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

In the Matter of the Accusation Against:  
HITENDRA SHAH, M.D  
Physician's and Surgeon's  
Certificate No. A 36638  
Respondent.  

DECISION AND ORDER  

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Medical Board of California, Department of Consumer Affairs, State of California, as its Decision in this matter.  

This Decision shall become effective at 5:00 p.m. on June 20, 2012.  

IT IS SO ORDERED May 21, 2012.

MEDICAL BOARD OF CALIFORNIA  

[Signature]

By:  
Hedy Chang Chair  
Panel B
BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

HITENDRA SHAH, M.D.
23341 Golden Springs, #210
Diamond Bar, CA 91765
Physician's and Surgeon's Certificate No. A 36638

Respondent.

STIPULATED SETTLEMENT AND DISCIPLINARY ORDER FOR PUBLIC REPRIMAND

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-entitled proceedings that the following matters are true:

PARTIES

1. Linda K. Whitney ("Complainant") is the Executive Director of the Medical Board of California ("Board or Medical Board"). She brought this action solely in her official capacity and is represented in this matter by Kamala D. Harris, Attorney General of the State of California, by Deputies Attorney General Kerry Weisel and David Carr.

2. Respondent Hitendra Shah, M.D. ("Respondent") is represented in this proceeding by attorney Richard M. Ewaniszyk, 14350 Civic Drive, Suite 100, Victorville, California 92392.
3. On April 27, 1981, the Medical Board of California issued Physician's and Surgeon's
certificate Number A 36638 to Hitendra Shah, M.D. ("Respondent"). The Physician's and
Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in
Accusation No. 17-2009-197800.

JURISDICTION

4. Accusation No. 17-2009-197800 was filed before the Medical Board on January 3,
2012 and is currently pending against Respondent. The Accusation and all other statutorily
required documents were properly served on Respondent on the same date. Respondent timely
filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 17-2009-
197800 is attached as Exhibit A.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read and understands the charges and allegations in
Accusation No. 17-2009-197800. Respondent has also carefully read and fully discussed with
counsel and understands the effects of this Stipulated Settlement and Disciplinary Order for
Public Reprimand.

6. Respondent is fully aware of his legal rights in this matter, including the right to a
hearing on the charges and allegations in the Accusation; the right to be represented by counsel at
his own expense; the right to confront and cross-examine the witnesses against him; the right to
present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
the attendance of witnesses and the production of documents; the right to reconsideration and
court review of an adverse decision; and all other rights accorded by the California
Administrative Procedure Act and other applicable laws.

7. Respondent knowingly and voluntarily waives and gives up each and every right set
forth above.

8. Respondent does not contest that, at an administrative hearing, complainant could
establish a prima facie case with respect to the charges and allegations contained in Accusation
No. 17-2009-197800. Respondent hereby gives up his right to contest those charges.
9. The admissions made by Respondent herein are only for the purposes of this proceeding, or any other proceedings in which the Medical Board or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

10. Respondent agrees that his Physician's and Surgeon's Certificate is subject to discipline and he agrees to be bound by the Medical Board's imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

11. This Stipulation shall be subject to approval by the Medical Board. Respondent understands and agrees that counsel for Complainant and the staff of the Medical Board may communicate directly with the Board regarding this Stipulation without notice to or participation by Respondent or his counsel. By signing this Stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the Stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this Stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order for Public Reprimand shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

12. The parties understand and agree that facsimile or electronic copies of this Stipulated Settlement and Disciplinary Order for Public Reprimand, including facsimile or electronic signatures thereto, shall have the same force and effect as the originals.

13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

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DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 36638, issued to Respondent Hitendra Shah, M.D., is hereby publicly reprimanded pursuant to Business and Professions Code section 2227. This public reprimand, which is issued in connection with Respondent's conduct as set forth in Accusation No. 17-2009-197800, states:

During the interval between November 1, 2008 and March 2009 you were the sole physician practicing medicine at the PMS Treatment Clinic, a medical clinic owned and operated by Helen Anderson, a person not licensed to render professional services. Your practice of medicine at the PMS Treatment Clinic promoted and furthered the corporate practice of medicine, in violation of both the Moscone-Knox Professional Corporation Act and the Medical Practice Act, which constitutes unprofessional conduct.
ACCEPANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order for Public Reprimand and have fully discussed it with my attorney, Richard M. Ewaniszyn. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and Disciplinary Order for Public Reprimand voluntarily, knowingly, and intelligently and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 4-11-2012

HITENDRA SHAH, M.D.
Respondent

I have read and fully discussed with Respondent Hitendra Shah, M.D. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order for Public Reprimand. I approve its form and content.

DATED: 4/12/2012

RICHARD EWANISZYK
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order for Public Reprimand is respectfully submitted to the Medical Board of California.

DATED:

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California

JOSÉ R. GUERRERO
Supervising Deputy Attorney General

DAVID CARR
Deputy Attorney General

KERRY WEBER
Deputy Attorney General

Attorneys for Complainant
BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

HITENDRA SHAH, M.D.
23341 Golden Springs, #210
Diamond Bar, CA 91765

Physician's and Surgeon's Certificate No. A 36638

Respondent.

Complainant alleges:

PARTIES

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

2. On or about April 27, 1981, the Medical Board of California issued Physician's and Surgeon's certificate Number A 36638 to Hitendra Shah, 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 January 31, 2013, unless renewed.

3. At all times herein, Helen Anderson was not licensed by the Medical Board of California as a physician and surgeon, nor was she licensed by the Osteopathic Medical Board of California.
California as an osteopathic physician, nor was she licensed by the California Board of Registered Nursing as a registered nurse.

4. At all times herein, "The Premenstrual Syndrome Treatment Clinic," also known as the "Premenstrual Syndrome Medical Clinic and Thyroid Center," in Arcadia, California was not registered with the California Secretary of State as a California professional medical corporation.

JURISDICTION

5. This Accusation is brought before the Medical Board of California, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

6. 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.

7. Section 119 of the Code provides, in pertinent part, that it is a misdemeanor for a person to "[l]end[] his or her license to any other person or knowingly permit[] the use thereof by another" or to "[k]nowingly permit[] any unlawful use of a license issued to him or her."

8. Section 125 of the Code provides as follows:

   "Any person licensed under Division 1 (commencing with section 100), Division 2 (commencing with section 500), or Division 3 (commencing with section 5000) is guilty of a misdemeanor and subject to the disciplinary provisions of this code applicable to him or her, who conspires with a person not so licensed to violate any provision of this code, or who, with intent to aid or assist that person in violating those provisions does either of the following:

   "(a) Allows his or her license to be used by that person.
   "(b) Acts as his or her agent or partner."

9. Section 2051 of the Code provides that a "physician's and surgeon's certificate authorizes the holder to use drugs or devices in or upon human beings and to sever or penetrate
the tissues of human beings and to use any and all other methods in the treatment of diseases, injuries, deformities, and other physical and mental conditions.”

10. Section 2052 of the Code provides as follows:

“(a) Notwithstanding Section 146, any person who practices or attempts to practice, or who advertises or holds himself or herself out as practicing, any system or mode of treating the sick or afflicted in this state, or who diagnoses, treats, operates for, or prescribes for any ailment, blemish, deformity, disease, disfigurement, disorder, injury, or other physical or mental condition of any person, without having at the time of so doing a valid, unrevoked, or unsuspended certificate as provided in this chapter [Chapter 5, the Medical Practice Act], or without being authorized to perform the act pursuant to a certificate obtained in accordance with some other provision of law, is guilty of a public offense, punishable by a fine not exceeding ten thousand dollars ($10,000), by imprisonment in the state prison, by imprisonment in a county jail not exceeding one year, or by both the fine and either imprisonment.

“(b) Any person who conspires with or aids or abets another to commit any act described in subdivision (a) is guilty of a public offense, subject to the punishment described in that subdivision.

“(c) The remedy provided in this section shall not preclude any other remedy provided by law.”

11. Section 2264 of the Code provides that “[t]he employing, directly or indirectly, the aiding, or the abetting of any unlicensed person or any suspended, revoked, or unlicensed practitioner to engage in the practice of medicine or any other mode of treating the sick or afflicted which requires a license to practice constitutes unprofessional conduct.”

12. Section 2272 of the Code provides that “[a]ny advertising of the practice of medicine in which the licensee fails to use his or her own name or approved fictitious name constitutes unprofessional conduct.”

13. Section 2285 of the Code provides in pertinent part that “[t]he use of any fictitious, false, or assumed name, or any name other than his own by a licensee . . . or as the name of a
professional corporation. in any public communication, advertisement, sign, or announcement of
his or her practice without a fictitious-name permit obtained pursuant to section 2415 constitutes
unprofessional conduct.”

14. Section 2286 of the Code provides that “[i]t shall constitute unprofessional
conduct for any licensee to violate, to attempt to violate, directly or indirectly, to assist in or abet
the violation of, or to conspire to violate any provision or term of Article 18 (commencing with
Section 2400), of the Moscone-Knox Professional Corporation Act (Part 4 commencing with
Section 13400) of Division 3 of Title 1 of the Corporations Code), or of any rules and regulations
duly adopted under those laws.”

15. Section 2400 of the Code provides, in pertinent part, that “[c]orporations and other
artificial legal entities shall have no professional rights, privileges, or powers.”

16. Section 2402 of the Code provides that “[t]he provisions of Section 2400 do not
apply to a medical or podiatry corporation practicing pursuant to the Moscone-Knox Professional
Corporation Act (Part 4 (commencing with Section 13400) of Division 3 of Title 1 of the
Corporations Code) and this article, when such corporation is in compliance with the
requirements of these statutes and all other statutes and regulations now or hereafter enacted or
adopted pertaining to such corporations and the conduct of their affairs.”

17. Section 2406 of the Code provides in pertinent part that “a medical or podiatry
corporation is a corporation which is authorized to render professional services, as defined in
Sections 13401 and 13401.5 of the Corporations Code, so long as that corporation and its
shareholders, officers, directors and employees rendering professional services who are
physicians, psychologists, registered nurses, optometrists, podiatrists or, in the case of a medical
corporation only, physician assistants, are in compliance with the Moscone-Knox Professional
Corporation Act [Corporations Code section 13400 et seq.], the provisions of this article and all
other statutes and regulations now or hereafter enacted or adopted pertaining to the corporation
and the conduct of its affairs.”

18. Section 2408 of the Code provides in pertinent part that “[e]xcept as provided in
Sections 13401.5 and 13403 of the Corporations Code, each shareholder, director and officer of a
medical or podiatry corporation . . . shall be a licensed person as defined in Section 13401 of the
Corporations Code.”

19. Section 2415 of the Code provides, in pertinent part, as follows:

“(a) Any physician and surgeon or any doctor of podiatric medicine, as the case
may be, who as a sole proprietor, or in a partnership, group, or professional corporation,
desires to practice under any name that would otherwise be a violation of Section 2285 may
practice under that name if the proprietor, partnership, group, or corporation obtains and
maintains in current status a fictitious-name permit issued by the Division of Licensing,\(^1\) or,
in the case of doctors of podiatric medicine, the California Board of Podiatric Medicine,
under the provisions of this section.

“(b) The division or the board shall issue a fictitious-name permit authorizing the
holder thereof to use the name specified in the permit in connection with his, her, or its
practice if the division or the board finds to its satisfaction that:

“(1) The applicant or applicants or shareholders of the professional corporation
hold valid and current licenses as physicians and surgeons or doctors of podiatric medicine,
as the case may be.

“(2) The professional practice of the applicant or applicants is wholly owned and
entirely controlled by the applicant or applicants.

“(3) The name under which the applicant or applicants propose to practice is not
deceptive, misleading, or confusing.

“(c) Each permit shall be accompanied by a notice that shall be displayed in a
location readily visible to patients and staff. The notice shall be displayed at each place of
business identified in the permit.”

20. Corporations Code section 13401, a part of the Moscone-Knox Professional

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\(^1\) Effective January 1, 2008, the Legislature abolished the divisions of the Medical Board of California. Under Business and Professions Code section 2002, any reference to the “Division of Medical Quality” or the “Division of Licensing” in the Medical Practice Act, Business and Professions Code section 2000 et seq., or any other provision of law now refers to the Medical Board.
Corporation Act, provides, in pertinent part, as follows:

“(a) ‘Professional services’ means any type of professional services that may be lawfully rendered only pursuant to a license, certification, or registration authorized by the Business and Professions Code, the Chiropractic Act, or the Osteopathic Act.

“(b) ‘Professional corporation’ means a corporation organized under the General Corporation Law or pursuant to subdivision (b) of Section 13406 which is engaged in rendering professional services in a single profession, except as otherwise authorized in Section 13401.5, pursuant to a certificate of registration issued by the governmental agency regulating the profession as herein provided and that in its practice or business designates itself as a professional or other corporation as may be required by statute. However, any professional corporation or foreign professional corporation rendering professional services by persons duly licensed by the Medical Board of California or any examining committee under the jurisdiction of the board . . . shall not be required to obtain a certificate of registration in order to render those professional services.

“ . . .

“(d) ‘Licensed person’ means any natural person who is duly licensed under the provisions of the Business and Professions Code, the Chiropractic Act, to render the same professional services as are or will be rendered by the professional corporation or foreign professional corporation of which he or she is or intends to become, an officer, director, shareholder, or employee.”

21. Corporations Code section 13401.5 provides, in pertinent part, that certain enumerated licensed persons may be shareholders, officers, directors, or professional employees of a professional medical corporation so long as the sum of all shares owned by those licensed persons does not exceed 49 percent of the total number of shares of the professional medical corporation and so long as the number of those licensed persons owning shares in the professional medical corporation so designated does not exceed the number of persons licensed by the governmental agency regulating the medical profession.
22. Corporations Code section 13404 provides that “[a] corporation may be formed under the General Corporation Law or pursuant to subdivision (b) of Section 13406 for the purposes of qualifying as a professional corporation in the manner provided in this part and rendering professional services. The articles of incorporation of a professional corporation shall contain a specific statement that the corporation is a professional corporation within the meaning of this part. Except as provided in subdivision (b) of Section 13401, no professional corporation shall render professional services in this state without a currently effective certificate of registration issued by the governmental agency regulating the profession in which such corporation is or proposes to be engaged, pursuant to the applicable provisions of the Business and Professions Code or the Chiropractic Act expressly authorizing such professional services to be rendered by a professional corporation.”

23. Corporations Code section 13406, subdivision (a), provides, in pertinent part, that “[s]ubject to the provisions of subdivision (b) [dealing with nonprofit public benefit corporations], shares of capital stock in a professional corporation may be issued only to a licensed person or to a person who is licensed to render the same professional services in the jurisdiction or jurisdictions in which the person practices, and any shares issued in violation of this restriction shall be void.”

FACTS

24. On December 8, 1983, Helen Anderson incorporated the Premenstrual Syndrome Treatment Clinic (“PMS Treatment Clinic” or “Clinic”) in the State of California. On May 10, 2001, Helen Anderson renamed the corporation the Premenstrual Syndrome Treatment Center Management, Inc. Helen Anderson was listed as the Chief Executive Officer, the Chief Financial Officer, and the designated agent for service of process. Helen Anderson’s husband Richard Anderson was listed as the secretary of the corporation. The two were listed as the sole corporate officers and directors.

25. Neither Helen Anderson nor Richard Anderson is licensed in any health care profession.
26. The PMS Treatment Clinic—150 N. Santa Anita, #755, Arcadia, California
91006—is a medical practice that has provided “bio-identical” hormone replacement treatment to
 treat premenstrual syndrome and other medical conditions since its inception. Since at least
February 2008, the Clinic has also provided hormone replacement treatment for men.

27. The PMS Treatment Clinic obtains “bio-identical” hormones from compounding
 pharmacies, keeps a supply of them at the Clinic, and dispenses them to the Clinic’s patients.
 These “bio-identical” hormones are dangerous drugs under Business and Professions Code
 section 4022.

28. Ms. Anderson lists herself on the Clinic door as the Director of the PMS Treatment
 Clinic.

29. Ms. Anderson also goes by the name Holly Anderson. Ms. Anderson has had a
 radio program advertising the PMS Treatment Clinic on radio station KKLA entitled “The
 Women’s Clinic” since at least February 2008. On the radio program Ms. Anderson describes
 herself as the founder and director of the PMS Treatment Clinic and advertises the Clinic as
 “Holly Anderson’s PMS Treatment Clinic.”

30. The PMS Treatment Clinic has a website, www.pmstreatmentclinic.com, which
 identifies Ms. Anderson as the “Founder and Director” of the Clinic and notes that there are
 “[m]edical doctors on staff.”

31. Since the PMS Treatment Clinic’s inception, Ms. Anderson has hired physicians to
 staff the Clinic. All or nearly all of the PMS Treatment Clinic’s patients’ medical records have
 remained at the Clinic through the years as these physicians have come and gone.

32. On August 16, 2002, Dr. Shah applied for a fictitious name permit for the name
 Premenstrual Syndrome Medical Clinic. The application listed himself and David Freeman, M.D.
 as employees who would be practicing under the name. This permit was issued September 13,
 2002 and, after several renewals, expired September 30, 2010.

33. Dr. Shah was hired by Helen Anderson as an independent contractor and worked
 at the Clinic with another physician intermittently during 2002 through 2006. He was hired by
 Helen Anderson again in late 2007 and was designated the “Medical Director” of the Clinic. He
remained through the end of January 2008. He was hired again by Helen Anderson to act as
“Medical Director” from November 1, 2008 through March 2009.

34. Each time Dr. Shah assumed employment at the Clinic, the medical records of the
Clinic’s patients were already there and he simply assumed the care of the Clinic’s patients.

35. Without doing an analysis of the costs of running the practice, Dr. Shah agreed to
accept a flat percentage of 25% of the Clinic’s gross receipts as his compensation for treating the
Clinic’s patients. Ms. Anderson’s corporation kept 75% of the gross receipts.

36. The “management fees” for diagnostic procedures provided by Dr. Shah were also
assessed using a percentage of gross receipts. Depending on whether Ms. Anderson or Dr. Shah
provided the equipment and/or technician, the fee varied from 75% to 50% of gross patient
receipts. The decision of whether to provide a technician was in the sole discretion of Ms.
Anderson.

37. Dr. Shah gave Ms. Anderson, an unlicensed individual, complete and full access to
his charts, books, and records.

38. Ms. Anderson set the billing rates charged by the Clinic and had veto power over
any changes in billing rates.

39. Ms. Anderson was in charge of new business development for the Clinic including
community relations, publications, and communications. During the time that Dr. Shah was
“Medical Director” of the Clinic, he permitted Ms. Anderson to produce infomercials and
maintain a PMS Treatment Clinic website. On her radio program/infomercial broadcast on
station KKLA, Ms. Anderson described herself as the founder and Director of the PMS Treatment
Clinic and the Clinic as “Holly Anderson’s PMS Treatment Clinic”; on the PMS Treatment Clinic
website, Ms. Anderson identified herself as the “Founder and Director” of the Clinic and noted
that the Clinic had medical doctors “on staff.”

40. Dr. Shah did not have control over the income of the Clinic and did not have
access to the Clinic’s bank accounts. All funds for services were to be deposited into one of Ms.
Anderson’s bank accounts.
41. When Dr. Shah became “Medical Director” of the Clinic in November 2008, he did not purchase the practice from another physician. He did not meet with or talk to Kenneth Russ, M.D., the physician who preceded him at the Clinic. The medical records of the Clinic’s patients were at the Clinic when he took over.

42. When Dr. Shah left the Clinic in March 2009, he did not sell the practice to another physician. He did not select the physician who would be assuming the practice and spoke to that physician by telephone for only a few minutes. He left all but a few of the patients’ medical records and the Clinic’s inventory of prescription “bio-identical” hormone medications at the Clinic in the possession of Ms. Anderson, an unlicensed person.

43. When Dr. Shah left the Clinic, he did not notify the patients that he was leaving the Clinic and did not offer them an opportunity to have their records returned to them or provided to a physician of their choosing.

44. Dr. Shaw has acknowledged that Helen Anderson owned the Clinic’s physical premises, the Clinic’s name, and the Clinic’s advertising, including the radio program. He has acknowledged that the patient charts, the prescription medications dispensed by the Clinic, and the various forms of advertising for the Clinic have remained at the Clinic with Ms. Anderson over the years as various Medical Directors have come and gone.

FIRST CAUSE FOR DISCIPLINE
(Aiding and Abetting the Unlicensed Practice of Medicine)

45. Respondent’s license is subject to disciplinary action for unprofessional conduct in violation of Business and Professions Code section 2264 (aiding and abetting), section 119 (permitting the use of license by another), section 125 (allowing license to be used by an unlicensed person or acting as the agent or partner of an unlicensed person); and sections 2051 and 2052 (unlicensed practice of medicine) in that he used his license to aid and abet unlicensed persons to engage in the practice of medicine.
SECOND CAUSE FOR DISCIPLINE
(Use of Fictitious Name without Fictitious-Name Permit)

46. Respondent's license is subject to disciplinary action for unprofessional conduct in violation of Business and Professions Code section 2272 (advertising under fictitious name without a fictitious-name permit) and section 2285 (use of fictitious name without a fictitious-name permit) in that he used a fictitious, false, or assumed name, "Holly Anderson's Premenstrual Syndrome Treatment Clinic," in public communications and advertisements without a fictitious-name permit obtained pursuant to section 2415 of the Code.

THIRD CAUSE FOR DISCIPLINE
(Violation of Moscone-Knox Professional Corporation Act)

47. Respondent's license is subject to disciplinary action for unprofessional conduct in violation of Business and Professions Code section 2286 (violation of Moscone-Knox Professional Corporation Act) in that he violated, or attempted to violate, directly or indirectly, or assisted in or abetted the violation of, or conspired to violate, the Moscone-Knox Professional Corporations Act, Corporations Code sections 13401, 13401.5, 13404, 13406, et seq., and/or Business and Professions Code sections 2402, 2406, and 2408.

PRAYER

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

1. Revoking or suspending Physician's and Surgeon's certificate Number A 36638, issued to Hitendra Shah, M.D.;

2. Revoking, suspending, or denying approval of Hitendra Shah's authority to supervise physician assistants, pursuant to section 3527 of the Code;

3. Ordering Hitendra Shah, if placed on probation, to pay the costs of probation monitoring; and

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4. Taking such other and further action as deemed necessary and proper.

DATED: January 3, 2012

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

Complainant