

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

In the Matter of the Accusation
Against:

SURESH GANDOTRA, M.D.
Certificate No. A-29677

Respondent.

No. 06-90-1180

DECISION

The attached Stipulated Decision in case number
06-90-1180 is hereby adopted by the Division of Medical Quality of
the Medical Board of California as its decision in the above
entitled matter.

This Decision shall become effective on January 20, 1995.

IT IS SO ORDERED January 20, 1995.

DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA

By *Ira Lubell M.D.*
IRA LUBELL, M.D.
Chairperson

January 20, 1995

1 DANIEL E. LUNGREN, Attorney General
 of the State of California
 2 MARGARET A. LAFKO
 Deputy Attorney General, State Bar No. 105921
 3 Department of Justice
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 San Diego, California 92186-5266
 5 Telephone: (619) 645-2064
 6 Attorneys for Medical Board of California

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 8 BEFORE THE
 DIVISION OF MEDICAL QUALITY
 9 MEDICAL BOARD OF CALIFORNIA
 DEPARTMENT OF CONSUMER AFFAIRS

10	In the Matter of the Accusation and)	Accusation No. D5389
11	Surrender of Licensure of:)	QAH No. 07-91-12088
12	SURESH GANDOTRA, M.D.)	STIPULATION FOR
13	DOB: 4/17/49)	SURRENDER OF
14	215 S. Owens Drive)	CERTIFICATE, PERMIT,
15	Anaheim, CA 92807)	DECISION AND ORDER
16	Physician's and Surgeon's)	
17	Certificate No. A29677)	
18	Fictitious Name Permit)	
19	El Norte Clinica Medica)	
20	342 San Ysidro Blvd.)	
21	San Ysidro, CA 92173)	
22	Permit No. FNP 18167,)	
23	Respondent.)	

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21 IT IS HEREBY STIPULATED by and between the parties in
 22 the above-entitled matter as follows:
 23 1. Complainant Dixon Arnett is the Executive Director
 24 of the Medical Board of California, Department of Consumer
 25 Affairs, State of California ("Board") and is represented herein
 26 by Daniel E. Lungren, Attorney General of the State of
 27 California, by Margaret A. Lafko, Deputy Attorney General.
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1 2. Suresh Gandotra, M.D. ("respondent") is
2 represented by Evan Ginsburg, Esq., 440 E. Commonwealth, Suite
3 100, Fullerton, California 92632; telephone (714) 680-3636; fax
4 no. (714) 680-3315.

5 3. At all times mentioned herein, respondent was
6 licensed by the Board under Physician's and Surgeon's Certificate
7 No. A29677. Said Certificate was issued by the Board on
8 September 10, 1975, and would expire on April 30, 1995.
9 Respondent has no record of prior discipline and is not a
10 supervisor of a Physician Assistant.

11 4. On April 29, 1991, the Board issued Fictitious
12 Name Permit No. FNP 18167 to respondent for the name of El Norte
13 Clinica Medica, located at 342 West San Ysidro Blvd., San Ysidro,
14 California 92173. Said permit will expire on April 30, 1995.

15 5. On September 23, 1993, an Accusation was filed
16 against respondent's certificate regarding a felony conviction on
17 May 2, 1990. (See Exh. 1.) This Accusation is pending.

18 6. On December 16, 1994, an Ex-Parte TRO Petition was
19 filed in the San Diego Superior Court in Case No. SB003494 and a
20 TRO Order was granted restraining respondent and his clinic, El
21 Norte Clinica Medica, from practicing medicine. (See Exh. 2.)
22 This action was based on respondent's criminal conviction and
23 allegations of gross negligence in performing two abortions.

24 7. Respondent has carefully read and fully
25 understands the contents, force, and effect of this Stipulation
26 for Surrender of Certificate and Permit.

27 8. Respondent is desirous of surrendering his
28 certificate and permit.

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1 9. Respondent is fully aware of his right to a full
 2 hearing on the pending Accusation and on supplemental allegations
 3 which would be filed regarding patients A.L.G. and M.O.R. (See
 4 Exh. 2.), his right to present witnesses and evidence on his own
 5 behalf, his right to cross-examine all witnesses testifying
 6 against him, his right to reconsideration, judicial review,
 7 appeal, and all other rights which may be accorded him pursuant
 8 to the California Administrative Procedure Act and the California
 9 Code of Civil Procedure.

10 10. Respondent admits that he has been convicted of a
 11 crime which constitutes a basis for discipline pursuant to
 12 Business and Professions Code section 2236 as alleged in the
 13 pending Accusation. (Exh. 1.)

14 11. Respondent admits that he was grossly negligent in
 15 treating patient A.L.G. named in the TRO Petition. (Exh. 2.)

16 12. Respondent understands that in signing this
 17 Stipulation for Surrender of Certificate, he is enabling the
 18 Division of Medical Quality, Medical Board of California, State
 19 of California, to issue its order accepting his surrender of his
 20 California Physician's and Surgeon's Certificate No. A29677
 21 without any further notice, opportunity to be heard, or formal
 22 proceeding.

23 13. Should respondent ever seek reinstatement of his
 24 surrendered certificate, *in addition to the admissions in paragraph 10 and 11 above,* he admits only for the purpose of a
 25 reinstatement hearing that his treatment of patient M.O.R.
 26 constituted gross negligence.

27 14. Respondent hereby surrenders his California
 28 Physician's and Surgeon's Certificate No. A29677 to the Division

Q.A.

1 of Medical Quality, Medical Board of California, State of
2 California, for its formal acceptance.

3 15. Upon formal acceptance of respondent's surrender
4 of certificate by the Division of Medical Quality, Medical Board
5 of California, State of California, respondent further agrees to
6 physically surrender, and cause to be delivered to the Board,
7 both his California Physician's and Surgeon's wall Certificate
8 No. A29677 and wallet certification, as well as permit FNP-
9 18167.

10 16. Respondent fully understands that upon formal
11 acceptance of his Surrender of Certificate and Permit by the
12 Division of Medical Quality, Medical Board of California, State
13 of California, he will no longer be permitted to practice as a
14 physician and surgeon in the State of California, nor permitted
15 to have any financial interest or control in El Norte Clinica
16 Medica.

17 17. This Stipulation for Surrender of Certificate and
18 Permit is intended by the parties herein to be an integrated
19 writing representing the complete, final, and exclusive
20 embodiment of the agreements of the parties.

21 18. This Stipulation for Surrender of Certification
22 and Permit shall be subject to the approval of the Division of
23 Medical Quality, Medical Board of California, State of
24 California. If the Division fails, for any reason, to approve

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1 this Stipulation, it shall be of no force and effect for either
2 party.

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4 DATED: December 23, 1994

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Margaret Lafko

MARGARET A. LAFKO
Deputy Attorney General

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Attorney for Medical Board
of California

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DATED: 12-23-94

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Evan Ginsburg

EVAN GINSBURG, ESQ.

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Attorney for Respondent

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ACKNOWLEDGEMENT

I, SURESH GANDOTRA, M.D., have read the above stipulation and enter into it freely, voluntarily, intelligently and with full knowledge of its force and effect. I hereby surrender my California Physician's and Surgeon's Certificate No. A29677 and permit FNP 18167 to the Division of Medical Quality, Medical Board of California, State of California, for its formal acceptance. I fully understand that, upon formal acceptance of my surrender of California Physician's and Surgeon's Certificate No. A29677 and permit FNP 18167 by the Division, I will lose all rights and privileges to practice as a physician and surgeon in the State of California.

DATED: 12-22-94


S. SURESH GANDOTRA, M.D.

DECISION AND ORDER

Pursuant to its authority under California Business and Professions Code sections 2220, 2227, 2234, 2236, and 2285 and based on the stipulations of the parties, the surrender of California Physician's and Surgeon's Certificate No. A29677 and permit FNP 181167 by respondent SURESH GANDOTRA, M.D., is hereby accepted by the Division of Medical Quality, Medical Board of California, State of California.

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