsimile copies shall have the same force
8 and effect as originals.

9 16. In consideration of the foregoing admissions and stipulations, the parties agree
10 the Executive Director of the Medical Board may, without further notice to or opportunity to be
11 heard by respondent, issue and enter the following Disciplinary Order on behalf of the Board:

12 **DISCIPLINARY ORDER**

13 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A36544,
14 issued to respondent SADASHIV Y. RAJADHYAKSHA, M.D., is surrendered and accepted by
15 the Medical Board of California.

16 1. The surrender of Respondent's Physician's and Surgeon's Certificate No.
17 A36544, and the acceptance of the surrendered license by the Board, shall constitute the
18 imposition of discipline against respondent. This stipulation constitutes a record of the discipline
19 and shall become a part of respondent's license history with the Medical Board of California.

20 2. Respondent shall lose all rights and privileges as a Physician and Surgeon in
21 California as of the effective date of this Decision and Disciplinary Order.

22 3. Respondent shall cause to be delivered to the Board his pocket license and, if
23 one was issued, his wall certificate on or before the effective date of this Decision and
24 Disciplinary Order.

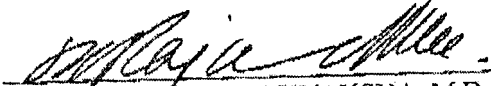
25 4. If respondent ever files an application for licensure or a petition for
26 reinstatement in the State of California, the Board shall treat it as a petition for reinstatement.
27 Respondent must comply with all the laws, regulations and procedures for reinstatement of a
28 revoked license in effect at the time the petition is filed, and all of the charges and allegations

1 contained in First Amended Accusation No. 18-2010-205190 shall be deemed to be true, correct
2 and fully admitted by respondent when the Board determines whether to grant or deny the
3 petition.

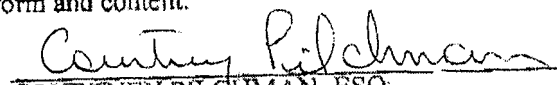
4 5. If respondent should ever apply or reapply for a new license or certification, or
5 petition for reinstatement of a license, by any other health care licensing agency in the State of
6 California, all of the charges and allegations contained in First Amended Accusation No. 18-
7 2010-205190 shall be deemed to be true, correct, and fully admitted by respondent for the
8 purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

9 ACCEPTANCE

10 I have carefully read the above Stipulated Surrender of License and Disciplinary
11 Order and have fully discussed it with my attorney, COURTNEY PILCHMAN, Esq. I
12 understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate
13 No. A36544. I enter into this Stipulated Surrender of License and Disciplinary Order voluntarily,
14 knowingly, and intelligently, and agree to be bound by the Decision and Disciplinary Order of the
15 Medical Board of California.

16 DATED: August 1, 2012 
17 SADASHIV Y. RAJADHYAKSHA, M.D.,
Respondent

18 I have read and fully discussed with respondent SADASHIV Y. RAJADHYAKSHA,
19 M.D., the terms and conditions and other matters contained in this Stipulated Surrender of
20 License and Disciplinary Order. I approve its form and content.

21 DATED: August 1, 2012 
22 COURTNEY PILCHMAN, ESQ.
Attorney for Respondent

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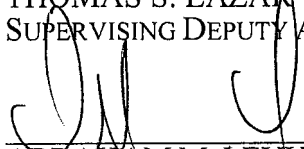
ENDORSEMENT

The foregoing Stipulated Surrender of License and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California of the Department of Consumer Affairs.

Dated: 8/2/12

Respectfully submitted,

KAMALA D. HARRIS
ATTORNEY GENERAL OF CALIFORNIA
THOMAS S. LAZAR
SUPERVISING DEPUTY ATTORNEY GENERAL



ABRAHAM M. LEVY
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

First Amended Accusation No. 18-2010-205190

1 KAMALA D. HARRIS
Attorney General of California
2 THOMAS S. LAZAR
Supervising Deputy Attorney General
3 ABRAHAM M. LEVY
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4 State Bar No. 189671
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Telephone: (619) 645-2072
7 Facsimile: (619) 645-2061
Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO June 29, 2012
BY [Signature] ANALYST

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

13 In the Matter of the First Amended Accusation
14 Against:

15 **SADASHIV Y. RAJADHYAKSHA, M.D.**
16 **21520-G Yorba Linda Blvd., #410**
Yorba Linda, CA 92887

17 Physician's and Surgeon's Certificate Number
18 A 36544,

19 Respondent.

Case No. 18-2010-205190

OAH No. 2012010161

FIRST AMENDED ACCUSATION

20 Complainant alleges:

21 **PARTIES**

22 1. Linda K. Whitney (Complainant) brings this First Amended Accusation
23 Accusation solely in her official capacity as the Executive Director of the Medical Board of
24 California (Board).

25 2. On or about April 13, 1981, the Board issued Physician's and Surgeon's
26 Certificate Number A36544 to Sadashiv Y. Rajadhyaksha, M.D. (Respondent). That certificate
27 was in full force and effect at all times relevant to the charges brought herein and will expire on
28 August 31, 2012, unless renewed.

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JURISDICTION

3. This First Amended Accusation, which supercedes the original Accusation filed on November 18, 2011, in the above-entitled matter, 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, be publically reprimanded, or have such other action taken in relation to discipline as the Board deems proper.

5. Section 2234 of the Code states:

"The Division of Medical Quality¹ 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 [Chapter 5, the Medical Practice Act].

"(b) Gross negligence.

"(c) Repeated negligent acts . . .

"(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.

¹ California Business and Professions Code section 2002, as amended and effective January 1, 2008, provides that, unless otherwise expressly provided, the term "board" as used in the State medical Practice Act (Cal. Bus. & Prof. Code, section 2000, et.seq.) means the "Medical Board of California," and references to the "Division of Medical Quality" and "Division of Licensing" in the Act or any other provision of law shall be deemed to refer to the Board.

1 “...”

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

7 7. Section 2266 of the Code states: “The failure of a physician and surgeon to
8 maintain adequate and accurate records relating to the provision of services to their patients
9 constitutes unprofessional conduct.”

10 8. Section 726 of the Code states:

11 “The commission of any act of sexual abuse, misconduct, or relations with a patient, client,
12 or customer constitutes unprofessional conduct and grounds for disciplinary action for any person
13 licensed under this division, under any initiative act referred to in this division and under Chapter
14 17 (commencing with Section 9000) of Division 3.”

15 9. Section 2236 of the Code states:

16 “(a) The conviction of any offense substantially related to the qualifications, functions, or
17 duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this
18 chapter. The record of conviction shall be conclusive evidence only of the fact that the conviction
19 occurred.

20 “(b) The district attorney, city attorney, or other prosecuting agency shall notify the
21 Division of Medical Quality of the pendency of an action against a licensee charging a felony or
22 misdemeanor immediately upon obtaining information that the defendant is a licensee. The
23 notice shall identify the licensee and describe the crimes charged and the facts alleged. The
24 prosecuting agency shall also notify the clerk of the court in which the action is pending that the
25 defendant is a licensee, and the clerk shall record prominently in the file that the defendant holds
26 a license as a physician and surgeon.

27 “(c) The clerk of the court in which a licensee is convicted of a crime shall, within 48
28 hours after the conviction, transmit a certified copy of the record of conviction to the board. The

1 division may inquire into the circumstances surrounding the commission of a crime in order to fix
2 the degree of discipline or to determine if the conviction is of an offense substantially related to
3 the qualifications, functions, or duties of a physician and surgeon.

4 “(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to
5 be a conviction within the meaning of this section and Section 2236.1. The record of conviction
6 shall be conclusive evidence of the fact that the conviction occurred.”

7 10. Section 2236.1 of the Code states, in pertinent part:

8 “... ”

9 “(d)(1) Discipline may be ordered in accordance with Section 2227, or the Division of
10 Licensing may order the denial of the license when the time for appeal has elapsed, the judgment
11 of conviction has been affirmed on appeal, or an order granting probation is made suspending the
12 imposition of sentence, irrespective of a subsequent order under Section 1203.4 of the Penal Code
13 allowing the person to withdraw his or her plea of guilty and to enter a plea of not guilty, setting
14 aside the verdict of guilty, or dismissing the accusation, complaint, information, or indictment.

15 “... ”

16 **FIRST CAUSE FOR DISCIPLINE**

17 **(Sexual Abuse and Misconduct)**

18 11. Respondent is subject to disciplinary action under section 726 in that
19 Respondent committed an act or acts of sexual abuse and misconduct in his care and treatment of
20 patients A.C. and T.H., as more particularly alleged hereinafter:

21 **Patient A.C.**

22 12. Respondent, a psychiatrist, treated patient A.C. for anxiety and bipolar
23 depression at a clinic run by the Riverside County Department of Mental Health from June 30,
24 2009, through November 18, 2009. Patient A.C. was seeing Respondent at intervals of two to
25 three weeks.

26 13. On or about October 19, 2009, patient A.C. complained of chest heaviness.
27 Respondent asked her if she had any pain, and she said no. He then told her that he needed to
28 examine her. Respondent placed his two fingers under her bra and asked her if it was tender. She

1 told him that it was not tender. At some point the bra strap came loose and patient A.C.'s breast
2 was exposed.

3 14. At patient A.C.'s next visit with Respondent, on November 3, 2009, she
4 returned for medication refills. Respondent told patient A.C. that he wanted to listen to her heart.
5 He placed a stethoscope on top of her left breast and under her shirt. He touched her breast and
6 engaged in percussion of the areola² region of the breast.

7 15. In patient A.C.'s last visit with Respondent on November 18, 2009, she
8 mentioned that she had some back pain. Respondent told her to turn around and lift up her shirt.
9 Respondent put both hands on her waist and his thumbs on her spine. He squeezed her waist. He
10 asked her to lift her shirt higher and he placed his hands below her chest. After the exam
11 Respondent walked into the waiting room and congratulated her husband on having a good
12 marriage.

13 16. Patient A.C. complained to staff at the clinic and asked to see a different doctor.
14 She did not return again to see Respondent.

15 17. In Respondent's office visit notes for patient A.C., he did not note or chart that
16 she reported chest or back pain. When interviewed as part of the Medical Board's investigation
17 of patient A.C.'s consumer complaint, Respondent denied performing a physical examination of
18 patient A.C. or even having a stethoscope.

19 **Patient T.H.**

20 18. Respondent treated patient T.H. between July 9, 2009, and October 9, 2009, for
21 bipolar depression, obsessive compulsive disorder, amphetamine dependence in sustained full
22 remission and personality disorder at a clinic run by the Riverside County Department of Mental
23 Health.

24 19. Patient T.H. went to see Respondent on October 6, 2009 and reported to him
25 that she had some discomfort in her chest. Respondent asked her to lift her shirt. She had earlier
26 gone to the emergency room but felt the wait was too long.

27 _____
28 ² The areola area of the breast is the pigmented ring around the nipple.

1 20. Respondent examined patient T.H.'s breast area. He went to the center of
2 patient T.H.'s chest with a stethoscope and proceeded to check the sides of her bra with his hands.
3 He placed his hand inside patient T.H.'s bra.

4 21. After this visit patient T.H. did not return to see Respondent.

5 22. Respondent's office notes for patient T.H. do not document any vital signs, and
6 there is no documentation of chest pain or that Respondent performed a physical examination.
7 When interviewed as part of the Medical Board's investigation of patient T.H.'s consumer
8 complaint, Respondent denied performing a physical examination of patient T.H. or even having
9 a stethoscope.

10 **SECOND CAUSE FOR DISCIPLINE**

11 **(Gross Negligence)**

12 23. Respondent is further subject to disciplinary action under sections 2227 and
13 2234, as defined by section 2234, subdivision (b), of the Code, in that he committed gross
14 negligence in his care and treatment of patients A.C. and T.H., as more particularly alleged
15 hereinafter.

16 24. Paragraphs 10 through 20, above, are hereby incorporated by reference and re-
17 alleged as if fully set forth herein.

18 (a) Respondent committed an act or acts of sexual abuse and misconduct in his care
19 and treatment of patients A.C. and T.H.;

20 (b) Respondent failed to refer patients A.C. and T.H. to the emergency room or to a
21 physician's office.

22 **THIRD CAUSE FOR DISCIPLINE**

23 **(Repeated Negligent Acts)**

24 25. Respondent is further subject to disciplinary action under sections 2227 and
25 2234, as defined by section 2234, subdivision (c), of the Code, in that he committed repeated
26 negligent acts in his care and treatment of patients A.C. and T.H., as more particularly alleged
27 hereinafter.

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1 **FIFTH CAUSE FOR DISCIPLINE**

2 **(Failure to Maintain Adequate and Accurate Medical Records)**

3 28. Respondent is further subject to disciplinary action under sections 2227 and
4 2234, as defined by section 2266, of the Code, in that respondent failed to maintain adequate and
5 accurate records relating to his provision of services to patients A.C. and T.H., as more
6 particularly alleged hereinafter.

7 29. Paragraphs 9 through 20, above, are hereby incorporated by reference and
8 realleged as if fully set forth herein.

9 **SIXTH CAUSE FOR DISCIPLINE**

10 **(General Unprofessional Conduct)**

11 30. Respondent is further subjected to disciplinary action under sections 2227 and
12 2234 of the Code in that he has engaged in conduct which breaches the rules or ethical code of the
13 medical profession, or conduct which is unbecoming to a member in good standing of the medical
14 profession, and which demonstrates an unfitness to practice medicine, as more particularly
15 described in paragraphs 11 through 27, above, which are incorporated by reference and realleged
16 as if fully set forth herein.

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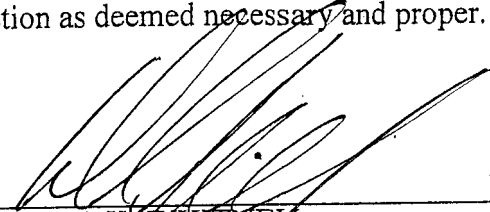
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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board issue a decision:

1. Revoking or suspending Physician's and Surgeon's Certificate A36544, issued to respondent Sadashiv Y. Rajadhyaksha, M.D.;
2. Revoking, suspending or denying approval of respondent Sadashiv Y. Rajadhyaksha, M.D.'s authority to supervise physician assistants, pursuant to section 3527 of the Code;
3. If placed on probation, ordering respondent Sadashiv Y. Rajadhyaksha, M.D. to pay the costs of probation monitoring; and
4. Taking such other and further action as deemed necessary and proper.

DATED: June 29, 2012


LINDA K. WHITNEY
Executive Director
Medical Board of California
State of California
Complainant

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