

FILED OF RECORD

AUG 18 2023

K.B.M.L

COMMONWEALTH OF KENTUCKY  
BOARD OF MEDICAL LICENSURE  
CASE NO. 2097

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF  
KENTUCKY HELD BY VIJIL K. RAHULAN, M.D., LICENSE NO. 46287, 2885  
SANFORD AVENUE, SW 18083, GRANDVILLE, MICHIGAN 49418

**ORDER OF REVOCATION**

On August 17, 2023, the Kentucky Board of Medical Licensure (“the Board”), acting by and through its Hearing Panel A, took up this case for final action. The members of Panel A reviewed the Complaint filed of record March 16, 2023; the Hearing Officer’s Recommended Order Granting Motion for Default Ruling, dated May 31, 2023; and a memorandum from the Board’s counsel, dated June 26, 2023.

Having considered all the information available and being sufficiently advised, Hearing Panel A accepts the hearing officer’s recommended order and adopts the findings set forth therein and incorporated them by reference into this Order; Hearing Panel A further accepts and adopts the hearing officer’s Recommended Order. (Attachment) Having considered all of the sanctions available under KRS 311.595 and the nature of the violations in this case, Hearing Panel A has determined that revocation is the appropriate sanction. Accordingly, Hearing Panel A **ORDERS**:

1. The license to practice medicine held by Vijil K. Rahulan, M.D., is hereby REVOKED and he may not perform any act which constitutes the “practice of medicine,” as that term is defined by KRS 311.550(10) – the diagnosis, treatment, or correction of any and all human conditions, ailments, diseases, injuries, or infirmities by any and all means, methods, devices, or instrumentalities – in the Commonwealth of Kentucky;
2. The provisions of KRS 311.607 SHALL apply to any petition for reinstatement filed by the licensee. The Board shall not consider a petition for reinstatement of license pursuant to KRS 311.607 unless and until:
  - a. At least two (2) years have passed from the date of filing of this Order of Revocation;
  - b. The licensee has regained full unrestricted licenses to practice medicine in Missouri, Kansas, and Virginia;


- c. The licensee has completed a Board-approved clinical skills assessment(s) and/or evaluation(s), at his expense; and
- d. Pursuant to KRS 311.565(1)(v), the licensee has fully reimbursed the Board the costs of the proceedings in the amount of \$312.50.

SO ORDERED this 18<sup>th</sup> day of August, 2023.

  
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WAQAR A. SALEEM, M.D.  
CHAIR, HEARING PANEL A

**CERTIFICATE OF SERVICE**

I certify that the original of the foregoing Order of Revocation was delivered to Mr. Michael S. Rodman, Executive Director, Kentucky Board of Medical Licensure, 310 Whittington Parkway, Suite 1B, Louisville, Kentucky 40222; a copy was mailed, first-class postage prepaid, to Thomas J. Hellmann, Esq., Hearing Officer, 810 Hickman Hill Road, Frankfort, Kentucky 40601; and via certified mail return-receipt requested to the licensee, Vijil K. Rahulan, M.D., License No. 46287, 2885 Sanford Avenue SW #18083, Grandville, MI, 49418, on this 18<sup>th</sup> day of August, 2023.

  
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Leanne K. Diakov  
General Counsel  
Kentucky Board of Medical Licensure  
310 Whittington Parkway, Suite 1B  
Louisville, Kentucky 40222  
Tel. (502) 429-7150

**EFFECTIVE DATE AND APPEAL RIGHTS**

Pursuant to KRS 311.593(1) and 13B.120, the effective date of this Order will be thirty (30) days after this Order of Revocation is received by the licensee.

The licensee may appeal from this Order, pursuant to KRS 311.593 and 13B.140-.150, by filing a Petition for Judicial Review in Jefferson Circuit Court within thirty (30) days after this Order is mailed or delivered by personal service. Copies of the petition shall be served by the licensee upon the Board and its counsel. The Petition shall include the names and addresses of all parties to the proceeding and the agency involved, and a statement of the grounds on which the review is requested, along with a copy of this Order.

**COMMONWEALTH OF KENTUCKY  
BOARD OF MEDICAL LICENSURE  
CASE NO. 2097**

FILED OF RECORD

JUN 13 2023

K.B.M.L.

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF KENTUCKY HELD BY VIJIL K. RAHULAN, M.D., LICENSE NO. 46287, 2885 SANFORD AVENUE, SW 18083, GRANDVILLE, MICHIGAN 49418

**RECOMMENDED ORDER GRANTING  
MOTION FOR DEFAULT RULING**

This action is before the hearing officer on the *Motion for Default Ruling* filed by the Kentucky Board of Medical Licensure. The licensee, Dr. Vijil K. Rahulan, has not filed a response. After reviewing the Board's motion, the hearing officer finds it has substantial merit and that Dr. Rahulan is in default. Therefore, the hearing officer recommends the Board issue a Final Order finding Dr. Rahulan guilty of the allegations set forth in the *Complaint* and take any appropriate action against his license for violating the Board's statutes governing the practice of medicine. In support of his recommendation the hearing officer states the following:

On March 16, 2023, the Board issued the *Complaint* alleging Dr. Rahulan violated KRS 311.595(12) and (17). *Complaint*, page 4. Under KRS 311.595(12), a physician is subject to discipline for violating "any provision or term of any medical practice act." Under KRS 311.595(17), a physician is subject to discipline if he "had his license to practice medicine or osteopathy in any other state, territory, or foreign nation revoked, suspended, restricted, or limited or has been subjected to other disciplinary action by the licensing authority thereof."

As factual support for Dr. Rahulan's violations of KRS 311.595(12) and (17), the Board alleges that Dr. Rahulan had been placed on probation for five years by the Board

in 2016. The basis for that sanction was his failure to notifying the Board on his 2016 application to renew his medical license of a pending action by the Michigan Board of Medicine against his license and his later failure to timely notify the Board when that Michigan action was resolved. *Complaint*, pages 1-2.

As further support for the violations of KRS 311.595(12) and (17), the Board alleges that the Missouri State Board of Registration for the Healing Arts (hereinafter "the Missouri Board") revoked Dr. Rahulan's license to practice medicine. *Id.*, page 2. In support of its order the Missouri Board found that Dr. Rahulan "had a history of non-compliance with the statutes and regulations governing his practice." *Id.* The Missouri Board also found that the Wisconsin Medical Examining Board had reprimanded Dr. Rahulan's license in response to the Michigan Board's decision to sanction of his license for failing to report disciplinary actions against him in eight other states. *Id.* As further support for the its order of revocation, the Missouri Board cited three separate "final disciplinary actions" that had been issued against his by the medical licensing authorities in Kansas, Virginia, and North Carolina. *Id.*, pages 2-3. Finally, the Missouri Board found that Dr. Rahulan "continued a pattern of non-compliance with [Missouri] regulations governing his practice," and that he "has submitted no response and has stated no defense to the allegations stated in the Complaint pending before the [Missouri] Board." *Id.*, pages 3-4.

In accordance with KRS 311.591(4) the Board mailed the *Complaint* to Dr. Rahulan by certified mail, return receipt requested, at his last known address of record with the Board. *Motion for Default Ruling*, page 1. Dr. Rahulan was directed to file a response to the *Complaint* within thirty days of service. *Complaint*, numbered

paragraph 10, pages 4-5. Attached to the Board's motion are documents confirming that on March 20, 2023, Dr. Rahulan was served with a copy of the *Complaint* at his address of record with the Board. *Motion for Default Ruling*, Attachment 2.

When Dr. Rahulan failed to file a response to the *Complaint* by April 19, 2023, as required by the provisions of KRS 311.591(4), the Board filed on April 26, 2023, the *Motion for Default Ruling*. Thereafter, the hearing officer issued an order directing Dr. Rahulan to file within ten days a response to the Board's motion and a response to the *Complaint. Order Requiring Filing of Responses*. Dr. Rahulan did not file anything in response to that order.

Due to Dr. Rahulan's failure to respond to the *Complaint* or to the hearing officer's order, Dr. Rahulan is in default, and under the provisions of KRS 311.591(4), the Board may take his failure to respond to the allegations against him "as an admission of the charges." Based upon the factual allegations set forth in the *Complaint* and Dr. Rahulan's implied admission to the allegations against him, he is in violation of KRS 311.595(12) and (17).

Due to the hearing officer's issuance of a recommended order in this action, the administrative hearing scheduled for July 12, 2023, is canceled.

#### **RECOMMENDED ORDER**

Since Dr. Vijil K. Rahulan is in default, the hearing officer recommends the Board issue a Final Order finding the factual allegations in the *Complaint* to be true and that Dr. Rahulan has violated KRS 311.595(12) and (17). The hearing officer further recommends the Board take any appropriate action against Dr. Rahulan's license for his violation of those statutes.

## **NOTICE OF EXCEPTION AND APPEAL RIGHTS**

Pursuant to KRS 13B.110(4) a party has the right to file exceptions to this recommended decision:

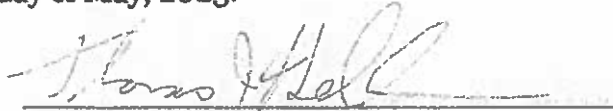
A copy of the hearing officer's recommended order shall also be sent to each party in the hearing and each party shall have fifteen (15) days from the date the recommended order is mailed within which to file exceptions to the recommendations with the agency head.

A party also has a right to appeal the Final Order of the agency pursuant to KRS 13B.140(1) which states:

All final orders of an agency shall be subject to judicial review in accordance with the provisions of this chapter. A party shall institute an appeal by filing a petition in the Circuit Court of venue, as provided in the agency's enabling statutes, within thirty (30) days after the final order of the agency is mailed or delivered by personal service. If venue for appeal is not stated in the enabling statutes, a party may appeal to Franklin Circuit Court or the Circuit Court of the county in which the appealing party resides or operates a place of business. Copies of the petition shall be served by the petitioner upon the agency and all parties of record. The petition shall include the names and addresses of all parties to the proceeding and the agency involved, and a statement of the grounds on which the review is requested. The petition shall be accompanied by a copy of the final order.

Pursuant to KRS 23A.010(4), "Such review [by the circuit court] shall not constitute an appeal but an original action." Some courts have interpreted this language to mean that summons must be served upon filing an appeal in circuit court.

SO RECOMMENDED this 31<sup>st</sup> day of May, 2023.



THOMAS J. HELLMANN  
HEARING OFFICER  
810 HICKMAN HILL RD  
FRANKFORT KY 40601  
(502) 330-7338  
thellmann@mac.com

**CERTIFICATE OF SERVICE**

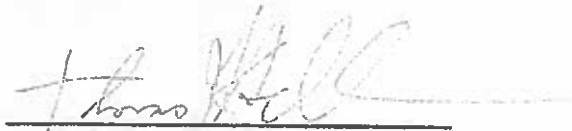
3/2 I hereby certify that the original of this RECOMMENDATION was mailed this day of May, 2023, by first-class mail, postage prepaid, to:

JILL LUN  
KY BOARD OF MEDICAL LICENSURE  
HURSTBOURNE OFFICE PARK STE 1B  
310 WHITTINGTON PKWY  
LOUISVILLE KY 40222

for filing; and a true copy was sent by first-class mail, postage prepaid, to:

VIJIL K RAHULAN MD  
2885 SANFORD AVE SW #18083  
GRANDVILLE MI 49418

LEANNE K DIAKOV  
GENERAL COUNSEL  
KY BOARD OF MEDICAL LICENSURE  
HURSTBOURNE OFFICE PARK STE 1B  
310 WHITTINGTON PKWY  
LOUISVILLE KY 40222

  
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THOMAS J. HELLMANN