

1 XAVIER BECERRA
Attorney General of California
2 E. A. JONES III
Supervising Deputy Attorney General
3 TRINA L. SAUNDERS
Deputy Attorney General
4 State Bar No. 207764
California Department of Justice
5 300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
6 Telephone: (213) 269-6516
Facsimile: (916) 731-2117
7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case No. 800-2019-061475

12 Bushra Ali Akber, M.D.
13 250 West First Street, Suite 352
Claremont, CA 91711

A C C U S A T I O N

14 Physician's and Surgeon's Certificate
15 No. A 96502,

16 Respondent.

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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 July 21, 2006, the Medical Board issued Physician's and Surgeon's
24 Certificate Number A 96502 to Bushra Ali Akber, M.D. (Respondent). The Physician's and
25 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
26 herein and will expire on December 31, 2021, unless renewed.

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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 2004 of the Code states:

6 The board shall have the responsibility for the following:

7 (a) The enforcement of the disciplinary and criminal provisions of the Medical Practice Act.

8 (b) The administration and hearing of disciplinary actions.

9 (c) Carrying out disciplinary actions appropriate to findings made by a panel or an
10 administrative law judge.

11 (d) Suspending, revoking, or otherwise limiting certificates after the conclusion of
12 disciplinary actions.

13 (e) Reviewing the quality of medical practice carried out by physician and surgeon
14 certificate holders under the jurisdiction of the board.

15 (f) Approving undergraduate and graduate medical education programs.

16 (g) Approving clinical clerkship and special programs and hospitals for the programs in
17 subdivision (f).

18 (h) Issuing licenses and certificates under the board's jurisdiction.

19 5. Section 820 of the Code states:

20 Whenever it appears that any person holding a license, certificate or permit under this
21 division or under any initiative act referred to in this division may be unable to
22 practice his or her profession safely because the licentiate's ability to practice is
23 impaired due to mental illness, or physical illness affecting competency, the licensing
24 agency may order the licentiate to be examined by one or more physicians and
25 surgeons or psychologists designated by the agency. The report of the examiners
26 shall be made available to the licentiate and may be received as direct evidence in
27 proceedings conducted pursuant to Section 822.

28 6. Section 822 of the Code states:

If a licensing agency determines that its licentiate's ability to practice his or her
profession safely is impaired because the licentiate is mentally ill, or physically ill
affecting competency, the licensing agency may take action by any one of the
following methods:

(a) Revoking the licentiate's certificate or license.

(b) Suspending the licentiate's right to practice.

1 (c) Placing the licentiate on probation.

2 (d) Taking such other action in relation to the licentiate as the licensing agency in its
3 discretion deems proper.

4 The licensing section shall not reinstate a revoked or suspended certificate or license
5 until it has received competent evidence of the absence or control of the condition
6 which caused its action and until it is satisfied that with due regard for the public
7 health and safety the person's right to practice his or her profession may be safely
8 reinstated.

9 **SECTION 822 CAUSE FOR ACTION**

10 (Mental Impairment)

11 7. Respondent is subject to an action under section 822 of the Code in that her ability to
12 practice medicine is impaired due to mental illness. The circumstances are as follows:

13 8. During the course of a Board investigation, Respondent voluntarily agreed to undergo
14 a psychiatric evaluation by a Board-approved evaluator.

15 9. On or about June 26, 2020, the Board received a report from the independent medical
16 examiner retained in this matter. Following review of Respondent's mental health records, items
17 related to the Board's investigation, and a face-to-face evaluation of Respondent, the evaluator
18 opined that Respondent suffers from a mental illness that impacts her ability to safely engage in
19 the practice of medicine. During her in-person evaluation, Respondent admitted to having an
20 inappropriate relationship with a patient, among other admissions related to her mental health.
21 The evaluator also opined that Respondent is currently unable to safely practice medicine. He
22 stated that she is just getting stabilized and being treated for an illness that she has most likely had
23 for several years, if not most of her adult life. The evaluator found that Respondent does not
24 understand doctor-patient boundaries and could therefore seriously affect a psychiatric patient's
25 mental condition. He ultimately determined that Respondent requires ongoing psychiatric
26 treatment, needs to continue taking psychotropic medications, and needs to be monitored by a
27 psychiatrist for signs of depression and anxiety, in addition to her bipolar disorder. In order to
28 practice medicine safely Respondent also needs to take several classes for HIPPA, boundary
violations, and ethics.

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PRAYER

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

1. Revoking or suspending Physician's and Surgeon's Certificate Number A 96502, issued to Bushra Ali Akber, M.D.;
2. Revoking, suspending or denying approval of her authority to supervise physician assistants and advanced practice nurses;
3. If placed on probation, ordering her to pay the Board the costs of probation monitoring; and
4. Taking such other and further action as deemed necessary and proper.

DATED: **DEC 18 2020**



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

Complainant