

STATE OF VERMONT
BOARD OF MEDICAL PRACTICE

In re: RAJVINDER KHELA, M.D.)
) Licensing matter
)

STIPULATION AND CONSENT ORDER

NOW COME Rajvinder Khela, M.D. (“Applicant”) and the State of Vermont, by and through Attorney General William H. Sorrell and undersigned counsel, Assistant Attorney General Margaret O. Vincent, and stipulate as follows:

1. Rajvinder Khela, M.D., Applicant, has not practiced medicine since November of 2007. Applicant was granted a certification of completion of residency training in Internal Medicine from the Norwalk-Yale Program in Connecticut in December of 2008. Applicant was granted a full and unrestricted medical license by the state of Connecticut in November of 2009.

2. Rajvinder Khela, M.D. is now applying for a license conditioned on the requirements of this stipulation and consent order.

3. Jurisdiction rests in the Vermont Board of Medical Practice (the “Board”) pursuant to 26 V.S.A. §§ 1353, 1391, 1398 and 3 V.S.A. §§ 809 and 814(c) and (d).

4. Applicant acknowledges that he voluntarily enters into this Stipulation and Consent Order. He acknowledges that at all times he has had the right to be represented by counsel. Applicant agrees that he personally has read and carefully reviewed this document. Applicant agrees to accept and fully abide by the terms and conditions set forth below while this agreement remains in force.

I. BACKGROUND

5. Applicant received his medical degree from St. George's University School of Medicine in Grenada West Indies on December 31, 2003. Applicant did his internship and residency for internal medicine at the Norwalk-Yale Program in Connecticut.

6. Applicant began his residency at the Norwalk-Yale Program in Connecticut in June of 2004. Applicant's residency was interrupted in November of 2007 and in December of 2008, Applicant received a certification of completion of residency from the Norwalk-Yale Program due to his meeting all of the requirements of the residency program.

7. On June 22, 2011, Applicant filed an application with the Board for a license to practice medicine in the State of Vermont. Applicant will be practicing internal medicine at Northwestern Medical Center.

8. Applicant took the American Board of Internal Medicine Certification Exam in August 2011.

9. Applicant has not practiced medicine in over three years, however, he has maintained continuing medical education credits.

10. Applicant has presented the Board's Licensing Committee with a plan for supervised reentry to practice. The Licensing Committee has reviewed Applicant's plan and finds the plan to be acceptable.

II. AGREEMENT AND PURPOSE

11. Applicant knowingly and voluntarily has determined that he shall enter into this agreement with the Vermont Board of Medical Practice regarding his planned return to medical practice. The parties agree here that Applicant may return to the practice of medicine subject to (a) the Vermont Board of Medical Practice issuing applicant a license, pursuant to the terms and conditions of this agreement; and (b) his full and continuing compliance with all terms and conditions set forth below. Applicant expressly agrees that he shall provide his full, good faith cooperation and compliance with the terms and conditions set forth herein.

12. Applicant recognizes the responsibility of the Vermont Board of Medical Practice to protect the health, safety, and welfare of patients. He agrees to continue to provide his full cooperation with the Board in this matter and with regard to his practice and care of his patients.

13. Applicant agrees to and accepts all terms and conditions herein without reservation in exchange for the Board's approval of this Stipulation and Agreement. Applicant further agrees that execution and approval of this Stipulation and Agreement, without more, does not create a right to an unconditioned Vermont medical license and does not constitute a promise of any kind by the Board of Medical Practice regarding continued or future licensure. Applicant agrees that the Vermont Board of Medical Practice may adopt Paragraphs 1 through 11 above and this paragraph as its findings of fact and/or conclusions of law in this matter. He accepts and agrees that these paragraphs provide a sufficient basis for entry and enforcement of this Stipulation and Agreement by the Vermont Board of Medical Practice.

14. The parties agree that the terms, conditions and requirements set forth in this agreement shall govern Applicant's return to practice and issuance of medical licensure. The parties agree that this Stipulation and Agreement is non-disciplinary and intended solely to comply with 26 V.S.A. § 1396(a)(7), which requires that Applicant have practiced medicine within the last three years, and to provide for the purposes expressly set forth in this agreement.

15. Applicant's proposed plan for reentry is with the Northwestern Medical Center (NMC) in St. Albans, Vermont. Applicant's practice location shall be limited to NMC until he successfully completes his reentry plan.

16. Applicant shall have a primary supervising physician as well as a secondary supervising physician who work at NMC. The "primary supervising physician" shall be subject to the approval or disapproval of and in the sole reasonable discretion of the Board or the Licensing Committee. The primary supervising physician shall carry out the responsibilities described immediately below.

17. On-site monitoring, consultation, and review of Applicant's practice activities at NMC shall be the continuing responsibility of the primary supervising physician. Other physicians providing monitoring, consultation and review of Applicant's practices activities shall be identified as "secondary supervising physicians" and also shall be subject to the written approval or disapproval of the Board or its Licensing Committee in the sole discretion of either. Applicant agrees that he shall promptly provide copies of this Stipulation and Agreement to all practitioners proposed for the purposes described in paragraphs 16 and 17.

18. Applicant shall have 160 hours of direct supervision by one of his named supervisors; direct supervision means that Applicant will be seeing his own patients but will be working along side one of his supervisors who will be reviewing Applicant's evaluation and treatment plan along with his chart entries.

19. The primary supervising physician shall provide a written report after 80 hours of direct supervision and again after 160 hours of supervision regarding Applicant's practice. The reports shall address Applicant's practice activities, knowledge, skills, general professionalism, any deficiencies and overall ability to practice safely and competently. Applicant shall be responsible for making reasonable efforts to ensure that such reports are promptly prepared and provided to the Board. The primary supervising physician shall notify the Board immediately if he has concerns regarding the Applicant's ability to practice safely and competently.

20. Upon completion of his 160 hours of direct supervision, Applicant shall agree to a practice monitor. The practice monitor shall be approved by the Board or the Licensing committee.

21. The practice monitor shall select and review eight random patient charts of the Applicant every three weeks and meet with the Applicant to discuss the patient charts. The practice monitor agrees to notify the Board immediately if he has concerns regarding the Applicant's ability to practice safely and competently. Applicant does not need to seek approval from the Board or Licensing Committee of his practice monitor, if his practice monitor was approved as a primary or secondary supervising physician.

22. The practice monitor shall submit a written report five months after this order is signed. The report shall address Applicant's practice activities, knowledge, skills,

general professionalism, any deficiencies and overall ability to practice safely and competently. Applicant shall be responsible for making reasonable efforts to ensure that this report is promptly prepared and provided to the Board

23. The Vermont Board of Medical Practice in its sole discretion and without need of notice or hearings, may extend the time period called for under the reentry plan described immediately above, but only if Applicant does not pass the American Board of Internal Medicine Certification Exam and/or if the reports or information from Applicant's supervising physician, practice monitor or NMC indicates one or more areas of possible deficiency in Applicant's practice skills, knowledge or performance.

24. Applicant understands and agrees that his return to the practice of medicine shall occur and continue only if the Board of Medical Practice, in its sole discretion, determines at all times that such continuation is consistent with prevailing professional standards, patient safety, and the public welfare.

25. The parties agree that interruption or cessation of his practice or employment with NMC during the reentry plan shall constitute a circumstance of non-compliance by Applicant with the terms and conditions of this agreement and shall require Applicant voluntarily and immediately to cease any and all practice activities. The Board, in its sole discretion, shall promptly consider and approve or disapprove any petition from Applicant or the State regarding such cessation or any alternative re-entry plan in Vermont.

26. In the unlikely event that circumstances reasonably appear to warrant, Applicant agrees that the Board, in its sole discretion, may determine that Applicant's further involvement in reentry to practice while this agreement is in force: (a) is inconsistent with the public health, safety and welfare; or (b) lacks a reasonable likelihood

of success. Thereafter, Applicant shall cease and desist from practice, subject however, to petition from Applicant or the State and further proceedings before the Board, to be promptly undertaken.

27. All terms and conditions of this agreement shall be imposed concurrently with the issuance of Applicant's Vermont medical license.

28. Applicant understands and agrees that that the Vermont medical license issued pursuant to this agreement shall be issued with the designation "conditioned." Applicant agrees that the conditions of his licensure shall require Board oversight and monitoring of his re-entry plan to medical practice.

29. Applicant agrees to execute authorizations regarding his professional re-entry, practice, and patient care as the Board might require. Consistent with this authorization, Applicant also understands and agrees that the Board or its agents may communicate orally to obtain information from any and all practitioners or individuals involved in his professional re-entry and practice activities. Applicant agrees that his compliance with the terms and conditions herein and with all those supervising him or practicing with him may be considered in any review or proceeding of the Board or its Licensing Committee regarding his medical license.

30. The parties agree that Applicant may petition the Board six months from the date of this Order for release of the conditions. The parties agree if Applicant has passed the certification exam, successfully completed his 160 hours of direct supervision and have a positive report from his practice monitor at the time he files the petition, the Board shall grant his petition. The Applicant understands that if the above conditions are not fulfilled at the time the petition is filed, the Board may deny his request and extend the order.

31. The Board acknowledges that this Stipulation and Order, and/or a conditioned license could be grounds for the American Board of Internal Medicine, the DEA, or any other regulatory body to formally question and/or decide to take action to deny or revoke Applicant's certification, access to ABIM test results, DEA licensure, or take other negative action affecting Applicant's medical career. If Applicant is otherwise in compliance with this Stipulation and Order, then the Board agrees to provide upon Applicant's reasonable request a written or oral explanation in support of Applicant to clarify the point that this Stipulation and the conditional license are not disciplinary in nature.

32. The parties agree that this Stipulation and Consent Order shall be a public document, shall be made part of Applicant's licensing file, and shall be reported as a non-disciplinary conditioned license to other licensing authorities and/or entities including, but not limited to, the National Practitioner Data Bank and the Federation of State Medical Boards.

33. This Stipulation and Consent Order is subject to review and acceptance by the Vermont Board of Medical Practice and shall not become effective until presented to and approved by the Board. If the Board rejects any part of this Stipulation and Consent Order, the entire agreement shall be considered void. However, should the terms and conditions of this Stipulation and Consent Order be deemed acceptable by the Board, the parties request that the Board enter an order adopting the facts and/or conclusions herein and all terms and conditions of licensure as set forth herein, including that this license is conditioned for non-disciplinary reasons.

retain continuing jurisdiction in this matter and may enforce as necessary all terms and conditions herein.

Dated at Burlington, Vermont, this 29 day of September, 2011.

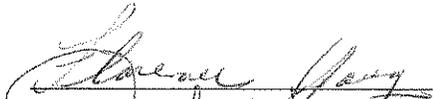
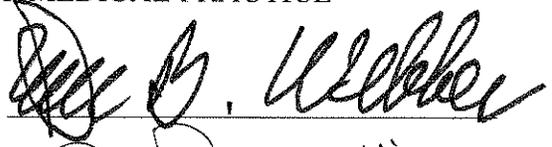
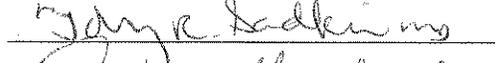
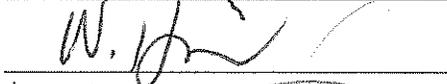
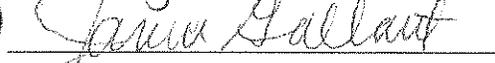
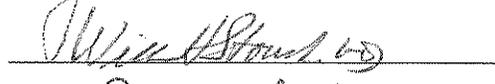
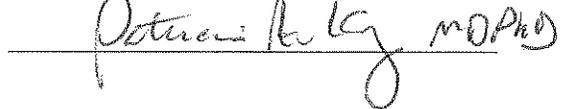
STATE OF VERMONT
WILLIAM H. SORRELL
ATTORNEY GENERAL

by: Margaret O. Vincent
MARGARET O. VINCENT
Assistant Attorney General

Dated at Nepesin, Orleans, this 29 day of September, 2011.

Rajvinder Khela
RAJVINDER KHELA, M.D.
Applicant

FOREGOING, AS TO RAJVINDER KHELA, M.D.
APPROVED AND ORDERED
VERMONT BOARD OF MEDICAL PRACTICE

DATED: October 5, 2011

ENTERED AND EFFECTIVE: October 5, 2011