



ORDER OF THE COUNCIL

Complaint # 20-41

In the matter of a complaint
against Dr. Manoj Bhargava
(registration # 2883)

Pursuant to section 59(16) of the *Medical Act*, the Council of the College of Physicians and Surgeons of New Brunswick adopts the Recommendation of the Board of Inquiry dated August 18, 2025, as attached to this Order, that

1. All licences held by Dr. Manoj Bhargava under the *Medical Act* be revoked pursuant to section 59(14)(d)(i) of the *Medical Act*,
2. Dr. Manoj Bhargava's name be stricken from all registers in which it is entered, pursuant to section 59(14)(d)(i) of the *Medical Act*,
3. Dr. Manoj Bhargava never seek licensure in New Brunswick, pursuant to the Agreement in Exhibit 1, and
4. Dr. Manoj Bhargava pay the costs of the Council in the amount of \$5,000 pursuant to section 59(14)(d)(vii) and 60 of the *Medical Act*.

This Order and the attached Recommendation are inadmissible pursuant to subsection 71.2(2) of the *Medical Act*.

This Order comes into effect on 1st day of October 2025.

ORDONNANCE DU CONSEIL

Plainte n° 20-41

Dans l'affaire d'une plainte contre
le Dr Manoj Bhargava
(n° d'inscription 2883)

Conformément au paragraphe 59(16) de la *Loi médicale*, le Conseil du Collège des médecins et chirurgiens du Nouveau-Brunswick adopte la recommandation de la Commission d'enquête en date du 18 août 2025, jointe à la présente ordonnance, selon laquelle :

1. Tous les permis détenus par le Dr Manoj Bhargava en vertu de la *Loi médicale* sont révoqués conformément au paragraphe 59(14)(d)(i) de la *Loi médicale* ;
2. Le nom du Dr Manoj Bhargava est radié de tous les registres dans lesquels il est inscrit, conformément au paragraphe 59(14)(d)(i) de la *Loi médicale* ;
3. Le Dr Manoj Bhargava ne doit jamais solliciter un permis d'exercice au Nouveau-Brunswick, conformément à l'entente figurant à la pièce 1;
4. Le Dr Manoj Bhargava doit payer les frais du Conseil s'élevant à 5 000 \$, conformément aux paragraphes 59(14)(d)(vii) et 60 de la *Loi médicale*.

Cette ordonnance et la recommandation qui y est jointe sont inadmissibles conformément au paragraphe 71.2(2) de la *Loi médicale*.

La présente Ordonnance prend effet le 1^{er} octobre, 2025.

Dr./Dre Rina Lee
President of the Council/Présidente du Conseil

PROVINCE OF NEW BRUNSWICK

UNDER Section 59 of the *MEDICAL ACT*, 1981

IN THE MATTER OF professional misconduct complaints against DR. MANOJ BHARGAVA

B E T W E E N:

**THE COLLEGE OF PHYSICIANS AND SURGEONS OF
NEW BRUNSWICK**

Regulator

-AND-

DR. MANOJ BHARGAVA

Member

BOARD OF INQUIRY DECISION AND RECOMMENDATION TO COUNCIL

Date of the Hearing: July 15, 2025

Place of the Hearing: Rothesay, NB and online

Date of Decision: July 15, 2025

Members of the Board of Inquiry: Daniel J. Surette, K.C. (Chair)
Dr. Ann Jansen
Dr. Dinesh Bhalla

Appearances: Joël Michaud, K.C. and Destiny Grant, for the College of
Physicians and Surgeons of New Brunswick.
Sacha Morisset for Dr. Manoj Bhargava, the Member.

Introduction

1. The Board of Inquiry was appointed under section 59 of the Medical Act, to inquire into the allegations against the Member, Dr. Bhargava.
2. The Board was informed that the parties had reached an agreement, which included a plea of no contest by Dr. Bhargava in relation to the alleged breaches of Regulation #9: Professional Misconduct, as well as a joint submission on sanctions.
3. The Board was informed that, in favour of a simplified proceeding, Dr. Bhargava had agreed to waive his right to a notice of inquiry at least thirty days before the hearing.
4. The Board was informed that, in favour of a simplified proceeding, the parties have waived their right to have the proceeding transcribed and certified by an official court reporter or other stenographer duly sworn for that purpose.
5. The parties jointly requested that the identities of the complainants be made anonymous in the Board's decision. The Board has agreed to this request.
6. The Board issued an order on June 26, 2025, on consent of the parties, prohibiting the disclosure, publishing, or broadcasting of the names of the complainants in this matter, whose identities may be disclosed at the hearing held on July 15, 2025. The parties have requested that the Board recommend to Council that it make the same order. The Board agrees with this request.
7. The parties have agreed that the College will make the results of this hearing publicly available online in accordance with the format outlined in subsection 61.2(3) of the Medical Act.
8. The hearing was held by way of video conference on July 15, 2025. No objection was raised concerning the composition of the Board, nor concerning its jurisdiction to conduct the hearing.

Evidence

9. The following exhibit was entered into evidence by consent of the parties:
 - a. Exhibit 1: Statement of Uncontested Facts and Plea of No Contest
10. The allegations that Dr. Bhargava pleads no contest to are set out in Exhibit 1 as:

- a. The Member has committed professional misconduct by taking the heart rate of the following complainants in a manner inconsistent with the standard of practice of the profession:
 - i. Complainants A, B, C, D, E, G, H, I, J, K, L, M, N, O, P, R, S, and T.
 - b. The Member has committed professional misconduct by taking the blood pressure of the following complainants in a manner inconsistent with the standard of practice of the profession:
 - i. Complainants A, C, E, I, K, L, N, S, and O.
 - c. The Member has committed professional misconduct by making comments to the following complainants which were inconsistent with the standard of practice of the profession:
 - i. Complainants B, C, J, K, and O.
 - d. The Member has committed professional misconduct by asking questions of the following complainants which were inconsistent with the standard of practice of the profession:
 - i. Complainants D, K, O and T.
 - e. The Member has committed professional misconduct by making requests of the following complainants which were inconsistent with the standard of practice of the profession:
 - i. Complainants F, L, R, and T.
 - f. The Member has committed professional misconduct by treating all of the complainants in a manner which would reasonably be regarded by members as disgraceful, dishonourable, or unprofessional.
11. Dr. Bhargava pleads no contest to the facts as set out above and does not contest that, based on these facts, the Board may find that he practised in a manner inconsistent with the standard of practice of the profession and in a manner which would reasonably be regarded by members as disgraceful, dishonourable, or unprofessional.

Requested Sanctions

12. The College and Dr. Bhargava requested, by joint submission, for the Board to recommend that Council impose the following sanctions:
 - a. All licences held by the Member under the Medical Act be revoked;
 - b. The Member's name be stricken from all registers in which it is entered;
 - c. The Member shall never seek licensure in New Brunswick; and,
 - d. The Member pay the costs of Council in the amount of \$5,000.

Hearing

13. Given Dr. Bhargava's plea of no contest, the Board finds that, on a balance of probabilities, it is more likely than not that he engaged in the misconduct as alleged in Exhibit 1.
14. The Board was provided with case law to support the merits of accepting a joint submission and in support of the sanctions proposed in the joint submission.
15. The Board was tasked with determining whether the parties' joint submission regarding sanctions was appropriate, reasonable, and consistent with the range of sanctions imposed in similar circumstances and that the joint submission was not contrary to the public interest: *Rault v. Law Society of Saskatchewan*, 2009 SKCA 81; *R v. Anthony-Cook*, 2016 SCC 43.
16. The Board was referred to *Timothy Edward Bradley v. Ontario College of Teachers*, 2021 ONSC 2303, where the Ontario Divisional Court stated that:

[14] [...] Any disciplinary body that rejects a joint submission on penalty must apply the public interest test and must show why the proposed penalty is so "unhinged" from the circumstances of the case that it must be rejected. [...]

17. The Board determined that the joint submission should be accepted in this case.
18. The Board determined that the joint submission is reasonable and consistent with the public interest and that the recommended sanctions are appropriate given Dr. Bhargava's conduct.

Disposition

19. The Board recommends that Council make an order to the same effect as the order issued by the Board on June 26, 2025.

20. The Board finds Dr. Bhargava guilty of conduct deserving of sanction and guilty of the allegations as set out in Exhibit 1.
21. Therefore, the Board unanimously recommends that Council order the following:
- a. All licences held by the Member under the Medical Act be revoked, pursuant to section 59(14)(d)(i) of the Medical Act;
 - b. The Member's name be stricken from all registers in which it is entered, pursuant to section 59(14)(d)(i) of the Medical Act;
 - c. The Member shall never seek licensure in New Brunswick, pursuant to the agreement in Exhibit 1; and,
 - d. The Member pay the costs of the Council in the amount of \$5,000, pursuant to sections 59(14)(d)(vii) and 60 of the Medical Act.

DATED at Moncton, New Brunswick, this 18 day of July, 2025.


Daniel J. Surette, K.C.

Aganzen 18 August 2025,
Dr. Ann Jansen


Dr. Dinesh Bhalla

18/8/25