# COMMONWEALTH OF MASSACHUSETTS

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| **Middlesex, ss.** | **Division of Administrative Law Appeals** |
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| **Board of Registration in Medicine**, | No. RM-20-258 |
| Petitioner, |  |
|  | Dated: January 19, 2023 |
| v. |  |
|  |  |
| **Keshaudas Pahuja, M.D.**, |  |
| Respondent. |  |

**Appearance for Petitioner:**

James Paikos, Esq.

178 Albion Street

Wakefield, MA 01880

**Appearance for Respondent:**

Keshaudas Pahuja, M.D. (pro se)

18 Meadow Lane

Milton, MA 02186

**Administrative Magistrate:**

Yakov Malkiel

# SUMMARY OF RECOMMENDED DECISION

Discipline may be imposed upon the respondent physician in connection with his deficient care to multiple patients, his malpractice with respect to one patient, and his failure to maintain adequate medical records with respect to another patient’s surgery.

# RECOMMENDED DECISION

# Procedural Posture

The Board of Registration in Medicine commenced disciplinary proceedings against respondent Keshaudas Pahuja, M.D., seeking both a summary suspension and non-summary discipline. The board’s allegations arose from surgeries that Dr. Pahuja performed on six individuals, identified as Patients A-F.

In September 2021, Chief Administrative Magistrate McGrath issued a recommended decision (*Pahuja I*), making 51 numbered findings of fact and authorizing a summary suspension. The board later adopted the recommended decision (*Pahuja II*).

Citing Chief Magistrate McGrath’s findings, complaint counsel moved for partial summary decision. An order dated December 21, 2022 (*Pahuja III*) allowed the motion in part and denied it in part, entering summary decision for the board in connection with specific bases for discipline recapped *infra*. Thereafter, complaint counsel withdrew the board’s outstanding allegations and moved for a recommended decision.

# Findings of Fact

I adopt and incorporate by reference the findings of fact stated in *Pahuja I*, as adopted by the board in *Pahuja II* and discussed further in *Pahuja III*.

# Rulings of Law

I reaffirm and incorporate by reference the analysis described in *Pahuja III*. On the basis of that analysis, I rule as follows:

* 1. Dr. Pahuja’s treatment of Patients A, E, and F places into question his competence to practice medicine. *See* G.L. c. 112, § 5, eighth para., (c); 243 C.M.R. § 1.03(5)(a)(3).
  2. Dr. Pahuja’s treatment of Patient F was malpractice. *See* 243 C.M.R. § 1.03(5)(a)(17).
  3. Dr. Pahuja violated a regulation of the board by preparing an illegible, inadequate operative note of Patient D’s surgery. *See* 243 C.M.R. §§ 1.03(5)(a)(11), 2.07(13)(a).

# Conclusion

The board may impose disciplinary measures on Dr. Pahuja in connection with the bases of discipline described *supra*.

Division of Administrative Law Appeals

/s/ Yakov Malkiel

Yakov Malkiel

Administrative Magistrate