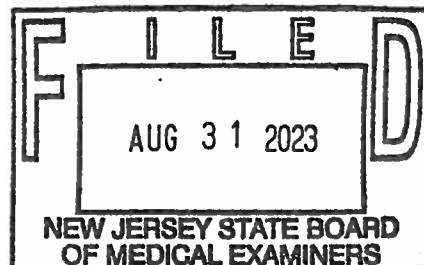


MATTHEW J. PLATKIN  
ATTORNEY GENERAL OF NEW JERSEY  
Division of Law  
124 Halsey Street, 5<sup>th</sup> Floor  
P.O. Box 45029  
Newark, New Jersey 07101



By: Kate Calendar  
Deputy Attorney General  
Attorney ID: 902322012  
Tel. (973) 648-3696

STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE SUSPENSION  
OR REVOCATION OF THE LICENSE OF

**HARSHA SAHNI, M.D.**  
**LICENSE NO.: 25MA05721500**

TO PRACTICE MEDICINE AND SURGERY  
IN THE STATE OF NEW JERSEY

Administrative Action

**VERIFIED COMPLAINT**

Matthew J. Platkin, Attorney General of the State of New Jersey ("Attorney General"), by Kate Calendar, Deputy Attorney General, with offices located at 124 Halsey Street, P.O. Box 45029, Newark, New Jersey 07101, by way of Verified Complaint says:

**GENERAL ALLEGATIONS**

1. Complainant, the Attorney General of New Jersey, is charged with the responsibility of enforcing the laws of the State of New Jersey pursuant to N.J.S.A. 52:17A-4(h), and is empowered to initiate administrative disciplinary proceedings against persons licensed by

**CERTIFIED TRUE COPY**

the New Jersey State Board of Medical Examiners (hereinafter the "Board") pursuant to N.J.S.A. 45:1-14 et seq.

2. The Board is charged with the duty and responsibility of regulating the practice of medicine in the State of New Jersey pursuant to N.J.S.A. 45:9-1 et seq.

3. Harsha Sahni, M.D. ("Respondent"), is a 67-year-old physician, who, at all times relevant hereto, has been licensed to practice as a physician in the State of New Jersey with License Number 25MA05721500. Respondent's license is currently active. (See License Verification, attached to Certification of DAG Kate Calendar ("Calendar Cert.") as Exhibit 1.)

4. Respondent maintains a rheumatology practice at 534 Inman Avenue, Colonia, NJ 07067. This address is her current address of record with the Board and was her address of record for all times relevant herein. (See Calendar Cert. ¶4 and Photograph attached to Calendar Cert. as Exhibit 2.)

### COUNT I

5. The General Allegations contained above are repeated and re-alleged as if set forth at length herein.

6. On February 16, 2023, Respondent was charged in an Information filed by the United States Attorney for the District of New Jersey in the United States District Court for the District of New Jersey with one Count of Conspiracy to Conceal and Harbor Aliens and One Count of Filing a Fraudulent Tax Return. (See Information, dated February 16, 2023, attached to Calendar Cert. as Exhibit 3.)

7. The Information charged Respondent with recruiting two women from India, referred to as Victims 1 and 2, to come to New Jersey and work for her and her family as

housekeepers.<sup>1</sup> Starting in or around 2013, through in or around August 2021, Respondent conspired to conceal, harbor and shield from detection Victim 1 and Victim 2 for purposes of Respondent's and her co-conspirators' private financial gain. (Ex. 3, Count 1.)

8. Respondent was also charged with signing and causing to be filed with the Internal Revenue Service a U.S. Individual Income Tax Return, Form 1040 for 2019 that was not true and correct. (Ex. 3, Count 2.) Respondent knew that the Income Tax Return did not include a Form 1040, Schedule H, Household Employment Taxes. (Ibid.)

9. A Plea Agreement was reached in August of 2022 and agreed to the same day as the Information. (See Plea Agreement dated August 2, 2022, attached to Calendar Cert., as Exhibit 4.) Respondent formally entered her guilty plea on February 16, 2023. (See Transcript of Plea Hearing, attached to Calendar Cert., as Exhibit 5.)

10. Respondent knew the women were aliens and she concealed them for private financial gain. She instructed both victims to tell immigration officials that they were members of her family and that they were in the United States for tourism, which was false. Respondent kept both victims as housekeepers and compensated them at a price less than they would have been paid if they were employed legally. (Ex. 4 at 11.)

11. Respondent did not pay taxes related to the victims' labor, despite their being household employees. Respondent provided the victims with food, clothing and housing. She caused both victims to believe they would be arrested and deported if they spoke to law enforcement. (Ex. 4 at 11-12.)

---

<sup>1</sup> To protect the identities of these individuals and in accordance with Office of the Attorney General policy, these women will be identified as Victim 1 and Victim 2 herein.

12. Pursuant to the plea agreement, the government will not seek further charges if (1) Respondent enters a guilty plea and is sentenced to a term of imprisonment of 16 to 30 months and a two-year term of supervised release; (2) Pretrial Services accepts Pretrial Diversion Agreements entered into with three other individuals with involvement in the situation, (3) Respondent pays the victims the agreed upon restitution, (4) Respondent surrenders her medical license if such a surrender is found to be an applicable consequence by the court at sentencing and (5) Respondent fully complies with the agreement. (Ex. 4 at 1-2.)

13. As part of her plea, Respondent agreed to pay Victim 1 the amount of \$397,605.37 and Victim 2 the amount of \$244,606.35 within five days of the Court accepting the plea agreement. The parties further stipulated that Respondent will pay for the treatment, including surgery, for Victim 1's brain aneurysm up to \$200,000. (Ex. 4 at 7.) The final determination of the cost is to be calculated at a date no later than 90 days after the sentencing hearing. (Ibid.)

14. Respondent agreed to pay restitution to the Internal Revenue Service ("IRS") based upon her conduct for unpaid taxes and penalties during calendar years 2013 through 2019. That amount will be determined by the Court. (Ibid.)

15. The crimes Respondent pled guilty to, namely Conspiracy to Conceal and Harbor Aliens and Filing a Fraudulent Tax Return, as well as the underlying acts, are of a nature such that Respondent's continued licensure would be inconsistent with the public's health, safety, or welfare. Pursuant to N.J.S.A. 45:1-21(f) her conviction is grounds for revocation of Respondent's license to practice medicine and surgery in New Jersey.

16. In perpetrating her crimes, Respondent was engaged in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise and false pretense, in violation of N.J.S.A. 45:1-21(b).

17. The nature of her crimes demonstrates that Respondent, during all relevant times, failed to comply with the provisions of an act or regulation administered by the Board in violation of N.J.S.A. 45:1-21(h), namely the requirement to be of good moral character pursuant to N.J.S.A. 45:9-6.

18. Respondent's conduct as alleged herein palpably demonstrates that her continued practice of medicine and surgery in New Jersey presents a clear and imminent danger to the public health, safety and welfare and warrants the immediate temporary suspension of her license pursuant to N.J.S.A. 45:1-22.

## COUNT II

19. The General Allegations and those of Count I contained above are repeated and re-alleged as if set forth at length herein.

20. On September 7, 2016, Respondent, while concealing Victim 1 and using her services for Respondent's own financial gain, completed paperwork on behalf of Victim 1 applying for charitable dental care. (See Charitable Application attached as Ex. 6 to Calendar Cert.) Knowing that Victim 1 could not speak, read or write English, Respondent completed the entire form, including those portions which were to be completed and verified by the patient. (Ex. 6 at Page 1-4; Certification of Victim 1, attached as Exhibit 11 to Calendar Cert.), ¶10.)

21. As part of this application, Respondent completed an "Advocate Form." (See Ex. 6 at Page 4.) This form clearly stated "An advocate **cannot** be a friend or family member." (emphasis in original) (Ibid.)

22. Respondent circled "Medical Professional" on the Advocate Form to indicate her role. (Ibid.)

23. Respondent signed the Advocate Form below a certification stating “I confirm that I have met with the applicant at least once. Based solely on her/his explanation, I believe his/her injuries were caused by domestic or sexual violence, and that she/he is now out of all abusive relationships or that the sexual assault happened at least one year ago. I understand that I may be contacted to verify my place of employment and signature.” (Ibid.)

24. Respondent listed her medical office’s address as her address on the Advocate Form. (Ibid.) Respondent’s listed phone number on the Advocate Form is the number for her medical office. (Ibid.)

25. The address provided for Victim 1’s personal address is Respondent’s home address. (See Ex. 6.) Victim 1 also provided a phone number associated with Respondent as her current phone number and identified the phone number listed as the number of a “Friend.” (Ex. 6 at Page 1.)

26. In filling out the application form, Respondent stated that Victim 1 had left her husband, whom she blamed for the abuse causing the dental issues, in January 2014. (Ibid.)

27. Respondent later admitted to concealing and harboring Victim 1 starting in 2013, before the alleged injuries. (Ex. 5 at 34:10-15.)

28. At the time Respondent sought charitable dental care for Victim 1, the victim had already been in the United States and working for Respondent for approximately three years. (Ibid.) Victim 1 had previously been instructed to alleviate the pain caused by her dental problems with Tylenol and numbing gel. (Exhibit 11, ¶7.) Her dental problems resulted in difficulty eating and her health began to deteriorate during her time working for Respondent. (Ex. 11, ¶8.)

29. The application completed by Respondent indicated that Victim 1 had one broken tooth and 20 missing teeth. (Ex. 6, 3.)

30. Based upon the application completed by Respondent, it was determined that Victim 1's dental needs were beyond the guidelines of the program that Respondent originally applied to. Instead, Victim 1 qualified for a different program providing "a limited number of full mouth smile makeovers each year." (Ex. 6, 9.) Victim 1 was fitted with dentures from a volunteer dentist who was not compensated for his work. (Ex. 11, ¶14; Ex. 6, Page 12.) This work was completed on August 23, 2017. (Ex. 6, Page 14.) The value of the donated services was \$6,000. (Ibid.)

31. Prior to the appointment Respondent told Victim 1 that she would introduce her as a friend and Victim 1 should not mention that she worked at Respondent's home. Victim 1 was also instructed not to discuss Respondent's status as a doctor, even though Victim 1 could not speak English. (Ex. 11, ¶13-4.) Respondent acted as the translator while at the dental office. (Ibid.)

32. Respondent used her stature as a "Medical Professional" to falsify a charitable application form and fabricated a story of abuse to scam a charity into providing dental care for Victim 1, a housekeeper she was illegally harboring and using for her own financial gain. Such conduct evidences a gross lack of professional judgment and moral character.

33. Respondent's actions described herein constitute the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense in violation of N.J.S.A. 45:1-21(b); professional or occupational misconduct in violation of N.J.S.A. 45:1-21(e) and a failure to comply with the provisions of an act or regulation administered by the Board in violation of N.J.S.A. 45:1-21(h), namely the requirement to be of good moral character pursuant to N.J.S.A. 45:9-6.

34. Respondent's conduct as alleged herein palpably demonstrates that her continued practice of medicine and surgery in New Jersey presents a clear and imminent danger to the public

health, safety and welfare and warrants the immediate temporary suspension of her license pursuant to N.J.S.A. 45:1-22.

### **COUNT III**

35. The General Allegations and those contained in the preceding Counts are repeated and re-alleged as if set forth at length herein.

36. In December 2016 and early 2017, Victim 1, while being concealed and having her services used for Respondent's financial gain, was treated for dental problems at the Visiting Nurse Association of Central Jersey, Community Health Center ("VNACJ"). (See VNACJ Medical Records attached as Exhibit 7 to Calendar Cert.) The VNACJ Dental Department extracted multiple teeth. (Id., 27, 53-55.)

37. Victim 1's address on the VNACJ records is listed as 534 Inman Avenue, Colonia NJ 07067. (Ibid.) This is the address of Respondent's medical practice and Respondent's address of record with the Board. (See Calendar Cert. Paragraph 4 and Ex. 1, 2.)

38. Victim 1 never lived at Respondent's medical practice. Rather, she was taken to the medical office to clean it on multiple occasions. (Ex. 11 at ¶5.)

39. The emergency contact listed for Victim 1 is Respondent. Respondent's phone number is listed as both Victim 1's emergency contact and Victim 1's personal phone number. (Ex. 7 at 29, 35.)

40. On a VNACJ Health Center Registration Form dated December 21, 2016, it is noted that Victim 1 is "uncomfortable" speaking English when communicating with her care provider. (Id. at 29.)



41. Victim 1 does not speak English and cannot read or write in the English language. (Ex. 11, ¶10.)

42. Respondent completed all paperwork and engaged in all conversations related to Victim 1's medical and/or dental care. (Ex. 11, ¶10.) Respondent translated for Victim 1 in all medical and/or dental situations. (Ibid.)

43. Respondent falsely represented that Victim 1's annual family income was \$14,400. (Id. at 34.) Proof of income was marked as "Other." (Id. at 35.) A handwritten note, in Respondent's handwriting, is signed by Victim 1 stating that she worked "cleaning homes and [her] salary every month [was] \$1,200." (Id. at 38.)

44. Respondent authored and signed a note present in Victim 1's VNACJ Medical Record that states "This is to certify that [Victim 1] rents a room and includes gas/electric for \$800/month." (Ex. 7 at 39.) On this note Respondent wrote the address of the room Victim 1 was renting as the address of her medical practice in Colonia.

45. Victim 1 never paid rent or lived in any location other than Respondent's home. (Ex. 11, ¶2; Ex. 4 at 11.) Respondent "provided [Victim 1] with certain living accommodations in the basement of [Respondent's] residence and food to eat." (Ex. 4 at 11.) Victim 1 was expected to work seven days a week from approximately 7:00 a.m. to 10:00 p.m. (Ex. 11, ¶3.) In return for these lengthy work days, worked without holidays, Victim 1 was paid between 20,000 and 50,000 Indian Rupees per month, which equates to approximately \$240 to \$600 US Dollars per month. (Ex. 11, ¶34.) Working around 15 hours per day, Victim 1 was paid approximately \$8 to \$20 per day, or approximately fifty-three cents to \$1.3 per hour worked.

46. Based upon the falsified information provided by Respondent, including Victim 1's income housing and employment, VNACJ treated Victim 1 on Sliding Fee Scales. (Ex. 7 at 34, 42.) Such conduct evidences a gross lack of professional judgment and moral character.

47. Respondent's actions described herein constitute the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense in violation of N.J.S.A. 45:1-21(b).

48. Respondent's use of her medical practice's address to further her dishonesty and fraud constitutes professional or occupational misconduct in violation of N.J.S.A. 45:1-21(e) and her conduct is also a failure to comply with the provisions of an act or regulation administered by the Board in violation of N.J.S.A. 45:1-21(h), namely the requirement to be of good moral character pursuant to N.J.S.A. 45:9-6.

49. Respondent's conduct as alleged herein palpably demonstrates that her continued practice of medicine and surgery in New Jersey presents a clear and imminent danger to the public health, safety and welfare and warrants the immediate temporary suspension of her license pursuant to N.J.S.A. 45:1-22.

#### **COUNT IV**

50. The General Allegations and those contained in the preceding Counts are repeated and re-alleged as if set forth at length herein.

51. Following an automobile accident in 2014, Victim 1 began developing headaches. (Ex. 11, ¶16-17.) Respondent was made aware of these headaches by Victim 1 and informed her that rest was not permitted and if Victim 1 had a headache she should take Tylenol and complete her work. (Ibid.)

52. Respondent informed Victim 1 that since she was a doctor, and that she should

could give Victim 1 her medications. (*Id.* ¶18.) Victim 1 was given Tylenol and occasionally other medications that she did not know the name of, or see a prescription bottle for. (*Ibid.*) Respondent told Victim 1 that seeing a doctor for her headaches would be too expensive and since she did not have any paperwork showing she was in the United States legally she could not be treated. (*Ibid.*)

53. Without treatment, Victim 1's headaches became regular and more severe over the course of years. By 2021 she was taking Tylenol four to five times daily without relief from the pain. Victim 1 informed Respondent that her headaches continued and Respondent gave her different medications without taking her for treatment. (Ex. 11, ¶19.)

54. When Victim 1 could no longer perform her household tasks, Respondent took her to Riverview Medical Center ("Riverview") in Red Bank, New Jersey on April 28, 2021. She reported to the Emergency Department with a chief complaint of a headache. (See Riverview Medical Record attached to Calendar Cert. as Ex. 8 at 10.)

55. Victim 1 presented to the Emergency Room with Respondent pretending to be her sister, and translating for her. (*Ibid.*) Respondent falsely stated to third parties, including medical professionals, that she was the victim's sister. (Ex. 4 at 11.)

56. Upon arrival at Riverview, Victim 1 underwent a CT Angiogram of her head which revealed a 6.3 mm saccular aneurysm of her anterior cerebral artery. (Ex. 8 at 17.)

57. Upon learning of the aneurysm, the medical team recommended that Victim 1 be transferred immediately to Jersey Shore University Medical Center's ("JSUMC") Neurology Intensive Care Unit. (*Id.* at 9.)

58. It was noted at the hospital that Victim 1's primary language is Hindi<sup>2</sup> and that

---

<sup>2</sup> Victim 1 speaks Punjabi, not Hindi.

translation was occurring bedside via a relative. (Ibid.) Respondent was the only person able to communicate with both Victim 1 and the doctors, and she was responsible for explaining what the doctors were saying to Victim 1. (Ex. 11 at ¶21-22.)

59. Respondent “had [a] lengthy discussion” with the doctor who explained “the risks of going home without neurosurgical intervention including severe headache, weakness, dizziness, CVA, rupture of aneurysm and even death.” (Ex. 8 at 9.)

60. Victim 1’s treating physician did “not believe patient has good follow up in place and given language barrier [he] believe[d] this to be an additional obstacle.” He “strongly recommended she stay for transfer to JSUMC.” (Ibid.) A registered nurse present for the conversation noted that the doctor “expressed extreme concern and his recommendations against signing out AMA [against medical advice].” (Id. at 9.)

61. After speaking with the doctors, Respondent told Victim 1 to tell the physicians she wanted to go home before deciding about the surgery. Victim 1 knew the doctors believed she should stay and that her brain could be severely damaged by her condition. (Ex. 11 at ¶23-4.)

62. Victim 1’s medical record states that she “and her sister have decided they do not want to transfer, they wish to go home.” (Ex. 8 at 8.) The decision to leave the hospital was made by Respondent, not Victim 1. (Ex. 11 at ¶24.)

63. Victim 1 ultimately left Riverview against medical advice. The treating physician “recommended they schedule urgent follow up in paperwork for neurosurgery.” (Ex. 8 at 8.)

64. Following her Emergency Room visit, Victim 1 returned to Respondent’s home and was required to complete her normal workload. (Ex. 11 at ¶25.)

65. Respondent arranged for Victim 1 to be screened for treatment at Hackensack Meridian Health JFK Medical Center Neuroscience Institute (“Hackensack”). (See Statement of

Thomas Steineke, attached as Exhibit 9 to Calendar Cert.)

66. Respondent, again posing as Victim 1's sister, explained Victim 1's medical conditions to the medical professionals. Based on the screening process, Victim 1 was given an appointment slot the next day, April 29, 2021. Victim 1's aneurysm was charted by Hackensack as urgent. (Ex. 9 at 1.)

67. The Chair and Chief of Neurosurgery Complex Brain and Pediatric Neurosurgery at Hackensack, Dr. Thomas Steineke, met with Respondent and Victim 1. (Ibid.) Respondent identified herself to Dr. Steineke as Victim 1's sister and primary care physician. (See Hackensack Meridian Health JFK Medical Center Records attached to Calendar Cert. as Ex. 10 at 2; Ex. 9 at 2.)

68. Dr. Steineke and another doctor consulted about Victim 1's condition and both concluded that because of the aneurysm's size there was a 1 in 5 chance that it would rupture and Victim 1 could die. With time the aneurysm would likely get worse and the pain severity would increase. (Ex. 9 at 2.)

69. Victim 1 and Respondent were shown a CAT scan and informed that surgery was needed. (Ex. 11, ¶26-7.) Respondent and Victim 1 were informed that treating the aneurysm could prevent a future brain hemorrhage, which has a high rate of mortality. (Ex. 10 at 9.) The various risks of surgery were also explained. (Ibid.)

70. Respondent translated for Victim 1 throughout the neurological appointment. Victim 1 expressed, through Respondent, that she understood the benefits and risks. (Ex. 10 at 9.)

71. Following Victim 1's visit to Hackensack, Dr. Steineke authored a "Neurological Consultation" Letter dated April 29, 2021 to Respondent as Victim 1's Primary Care Physician. (Ex. 10 at 8.)

72. In the letter to Respondent, Dr. Steineke recounted that Riverview had attempted to transfer Victim 1 to JSUMC “immediately for treatment.” (Ibid.) He noted “the family did not feel comfortable given that this was an incidental finding to perform treatment in an emergent fashion and signed out AMA.” (Ibid.)

73. Following the neurological consultation with Dr. Steineke, Respondent continued to advise Victim 1 to not undergo surgery. When Victim 1 expressed a desire to move forward towards surgery, Respondent told Victim 1 she needed to find someone to replace her while she was recovering and Victim 1 could not have surgery until she secured a replacement to work in Respondent’s home. (Ex. 11 at ¶29-31.)

74. Respondent continued to force Victim 1 to work following her Emergency Department visit and follow-up with the neurology department, knowing that Victim 1 had an aneurysm that could rupture. (Ex. 11 at ¶32, Ex. 10 at 9.)

75. Respondent, with her specialized medical knowledge, knowingly and willfully delayed Victim 1’s treatment for a 6.3 mm saccular aneurysm of the anterior cerebral artery by refusing the emergency transfer from Riverview and delaying the recommended emergent embolization recommended at Hackensack. She did this all the while knowing the medical risks, including death, but still insisted that the required treatment be delayed until Victim 1 found a replacement to do Respondent’s housekeeping. Such conduct evidences a gross lack of professional judgment and moral character.

76. Respondent’s actions constitute gross negligence or gross incompetence which damaged or endangered the life, health, welfare and safety of Victim 1 in violation of N.J.S.A. 45:1-21(c).

77. Respondent’s actions described herein constitute the use or employment of

dishonesty, fraud, deception, misrepresentation, false promise or false pretense in violation of N.J.S.A. 45:1-21(b).

78. Respondent's conduct is also a failure to comply with the provisions of an act or regulation administered by the Board in violation of N.J.S.A. 45:1-21(h), namely the requirement to be of good moral character pursuant to N.J.S.A. 45:9-6.


79. Respondent's conduct as alleged herein palpably demonstrates that her continued practice of medicine and surgery in New Jersey presents a clear and imminent danger to the public health, safety and welfare and warrants the immediate temporary suspension of her license pursuant to N.J.S.A. 45:1-22.

WHEREFORE, Complainant demands the entry of an Order:

1. Temporarily suspending Respondent's license to practice as a physician in the State of New Jersey pending the conclusion of a plenary hearing in this matter, pursuant to N.J.S.A. 45:1-22;
2. Suspending or revoking Respondent's license to practice medicine and surgery in the State of New Jersey following a plenary hearing;
3. Assessing civil penalties against Respondent for each and every separate unlawful act as set forth in the individual counts above, pursuant to N.J.S.A. 45:1-22(b) and N.J.S.A. 45:1-25(a);
4. Requiring Respondent to pay costs, including investigative costs, attorney's fees and costs, expert and fact witness fees and costs, costs of trial, and transcript costs, pursuant to N.J.S.A. 45:1-25; and

5. Ordering such other and further relief as the Board shall deem just and appropriate under the circumstances.

MATTHEW J. PLATKIN  
ATTORNEY GENERAL OF NEW JERSEY

By:   
Kate J. Calendar  
Deputy Attorney General

Dated: 8/31/23  
Newark, New Jersey