

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS.

Board of Registration in Medicine
Adjudicatory Case No.

In the Matter of)
)
)
GURMANDER S. KOHLI, M.D.)
_____)

CONSENT ORDER

Pursuant to G.L. c. 30A, § 10, Gurmander S. Kohli, M.D. (Respondent) and the Board of Registration in Medicine (Board) (hereinafter referred to jointly as the "Parties") agree the Board may issue this Consent Order to resolve the above-captioned adjudicatory proceeding. The Parties further agree this Consent Order will have all the force and effect of a Final Decision within the meaning of 801 CMR 1.01(11)(d). The Respondent admits to the findings of fact specified below and agrees the Board may make the conclusions of law and impose the sanction set forth below in resolution of investigative Docket No. 19-203.

Findings of Fact

1. Gurmander S. Kohli, M.D. graduated from the University of Glasgow in June 1973 and completed training between 1973 and 1975 at the Western and Royal Infirmaries, and Charing Cross Hospital, all in Glasgow. Dr. Kohli has been licensed to practice medicine in Massachusetts under certificate number 38488 since August 21, 1975 and in California since 2005.

November 5, 2018 Statement

2. On November 5, 2018 the Respondent spoke to the Board in relation to an investigation into another physician, with whom the Respondent worked, alleged to have allowed an unlicensed individual to perform medical procedures.

4. On November 5, 2018 the Respondent told investigators that he did not meet Patient A prior to the day of harvesting stem cells, liposuction, and platelet rich plasma therapy (PRP) for hair restoration on November 1, 2017. The Respondent did not have any records available to him during said interview to refresh his memory of events concerning Patient A's treatment.

5. On November 5, 2018 the Respondent told investigators he performed most of the liposuction procedure and was not involved in the PRP procedure related to Patient A on November 1, 2017.

April 4, 2019 Signed Affidavit

6. On April 4, 2019 the Respondent attested to statements under the pains and penalties of perjury in a sworn and signed affidavit that was provided to Board for consideration. The Respondent's Affidavit dated April 4, 2019 is attached hereto as Attachment A and incorporated herein by reference.

7. In his April 4, 2019 affidavit and contrary to earlier statements, the Respondent asserted that he did have an office encounter with Patient A on October 12, 2017 before the November 1, 2017 procedures. A copy of the office note confirming this fact was attached to the April 4, 2019 affidavit.

8. In his April 4, 2019 affidavit the Respondent asserted that he personally observed his physician colleague, and not the unlicensed individual, perform the PRP procedure on Patient A on November 1, 2017.

March 11, 2021 Statement

9. On March 11, 2021 and contrary to his April 4, 2019 affidavit, the Respondent told the Board's Complaint Committee he was not present in the room and did not see who performed the PRP procedure on Patient A on November 1, 2017.

Conclusions of Law

A. The Respondent engaged in conduct that has the capacity to deceive or defraud in violation of 243 CMR 1.03(5)(a)(10).

B. The Respondent engaged in conduct that undermines the public confidence in the integrity of the medical profession. *See Raymond v. Board of Registration in Medicine*, 387 Mass. 708 (1982); *Levy v. Board of Registration in Medicine*, 378 Mass. 519 (1979).

Sanction and Order

The Respondent's license is hereby Admonished. This sanction is imposed for each violation of law listed in the Conclusion section and not a combination of any or all of them.

Execution of this Consent Order

Complaint Counsel, the Respondent, and the Respondent's counsel agree that the approval of this Consent Order is left to the discretion of the Board. The signature of Complaint Counsel, the Respondent, and the Respondent's counsel are expressly conditioned on the Board accepting this Consent Order. If the Board rejects this Consent Order, in whole or in part, then the entire document shall be null and void; thereafter, neither of the parties nor anyone else may rely on these stipulations in this proceeding.


As to any matter in this Consent Order left to the discretion of the Board, neither the Respondent, nor anyone acting on his behalf, has received any promises or representations regarding the same.

The Respondent waives any right of appeal that he may have resulting from the Board's acceptance of this Consent Order.


The Respondent shall provide a complete copy of this Consent Order with all exhibits and attachments within ten (10) days by certified mail, return receipt requested, or by hand delivery to the following designated entities: any in- or out-of-state hospital, nursing home,

clinic, other licensed facility, or municipal, state, or federal facility at which the Respondent practices medicine; any in- or out-of-state health maintenance organization with whom the Respondent has privileges or any other kind of association; any state agency, in- or out-of-state, with which the Respondent has a provider contract; any in- or out-of-state medical employer, whether or not the Respondent practices medicine there; the state licensing boards of all states in which the Respondent has any kind of license to practice medicine; the Drug Enforcement Administration Boston Diversion Group; and the Massachusetts Department of Public Health Drug Control Program. The Respondent shall also provide this notification to any such designated entities with which the Respondent becomes associated in the year following the date of imposition of this reprimand. The Respondent is further directed to certify to the Board within ten (10) days that he has complied with this directive.

The Board expressly reserves the authority to independently notify, at any time, any of the entities designated above, or any other affected entity, of any action it has taken.


Gurmander S. Kohli, M.D.
Licensee

04/09/2021
Date


Sean M. Ennis
Attorney for the Licensee

04/12/2021
Date


Patrick G. Fitzgerald
Complaint Counsel

4/12/2021
Date

20____ So ORDERED by the Board of Registration in Medicine this _____ day of _____

George Abraham, M.D.
Board Chair

**Affidavit of Gurmander S. Kohli
dated April 4, 2019
(excluding Tab A)**

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

Board of Registration in Medicine

In the Matter of

M.D.

AFFIDAVIT OF GURMANDER S. KOHLI

Under penalty of perjury, I, Gurmander S. Kohli, hereby declare as follows:

1. I am a Board certified plastic surgeon and have been licensed to practice in Massachusetts since 1975.
2. I am affiliated with Morton Hospital & Medical Center.
3. I have extensive experience performing liposuction with the VASER ultrasonic liposuction system; I have been using this liposuction system since at least 2001.
4. From approximately April 2015 until approximately September 2018 I worked at Regeneris Medical, which is located at 675 Paramount Drive, in Raynham, Massachusetts.
5. On October 12, 2017, I evaluated a 34 year old male ("Patient C") at my office in Raynham on referral by . A true and accurate copy of my note from that encounter is attached to this affidavit at Tab A.
6. When I evaluated Patient C, I observed that he had scarring on his abdomen from a prior abdominoplasty. There was some excess tissue above the scar line.
7. I understood that intended to schedule Patient C from a stromal vascular fraction-enhanced ("SVF") procedure which would involve harvesting cells from Patient C's abdomen and then injecting them into the patient's scalp to treat hair loss.

8. Patient C consulted with me to see whether it would be possible to also perform some body contouring to address the excess abdominal tissue above his scar. I would be able to use the incisions that would have to make in Patient C's abdomen to collect the cells needed for the SVF procedure to do some light liposuction with the VASER ultrasonic system.

9. After examining Patient C as well as ordering and reviewing lab tests, I determined that Patient C was a suitable candidate for VASER liposuction.

10. On November 1, I joined in his office in North Attleboro to help him with the three treatments that Patient C agreed to receive on that day: (1) SVF; (2) VASER liposuction; and (3) platelet rich plasma therapy (PRP), which is the injection of platelets into a patient's scalp.

11. We began with the SVF, for which two incisions were made in Patient C's abdomen and used a needle and syringe to extract the needed cells.

12. I then used a VASER machine to perform the liposuction.

13. Patient C tolerated both the SVF and the liposuction procedure well.

14. Patient C was then moved to a different room which staff had prepared for the PRP procedure.

15. I am familiar with , who used to work for .

16. Although was present in North Attleboro, I do not recall him performing any of the procedures on Patient C. and I performed the SVF and the liposuction, and I saw personally perform the PRP procedure.

Signed under pains and penalties of perjury this 4th day of April, 2019.


Gurmander Kohli, M.D.