LICENSE NO. L-5448

IN THE MATTER OF

THE LICENSE OF

RAJESH MALHOTRA, M.D.

BEFORE THE

TEXAS MEDICAL BOARD

AGREED ORDER OF VOLUNTARY REVOCATION

On the 28 day of August, 2015, came on to be heard before the Texas Medical Board (the Board), duly in session, the matter of the license of Rajesh Malhotra, M.D. (Respondent).

By the signature of Respondent on this Order, Respondent waives the right to appear at an Informal Show Compliance Proceeding and Settlement Conference pursuant to Section 164.004, Medical Practice Act, Title 3, Subtitle B, Texas Occupations Code and Board Rule 187.18 and all rights pursuant to Sections 2001.051 and 2001.054, Texas Government Code, including but not limited to, the right to notice and hearing and instead agrees to the entry of this Order to resolve matters addressed herein. Heather R. E. Pierce prepared this Agreed Order of Revocation.

With the consent of Respondent, the Board makes the following Findings and Conclusions of Law and enters this Agreed Order.

FINDINGS

The Board finds that:

1. Respondent received all notice required by law. All jurisdictional requirements have been satisfied. Respondent waives any defect in notice and any further right to notice or hearing under the Medical Practice Act, Title 3, Subtitle B, Texas Occupations Code (Act) or the Rules of the Board.

2. Respondent currently holds Texas Medical License No. L-5448.

3. Respondent is currently under investigation by the Board regarding: Respondent’s plea of guilty to a Class D felony for Distribution of a Controlled substance after he was found to
be prescribing without a Bureau of Narcotics and Dangerous Drugs (BNDD) registration or Drug Enforcement Agency (DEA) registration. Respondent was sentenced to five years of probation.

4. Respondent also pled guilty to assault in the third degree, a Class A misdemeanor and he was sentenced to two years of probation.

5. By Respondent’s signature on this Agreed Order, Respondent requests that the voluntary revocation of his Texas medical license be accepted in lieu of further disciplinary proceedings and effective on the date of the entry of this Agreed Order.

6. Respondent has cooperated in the investigation of the allegations related to this Agreed Order. Respondent’s cooperation, through consent to this Agreed Order, pursuant to the provisions of Section 164.002 the Act, will save money and resources for the State of Texas. To avoid further investigation, hearings, and the expense and inconvenience of litigation, Respondent agrees to the entry of this Agreed Order and to comply with its terms and conditions.

CONCLUSIONS OF LAW

Based on the above Findings, the Board concludes that:

1. The Board has jurisdiction over the subject matter and Respondent pursuant to the Act.

2. This Order is based on Findings Nos. 3 and 4, and the specific authority of Section 164.051(a)(2)(A) of the Act, which authorizes the Board to take disciplinary action against Respondent based upon Respondent’s felony conviction.

3. Section 164.001(a)(1) of the Act authorizes the Board to suspend or revoke Respondent’s license or other authorization to practice.

4. Section 164.002(a) of the Act authorizes the Board to resolve and make a disposition of this matter through an Agreed Order.

ORDER

Based on the above Findings and Conclusions of Law, the Board ORDERS that:

1. Respondent's Texas medical license is hereby REVOKED.

2. Respondent shall immediately cease practice in Texas. Respondent’s practice in the state of Texas after the date of entry of this Agreed Order shall constitute a violation of this Order, subjecting Respondent to disciplinary action by the Board or prosecution for practicing without a license in Texas.
3. Respondent shall comply with all the provisions of the Act and other statutes regulating the Respondent's practice.

4. By this agreed revocation of Respondent's Texas Medical License, Respondent resolves any and all complaints currently before the Board.

5. Respondent may petition the Board for reissuance of his Texas license after one year's time from the effective date of this Agreed Order. Respondent may apply for reissuance of his Texas license pursuant to applicable Board Rules and Statutes, including but not limited to Sections 164.151 and 164.152, and Board Rules 167.1 and 187.73. The Board may inquire into the request for reissuance and, may in its sole discretion, grant or deny the petition without further appeal to or review. Petitions for reissuance may be filed only once a year thereafter.

RESPONDENT WAIVES ANY FURTHER HEARINGS OR APPEALS TO THE BOARD OR TO ANY COURT IN REGARD TO ALL TERMS AND CONDITIONS OF THIS AGREED ORDER. RESPONDENT AGREES THAT THIS IS A FINAL ORDER.

THIS ORDER IS A PUBLIC RECORD.

[SIGNATURE PAGES FOLLOW]
I, RAJESH MALHOTRA, M.D., HAVE READ AND UNDERSTAND THIS AGREED ORDER. I UNDERSTAND THAT BY SIGNING, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THIS AGREED ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

DATED: 7/25/2015.

[Signature]
RAJESH MALHOTRA, M.D.
Respondent

STATE OF Missouri

COUNTY OF Jackson

SWORN TO AND ACKNOWLEDGED BEFORE ME, the undersigned Notary Public, on this 25 day of July, 2015.

[Signature]
Signature of Notary Public

[Seal]

J SCOTT HELMANDOLLAR
-Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
Commission # 13550968
SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this 28 day of August, 2015.

Michael Arambula, M.D., Pharm.D., President
Texas Medical Board