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8
9 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 800-2020-070360

13 **Rahim Shafa, M.D.**
14 **8 Fairland St.**
Lexington, MA 02173

ACCUSATION

15 **Physician's and Surgeon's Certificate**
16 **No. A 50853,**

17 Respondent.

18
19 **PARTIES**

20 1. William Prasifka (Complainant) brings this Accusation solely in his official capacity
21 as the Executive Director of the Medical Board of California, Department of Consumer Affairs
22 (Board).

23 2. On or about June 9, 1992, the Medical Board issued Physician's and Surgeon's
24 Certificate Number A 50853 to Rahim Shafa, M.D. (Respondent). The Physician's and Surgeon's
25 Certificate was in full force and effect at all times relevant to the charges brought herein and will
26 expire on May 31, 2022, unless renewed.

1 **JURISDICTION**

2 3. This Accusation is brought before the Board, under the authority of the following
3 laws. All section references are to the Business and Professions Code (Code) unless otherwise
4 indicated.

5 4. Section 2227 of the Code states:

6 “(a) A licensee whose matter has been heard by an administrative law judge of the Medical
7 Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default
8 has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary
9 action with the board, may, in accordance with the provisions of this chapter:

10 “(1) Have his or her license revoked upon order of the board;

11 “(2) Have his or her right to practice suspended for a period not to exceed one year
12 upon order of the board;

13 “(3) Be placed on probation and be required to pay the costs of probation monitoring
14 upon order of the board:

15 “(4) Be publicly reprimanded by the board. The public reprimand may include a
16 requirement that the licensee complete relevant educational courses approved by the board;

17 “(5) Have any other action taken in relation to discipline as part of an order of
18 probation, as the board or an administrative law judge may deem proper.

19 “(b) Any matter heard pursuant to subdivision (a), except for warning letters, medical
20 review or advisory conferences, professional competency examinations, continuing education
21 activities, and cost reimbursement associated therewith that are agreed to with the board and
22 successfully completed by the licensee, or other matters made confidential or privileged by
23 existing law, is deemed public, and shall be made available to the public by the board pursuant to
24 Section 803.1.”

25 5. Section 2305 of the Code states:

26 “The revocation, suspension, or other discipline, restriction or limitation imposed by
27 another state upon a license or certificate to practice medicine issued by that state, or the
28 revocation, suspension, or restriction of the authority to practice medicine by any agency of the

1 federal government, that would have been grounds for discipline in California of a licensee under
2 this chapter [Chapter 5, the Medical Practice Act] shall constitute grounds for disciplinary action
3 for unprofessional conduct against the licensee in this state.”

4 6. Section 2310 of the Code states:

5 “(a) If a physician and surgeon possesses a license or is otherwise authorized to practice
6 medicine (1) in any state other than California or (2) by any agency of the federal government and
7 that license or authority is suspended or revoked outright and is reported to the National
8 Practitioners Data Bank, the physician and surgeon’s certificate shall be suspended automatically
9 for the duration of the suspension or revocation, unless terminated or rescinded as provided in
10 subdivision (c). The division shall notify the physician and surgeon of the license suspension and
11 of his or her right to have the issue of penalty heard as provided in this section.

12 “(b) Upon its own motion or for good cause shown, the division may decline to impose or
13 may set aside the suspension when it appears to be in the interest of justice to do so, with due
14 regard to maintaining the integrity of and confidence in the medical profession.

15 “(c) The issue of penalty shall be heard by an administrative law judge from the Medical
16 Quality Panel sitting alone or with a panel of the division, in the discretion of the division. A
17 physician and surgeon may request a hearing on the penalty and that hearing shall be held within
18 90 days from the date of the request. If the order suspending or revoking the physician and
19 surgeon’s license or authority to practice medicine is overturned on appeal, any discipline ordered
20 pursuant to this section shall automatically cease. Upon the showing to the administrative law
21 judge or panel by the physician and surgeon that the out-of-state action is not a basis for
22 discipline in California, the suspension shall be rescinded. If an accusation for permanent
23 discipline is not filed within 90 days of the suspension imposed pursuant to this section, the
24 suspension shall automatically terminate.

25 “(d) The record of the proceedings that resulted in the suspension or revocation of the
26 physician and surgeon’s license or authority to practice medicine, including a transcript of the
27 testimony therein, may be received in evidence.

1 “(e) This section shall not apply to a physician and surgeon who maintains his or her
2 primary practice in California, as evidenced by having maintained a practice in this state for not
3 less than one year immediately preceding the date of suspension or revocation. Nothing in this
4 section shall preclude a physician’s and surgeon’s license from being suspended pursuant to any
5 other provision of law.

6 “(f) This section shall not apply to a physician and surgeon whose license has been
7 surrendered whose only discipline is a medical staff disciplinary action at a federal hospital not
8 for medical disciplinary cause or reason as that term is defined in Section 805, or whose
9 revocation or suspension has been stayed, even if the physician and surgeon remains subject to
10 terms of probation or other discipline.

11 “(g) This section shall not apply to a suspension or revocation imposed by a state that is
12 based solely on the prior discipline of the physician and surgeon by another state.

13 “(h) The other provisions of this article setting forth a procedure for the suspension or
14 revocation of a physician and surgeon’s certificate shall not apply to summary suspensions issued
15 pursuant to this section. If a summary suspension has been issued pursuant to this section, the
16 physician or surgeon may request that the hearing on the penalty conducted pursuant to
17 subdivision (c) be held at the same time as a hearing on the accusation.”

18 7. Section 141 of the Code states:

19 “(a) For any licensee holding a license issued by a board under the jurisdiction of the
20 department, a disciplinary action taken by another state, by any agency of the federal government,
21 or by another country for any act substantially related to the practice regulated by the California
22 license, may be a ground for disciplinary action by the respective state licensing board. A
23 certified copy of the record of the disciplinary action taken against the licensee by another state,
24 an agency of the federal government, or another country shall be conclusive evidence of the
25 events related therein.

26 “(b) Nothing in this section shall preclude a board from applying a specific statutory
27 provision in the licensing act administered by that board that provides for discipline based upon a
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1 disciplinary action taken against the licensee by another state, an agency of the federal
2 government, or another country.”

3 **CAUSE FOR DISCIPLINE**

4 **(Discipline, Restriction, or Limitation Imposed by another State)**

5 8. Respondent Rahim Shafa, M.D. is subject to disciplinary action under section 141(a)
6 and/or 2305 and/or 2310 of the Code in that on August 13, 2020, Respondent entered into a
7 Voluntary Agreement Not to Practice with the Commonwealth of Massachusetts Board of
8 Registration in Medicine (Massachusetts Board). The circumstances are as follows:

9 9. On August 13, 2020, Respondent agreed to immediately cease the practice of
10 medicine in the Commonwealth of Massachusetts. In addition, Respondent agreed: to not seek
11 licensure in any other state; to not practice medicine in any other state; to provide a copy of the
12 agreement to any facility where he practices medicine, to any employer, to any place where he
13 has privileges, the Drug Enforcement Administration, the Drug Control Program, and to all state
14 licensing boards; and that any violation of the agreement would be prima facie evidence for
15 immediate summary suspension of his license to practice medicine. He further agreed that the
16 agreement would remain in effect until the Massachusetts Board modified or terminated the
17 agreement; or took other action against his license; or took final action.

18 10. Respondent's conduct and the actions of the Massachusetts Board as set forth in
19 Paragraphs 8 and 9, above, and within the Massachusetts Board documents attached as Exhibit A,
20 constitutes unprofessional conduct within the meaning of section 2305, and conduct subject to
21 discipline within the meaning of section 141(a), and conduct subject to automatic suspension
22 within the meaning of section 2310.

23 **PRAYER**


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

26 1. Revoking or suspending Physician's and Surgeon's Certificate Number A 50853,
27 issued to Rahim Shafa, M.D.;

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- 2. Revoking, suspending or denying approval of Rahim Shafa, M.D.'s authority to supervise physician assistants and advanced practice nurses;
- 3. Ordering Rahim Shafa, 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: DEC 16 2020


WILLIAM PRASIFKA
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

SF2020401699
Rahim Shafa, M.D. Accusation

Exhibit A

Commonwealth of Massachusetts Board of Registration in Medicine

Voluntary Agreement Not to Practice Dated August 13, 2020

Commonwealth of Massachusetts
Board of Registration in Medicine

200 Harvard Mill Square, Suite 330

Wakefield, Massachusetts 01880

(781) 876-8200

www.mass.gov/massmedboard

Enforcement Division Fax: (781) 876-8381

Legal Division Fax: (781) 876-8380

Licensing Division Fax: (781) 876-8383

Middlesex, ss.

I, Tara Douglas, hereby certify that I am the custodian of the requested records attached and listed below, and that, to the best of my knowledge, these documents are true and accurate records of the files maintained by the Commonwealth of Massachusetts Board of Registration in Medicine (the "Board") regarding documents of the license of *Rahim Shafa, M.D.*

List of Records

1. Voluntary Agreement Not to Practice, dated August 13, 2020

Signed this 11th day of September, 2020, under the pains and penalties of perjury.



Tara Douglas
Assistant General Counsel
Board of Registration in Medicine
200 Harvard Mill Square, Suite 330
Wakefield, MA 01880

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine

Docket No. 20-071

In the Matter of Rahim Shafa, M.D.

Registration No. 76859

VOLUNTARY AGREEMENT NOT TO PRACTICE MEDICINE

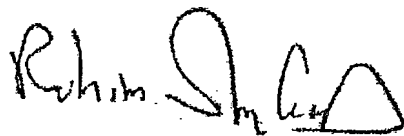
1. I agree to cease my practice of medicine in the Commonwealth of Massachusetts effective immediately.
2. I agree not to seek licensure in any other state.
3. I agree not to practice medicine in any other state.
4. This Agreement will remain in effect until the Board of Registration in Medicine (Board) determines that this Agreement should be modified or terminated; or until the Board takes other action against my license to practice medicine; or until the Board takes final action on the above-referenced matter.
5. I am entering this Agreement voluntarily.
6. I understand that this Agreement is a public document and may be subject to a press release.
7. I understand that this action is non-disciplinary, but will be reported by the Board to the appropriate federal data banks and national reporting organizations, including the National Practitioner Data Bank and the Federation of State Medical Boards.
8. Any violation of this Agreement shall be prima facie evidence for immediate summary suspension of my license to practice medicine.
9. I understand that by voluntarily agreeing not to practice medicine in the Commonwealth of Massachusetts pursuant to this Agreement, I do not waive my right to contest any allegations brought against me by the Board and my signature to this Agreement does not constitute any admissions on my part. Nothing contained in this Agreement shall be construed as

an admission or acknowledgment by me as to wrongdoing of any kind in the practice of medicine or otherwise.

10. I agree to provide a complete copy of this Agreement, within twenty-four (24) hours of notification of the Board's acceptance of this Agreement, by certified mail, return receipt requested, or by hand delivery to the following designated entities: any in-state or out-of-state hospital, nursing home, clinic, other licensed facility, or municipal, state, or federal facility at which I practice medicine; any in-state or out-of-state health maintenance organization, with which I have privileges or any other kind of association; any state agency, in-or-out-of state, with which I have a provider contract; any in-state or out-of-state medical employer, whether or not I practice medicine there; the Drug Enforcement Administration Boston Diversion Group; Massachusetts Department of Public Health Drug Control Program; and the state licensing boards of all states in which I have any kind of license to practice medicine. I will certify to the Board within seven (7) days that I have complied with this directive. The Board expressly reserves the authority to independently notify, at any time, any of the entities designated above or any other affected entity, of any action it has taken.

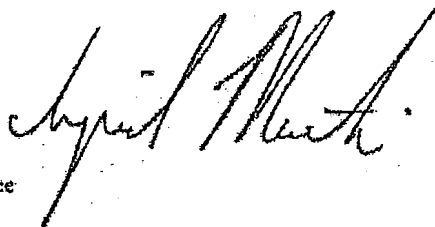
11. This Agreement represents the entire agreement between the parties at this time.

Rahim Shafa, M.D.
Licensee



Date wed, Aug, 12, 2020

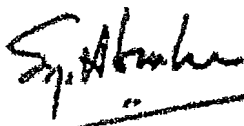
Ingrid Martin, Esq.
Attorney for Licensee



Date

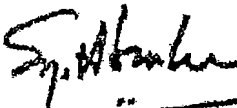
8/12/2020

Accepted by the Board of Registration in Medicine this 13 day of AUGUST, 2020



Board Chair or Designee

Ratified by vote of the Board of Registration in Medicine this 13 day of August, 2020.



George Abraham, M.D.
Board Chair