

1 BEFORE THE
2 OREGON MEDICAL BOARD
3 STATE OF OREGON

4 In the Matter of)
5 VISHAL JAMES MAKKER, MD) STIPULATED ORDER
6 LICENSE NO. MD23879)
7)

8 1.

9 The Oregon Medical Board (Board) is the state agency responsible for licensing,
10 regulating and disciplining certain health care providers, including physicians, in the state
11 of Oregon. Vishal James Makker, MD (Licensee) is a licensed physician in the state of
12 Oregon. Licensee entered into an Interim Stipulated Order on April 14, 2011, which
13 requires Licensee to have a Board-approved neurosurgical mentor assess the
14 appropriateness of any operative procedure prior to commencing surgery.

15 2.

16 Licensee is a board-certified neurosurgeon. The Board opened an investigation in
17 February of 2011 after receiving credible information that Licensee may have engaged in
18 unprofessional conduct that included entering inaccurate information into the medical
19 charts of certain patients and fraudulent billing. On June 22, 2012, the Board issued a
20 Complaint and Notice of Proposed Disciplinary Action (Complaint) in which the Board
21 proposed taking disciplinary action by imposing up to the maximum range of potential
22 sanctions identified in ORS 677.205(2), to include the revocation of license, a \$10,000
23 civil penalty, and assessment of costs, pursuant to ORS 677.205 against Licensee for
24 violations of the Medical Practice Act, to wit: ORS 677.190(1)(a) unprofessional or
25 dishonorable conduct, as defined by ORS 677.188(4)(a), (b) and (c); ORS 677.190(4)
26 obtaining any fee by fraud or misrepresentation; and ORS 677.190(13) gross or repeated

1 negligence in the practice of medicine. The factual allegations supporting this action are
2 set forth in the Complaint.

3 3.

4 Licensee and the Board agree to close this investigation with this Stipulated Order
5 in which Licensee agrees to permanently surrender his license while under investigation,
6 with a stipulation never to reapply, consistent with the terms of this Order. Licensee
7 understands that he has the right to a contested case hearing under the Administrative
8 Procedures Act (chapter 183), Oregon Revised Statutes and fully and finally waives the
9 right to a contested case hearing and any appeal therefrom by the signing of and entry of
10 this Order in the Board's records. Licensee denies but the Board finds that Licensee
11 engaged in conduct that violated the Medical Practice Act, to wit: ORS 677.190(1)(a)
12 unprofessional or dishonorable conduct, as defined by ORS 677.188(4)(a), (b) and (c);
13 ORS 677.190(4) obtaining any fee by fraud or misrepresentation; and ORS 677.190(13)
14 repeated negligence in the practice of medicine. Licensee understands that this document
15 is a public record and is reportable to the DataBank and the Federation of State Medical
16 Boards.

17 4.

18 Licensee and the Board agree to resolve this matter by the entry of this Stipulated
19 Order subject to the following terms:

20 4.1 Licensee permanently surrenders his license to practice medicine while
21 under investigation. This surrender of license becomes effective the date the Board Chair
22 signs this Order.

23 4.2 Licensee is prohibited from applying for a license to practice medicine in
24 the state of Oregon.

25 4.3 The signing of this Order by the Board Chair will terminate all other Orders
26 by this Board pertaining to Licensee.

4.4 Licensee stipulates and agrees that any violation of the terms of this Order would be grounds for further disciplinary action under ORS 677.190(17).

IT IS SO STIPULATED this 24 day of September, 2012.

SIGNATURE REDACTED

VISHAL JAMES MAKKER, MD

IT IS SO ORDERED this 11th day of October, 2012.

OREGON MEDICAL BOARD

SIGNATURE REDACTED

W. KENT WILLIAMSON, MD
BOARD CHAIR