

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

VIJIL K. RAHULAN, M.D.,
RESPONDENT.

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FINAL DECISION AND ORDER

00055 96

Division of Legal Services and Compliance Case No. 17 MED 239

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Vijil K. Rahulan, M.D.
2885 Sanford Avenue SW 18083
Grandville, MI 49418

Wisconsin Medical Examining Board
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Medical Examining Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Vijil K. Rahulan, M.D. (DOB May 30, 1972), is licensed by the State of Wisconsin to practice medicine and surgery, having license number 56646-20, first issued on January 5, 2012, with registration current through October 31, 2019. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 2885 Sanford Avenue SW 18083, Grandville, Michigan 49418.

2. Respondent's medical specialty is internal medicine.

3. On March 16, 2016, the State of Michigan Department of Licensing and Regulatory Affairs issued a reprimand to Respondent (Michigan Order). The Michigan Order provided, in part, the following:

- a. From January through August 2013, Respondent contracted with a telemedicine company (Company);
- b. Respondent issued prescriptions to patient(s) after communicating with the patient(s) via telephone and reviewing patient information contained in the Company's patient portal, including present illness, patient history, and diagnostic studies;
- c. only certain medications (e.g., Tylenol, Motrin, antibiotics, Ultram and anti-fungal medications) could be prescribed in this manner;
- d. the Company's patient portal did not allow Respondent to document the specifics of his conversations with patients;
- e. after August 2013, Respondent left the Company and completed continuing education on safe prescribing and documentation.

4. Respondent submitted a timely self-report of the Michigan Order to the Board and no action was taken at that time.

5. Several licensing jurisdictions, including Maryland, California, Illinois, Kentucky, North Carolina, Pennsylvania,¹ Maine, Tennessee and Missouri took disciplinary action against Respondent based on the Michigan Order and/or Respondent's failure to report the Michigan Order.

6. Respondent failed to report to the Board the disciplinary actions taken against him by Maryland, California, Illinois, Kentucky, North Carolina, Pennsylvania, Maine, Tennessee and Missouri.

CONCLUSIONS OF LAW

7. The Wisconsin Medical Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 448.02(3), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

8. By the conduct described in the Findings of Fact, Respondent Vijil K. Rahulan, M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(3)(a) by failing, within 30 days, to report to the board any final adverse action taken against the licensee's authority to practice medicine and surgery by another licensing jurisdiction concerned with the practice of medicine and surgery.

¹ The Commonwealth of Pennsylvania's action against Respondent was not in direct relation to the Michigan Order. It was based on the Kentucky board's action against Respondent about the Michigan Order.

9. By the conduct described in the Findings of Fact, Respondent Vijil K. Rahulan, M.D., engaged in unprofessional conduct as defined by Wis. Admin. Code § Med 10.03(3)(c) by having any credentialing pertaining to the practice of medicine and surgery or any act constituting the practice of medicine and surgery become subject to adverse determination by any agency of this or another state, or by any federal agency or authority.

10. As a result of the above conduct, Vijil K. Rahulan, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Vijil K. Rahulan, M.D., is REPRIMANDED.
3. Within 90 days from the date of this Order, Vijil K. Rahulan, M.D., shall pay COSTS of this matter in the amount of \$746.94.
4. Payment of costs, made payable to the Wisconsin Department of Safety and Professional Services, should be sent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

5. In the event Respondent violates any term of this Order, Respondent's license (no. 56646-20), or Respondent's right to renew his license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Board may, in addition and/or in the alternative refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

6. This Order is effective on the date of its signing.

WISCONSIN MEDICAL EXAMINING BOARD

by: Keneth Swais MD
A Member of the Board

1-17-18
Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

VIJIL K. RAHULAN, M.D.,
RESPONDENT.

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STIPULATION

0005596

Division of Legal Services and Compliance Case No. 17 MED 239

Respondent Vijil K. Rahulan, M.D., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Medical Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

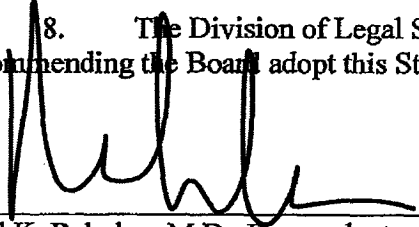
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


Vijil K. Rahulan, M.D., Respondent
2885 Sanford Avenue SW 18083
Grandville MI 49418
License no. 56646-20

12/22/17
Date


Colleen Meloy, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

12/22/17
Date