

**IN AND BEFORE THE OKLAHOMA STATE BOARD
OF MEDICAL LICENSURE AND SUPERVISION
STATE OF OKLAHOMA**

STATE OF OKLAHOMA, *ex rel.*,)
OKLAHOMA STATE BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)

Plaintiff)

v.)

RAJESH MALHOTRA, M.D.,)
LICENSE NO. MD 21122,)

Defendant.)

Case No. 14-06-4980

FILED
DEC 07 2015
OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

VERIFIED COMPLAINT

The State of Oklahoma, *ex rel.*, the Oklahoma State Board of Medical Licensure and Supervision (“Oklahoma Medical Board”), alleges and states as follows for its Complaint against Rajesh Malhotra, M.D. (“Defendant”):

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physicians and surgeons in the State of Oklahoma pursuant to 59 Okla. Stat. § 480 *et seq.*

2. Defendant holds Oklahoma medical license number 21122 since May 24, 1999 and has also been licensed in Wisconsin, Texas, Minnesota and Missouri. The acts and omissions complained of herein were made while Defendant was acting as a physician pursuant to his medical licenses said acts and omissions occurred within the physical territory of the State of Missouri.

3. In 2013, Defendant was indicted by a grand jury in the Circuit Court of Scott County, Missouri, and subsequently pled guilty to multiple felony counts related to prescribing CDS without a Missouri Bureau of Narcotics and Dangerous Drugs registration or a Drug Enforcement Agency (DEA) registration. Defendant was sentenced to five years of probation.

4. Defendant was also charged with engaging in sexual assault, sexual misconduct and abuse of a female patients of his medical practice. Defendant denied the charges against him, and on May 28, 2015 pled guilty to and was convicted of 3rd degree assault.

5. On July 20, 2015 the Wisconsin Medical Board considered and authorized a complaint to be prepared charging Defendant with unprofessional conduct. In response to the actions taken by the Wisconsin Medical Board, Defendant executed a permanent surrender of his Wisconsin medical license on or about August 19, 2015.

6. Additionally in the State of Texas, on August 28, 2015, Defendant entered into an Agreed Order of Voluntary Revocation with the Texas Medical Board.

7. On September 4, 2015 the Minnesota Board of Medical Practice issued an Order for Automatic Suspension. The predicate for that suspension was Defendant's plea of guilty to a felony reasonably related to the practice of patient care. Said suspension will remain in effect until such time as Defendant petitions for reinstatement of his medical license and after a hearing before the Minnesota Board.

8. Defendant has allowed his license in Missouri to expire, January 31, 2014.

9. Based on the foregoing, the Defendant is guilty of unprofessional conduct as follows:

a. Conviction or confession of a crime involving violation of:

a. the antinarcotic laws and regulations of the federal government, in violation of 59 O.S. 2011 § 509(7) and Okla. Admin Code §§ 435:10-7-4(27).

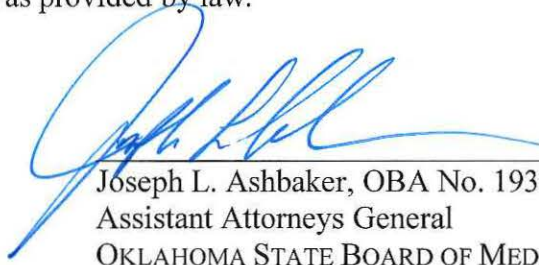
b. Dishonorable or immoral conduct which is likely to deceive, defraud, or harm the public in violation of 59 O.S. 2011 § 509(8) and Okla. Admin Code § 435:10-7-4(11).

c. The commission of any act which is a violation of the criminal laws of any state when such act is connected with the physician's practice of medicine. A complaint, indictment or confession of a criminal violation shall not be necessary for the enforcement of the provision. Proof of the commission of the act while in the practice of medicine or under the guise of the practice of medicine shall be unprofessional conduct, in violation of 59 O.S. 2011 § 509(9) Okla. Admin. Code § 435:10-7-4(1).

d. Disciplinary action of another state or jurisdiction against a license or other authorization to practice medicine and surgery based upon acts of conduct by the licensee similar to acts or conduct that would constitute grounds for action as defined in this section, a certified copy of the record of the action taken by the other state or jurisdiction being conclusive evidence thereof, in violation of Okla. Admin Code § 435:10-7-4(31).

CONCLUSION

Given the foregoing, the undersigned requests the Oklahoma Medical Board conduct a hearing, and, upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to the Defendant's professional license, including an assessment of costs and attorney's fees incurred in this action as provided by law.

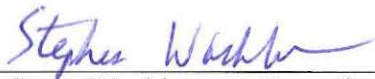


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VERIFICATION

I, Steve Washbourne, under penalty of perjury, under the laws of the State of Oklahoma, state as follows:

1. I have read the above Complaint regarding the Defendant, Rajesh Malhotra, M.D.; and
2. The factual statements contained therein are true and correct to the best of my knowledge and belief.



Steve Washbourne, Investigator
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION

Date: 12-7-15

Oklahoma County
Place of Execution