DECISION

The attached Stipulated Surrender of License and Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on January 3, 2013

IT IS SO ORDERED December 27, 2012

MEDICAL BOARD OF CALIFORNIA

By: Linda K. Whitney
Executive Director
BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

SAKREPATNA MANOHARA, M.D.
6001 Truxtum Ave, #160
Bakersfield, CA 93309

Physician's and Surgeon's Certificate
No. A34791

Respondent.

Case No. 08-2012-222987

STIPULATED SURRENDER OF
LICENSE AND ORDER

IT IS HEREBY STIPULATED AND AGREED by and between the parties in this proceeding that the following matters are true:

PARTIES

1. Linda K. Whitney (Complainant) is the Executive Director of the Medical Board of California. 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 Vladimir Shalkevich, Deputy Attorney General.

2. SAKREPATNA MANOHARA, M.D. (Respondent) is represented in this proceeding by attorney Stewart Hsieh, Esq., whose address is Frye & Hsieh, LLP, 700 South Flower Street, Suite 3280, Los Angeles, California 90017.

2. On or about December 10, 1979, the Medical Board of California issued Physician's and
Surgeon's Certificate No. A34791 to SAKREPATNA MANOHARA, 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. 08-2012-222987 and will expire on January 31, 2013, unless
renewed.

JURISDICTION

3. Accusation No. 08-2012-222987 was filed before the Medical Board of California
(Board), Department of Consumer Affairs, and is currently pending against Respondent. The
Accusation and all other statutorily required documents were properly served on Respondent on
or about September 17, 2012. A copy of Accusation No. 08-2012-222987 is attached as Exhibit
JO A and incorporated by reference.

ADVISEMENT AND WAIVERS

4. Respondent has carefully read, fully discussed with counsel, and understands the
charges and allegations in Accusation No. 08-2012-222987. Respondent also has carefully read,
fully discussed with counsel, and understands the effects of this Stipulated Surrender of License
and Order.

5. 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.

6. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
every right set forth above.

CULPABILITY

7. Respondent admits the truth of each and every charge and allegation in Accusation
No. 08-2012-222987, agrees that cause exists for discipline and hereby surrenders his Physician's
and Surgeon's Certificate No. A34791 for the Board's formal acceptance.
8. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Physician's and Surgeon's Certificate without further process.

CONTINGENCY

9. This stipulation shall be subject to approval by the Medical Board of California. Respondent understands and agrees that counsel for Complainant and the staff of the Medical Board of California may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent or his counsel. By signing the 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 Surrender and Disciplinary Order 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.

10. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

11. 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 Order:

ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A34791, issued to Respondent SAKREPATNA MANOHARA, M.D., is surrendered and accepted by the Medical Board of California.

1. Respondent shall lose all rights and privileges as a Physician and Surgeon in California as of the effective date of the Board’s Decision and Order.

2. Respondent shall cause to be delivered to the Board his pocket license and, if one was issued, his wall certificate on or before the effective date of the Decision and Order.
3. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 08-2012-222987 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

4. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 08-2012-222987 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Stewart Hsieh, Esq. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 12/11/12

SAKREPATNA MANOHARA, M.D.
Respondent

I have read and fully discussed with Respondent SAKREPATNA MANOHARA, M.D. the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: 12/12/12

STEWART HSIEH, ESQ.
Attorney for Respondent
ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Medical Board of California of the Department of Consumer Affairs.

Dated: 12/17/12

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California

GLORIA L. CASTRO
Supervising Deputy Attorney General

VLADIMIR SHALKEVICH
Deputy Attorney General

Attorneys for Complainant
Exhibit A

Accusation No. 08-2012-222987
In the Matter of the Accusation Against:

SAKREPATNA MANOHARA, M.D.
6001 Truxtum Ave, #160
Bakersfield, CA 93309

Physician's and Surgeon's Certificate
No. A34791

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, Department of Consumer Affairs.

2. On or about December 10, 1979, the Medical Board of California issued Physician's and Surgeon's Certificate Number A34791 to SAKREPATNA MANOHARA, 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.

JURISDICTION

3. This Accusation is brought before the Medical Board of California (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.
4. Section 820 of the Code states:

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

5. 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.
(c) Placing the licentiate on probation.
(d) Taking such other action in relation to the licentiate as the licensing agency in its discretion deems proper.

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

6. Section 824 of the Code states:

"The licensing agency may proceed against a licentiate under either Section 820, or 822, or under both sections."

7. Section 825 of the Code states:

"As used in this article with reference to persons holding licenses as physicians and
surgeons, "licensing agency" means a panel of the Division of Medical Quality."

8. Section 826 of the Code states:

"The proceedings under Sections 821 and 822 shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the licensing agency and the licentiate shall have all the rights and powers granted therein."

CAUSE FOR DISCIPLINE

(Disability Affecting Competence)

9. Respondent is subject to disciplinary action under Section 822 of the Code in that he is disabled, and his disability impacts his ability to practice medicine safely. The circumstances are as follows:

10. On or about August 22, 2012, after reviewing Respondent's medical records and correspondence from his treating physicians, the Board determined that Respondent's ability to practice medicine safely is impaired because he is suffering from an illness affecting his competency.

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 A34791, issued to Sakrepatna Manohara, M.D.

2. Revoking, suspending or denying approval of Sakrepatna Manohara, M.D.'s authority to supervise physician's assistants, pursuant to section 3527 of the Code;

Calif. B&P Code section 2002, as amended and effective 1/1/08, provides that, unless otherwise expressly provided, the term "board" as used in the State Medical Practice Act (Cal. Bus. & Prof. Code sections 2000, et seq) means the Medical Board of California, and reference to the Division of Medical Quality and Division of Licensing in the Act or any other provision of law shall be deemed to refer to the board.
3. Ordering Sakrepatna Manohara, M.D., if placed on probation, to pay the costs of probation monitoring;

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

DATED: October 12, 2012

LINDA K. WHITNEY
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant