

**BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

**In the Matter of the Accusation Against**

**Marc Edward Mani, M.D.**

**Physician's and Surgeon's  
License No. A75271**

**Case No. 800-2017-034310**

**Respondent.**

**DECISION**

**The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.**

**This Decision shall become effective at 5:00 p.m. on July 9, 2020.**

**IT IS SO ORDERED: June 9, 2020.**

**MEDICAL BOARD OF CALIFORNIA**



---

**Kristina D. Lawson, J.D., Chair  
Panel B**

1 XAVIER BECERRA  
Attorney General of California  
2 JUDITH T. ALVARADO  
Supervising Deputy Attorney General  
3 State Bar No. 155307  
300 South Spring Street, Suite 1702  
4 Los Angeles, CA 90013  
Telephone: (213) 269-6453  
5 Facsimile: (916) 731-2117  
*Attorneys for Complainant*  
6

7  
8 **BEFORE THE**  
**MEDICAL BOARD OF CALIFORNIA**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**  
10

11 In the Matter of the Accusation Against:

Case No. 800-2017-034310

12 **Marc Edward Mani, M.D.**  
13 **9675 Brighton Way, Suite 340**  
**Beverly Hills, CA 90210-5155**

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

14 **Physician's and Surgeon's Certificate**  
15 **No. A 75271,**

16 Respondent.  
17

18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
19 entitled proceedings that the following matters are true:

20 **PARTIES**

21 1. Christine J. Lally (Complainant) is the Interim Executive Director of the Medical  
22 Board of California (Board). She brought this action solely in her official capacity and is  
23 represented in this matter by Xavier Becerra, Attorney General of the State of California, by  
24 Judith T. Alvarado, Supervising Deputy Attorney General.

25 2. Respondent Marc Edward Mani, M.D. (Respondent) is represented in this proceeding  
26 by attorney Peter R. Osinoff, Esq., whose address is: 355 South Grand Avenue, Suite 1750, Los  
27 Angeles, CA 90071.

28 ///

3. On or about June 21, 2001, the Board issued Physician's and Surgeon's Certificate No. A 75271 to Marc Edward Mani, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2017-034310, and will expire on May 31, 2021, unless renewed.

## JURISDICTION

Accusation No. 800-2017-034310 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on January 3, 2019. Respondent timely filed his Notice of Defense contesting the Accusation.

4. A copy of Accusation No. 800-2017-034310 is attached as exhibit A and incorporated herein by reference.

## ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2017-034310. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

**CULPABILITY**

8. Respondent understands and agrees that the charges and allegations in Accusation No. 800-2017-034310, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate.

9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation, and that Respondent hereby gives up his right to contest those charges.

10. Respondent agrees that if he ever petitions for early termination or modification of probation, or if the Board ever petitions for revocation of probation, all of the charges and allegations contained in Accusation No. 800-2017-034310 shall be deemed true, correct and fully admitted by Respondent for purposes of that proceeding or any other licensing proceeding involving Respondent and the State of California.

11. Respondent agrees that his Physician's and Surgeon's Certificate is subject to discipline and he agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

## CONTINGENCY

12. This stipulation shall be subject to approval by the Medical Board of California. Respondent understands and agrees that counsel for Complainant and the staff of the Medical Board of California may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

13. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

///.

///

1 14. In consideration of the foregoing admissions and stipulations, the parties agree that  
2 the Board may, without further notice or formal proceeding, issue and enter the following  
3 Disciplinary Order:

4 **DISCIPLINARY ORDER**

5 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 75271 issued  
6 to Respondent MARC EDWARD MANI, M.D. is revoked. However, the revocation is stayed  
7 and Respondent is placed on probation for three (3) years on the following terms and conditions.

8 1. **COMMUNITY SERVICE - FREE SERVICES.** Within 60 calendar days of the  
9 effective date of this Decision, Respondent shall submit to the Board or its designee for prior  
10 approval a community service plan in which Respondent shall, within the first 2 years of  
11 probation, provide 100-hours of free services (e.g., medical or nonmedical) to a community or  
12 non-profit organization. If the term of probation is designated for 2 years or less, the community  
13 service hours must be completed not later than 6 months prior to the completion of probation.

14 Prior to engaging in any community service, Respondent shall provide a true copy of the  
15 Decision(s) to the chief of staff, director, office manager, program manager, officer, or the chief  
16 executive officer at every community or non-profit organization where Respondent provides  
17 community service and shall submit proof of compliance to the Board or its designee within 15  
18 calendar days. This condition shall also apply to any change(s) in community service.

19 Community service performed prior to the effective date of the Decision shall not be  
20 accepted in fulfillment of this condition.

21 2. **PROFESSIONALISM PROGRAM (ETHICS COURSE).** Within 60 calendar days of  
22 the effective date of this Decision, Respondent shall enroll in a professionalism program, that  
23 meets the requirements of Title 16, California Code of Regulations (CCR) section 1358.1.  
24 Respondent shall participate in and successfully complete that program. Respondent shall  
25 provide any information and documents that the program may deem pertinent. Respondent shall  
26 successfully complete the classroom component of the program not later than six (6) months after  
27 Respondent's initial enrollment, and the longitudinal component of the program not later than the  
28 time specified by the program, but no later than one (1) year after attending the classroom

1 component. The professionalism program shall be at Respondent's expense and shall be in  
2 addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

3 A professionalism program taken after the acts that gave rise to the charges in the  
4 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board  
5 or its designee, be accepted towards the fulfillment of this condition if the program would have  
6 been approved by the Board or its designee had the program been taken after the effective date of  
7 this Decision.

8 Respondent shall submit a certification of successful completion to the Board or its  
9 designee not later than 15 calendar days after successfully completing the program or not later  
10 than 15 calendar days after the effective date of the Decision, whichever is later.

11 3. NOTIFICATION. Within seven (7) days of the effective date of this Decision, the  
12 Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the  
13 Chief Executive Officer at every hospital where privileges or membership are extended to  
14 Respondent, at any other facility where Respondent engages in the practice of medicine,  
15 including all physician and locum tenens registries or other similar agencies, and to the Chief  
16 Executive Officer at every insurance carrier which extends malpractice insurance coverage to  
17 Respondent. Respondent shall submit proof of compliance to the Board or its designee within 15  
18 calendar days.

19 This condition shall apply to any change(s) in hospitals, other facilities or insurance carrier.

20 4. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE  
21 NURSES. During probation, Respondent is prohibited from supervising physician assistants and  
22 advanced practice nurses.

23 5. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws, all rules  
24 governing the practice of medicine in California and remain in full compliance with any court  
25 ordered criminal probation, payments, and other orders.

26 6. QUARTERLY DECLARATIONS. Respondent shall submit quarterly declarations  
27 under penalty of perjury on forms provided by the Board, stating whether there has been  
28 compliance with all the conditions of probation.

1 Respondent shall submit quarterly declarations not later than 10 calendar days after the end  
2 of the preceding quarter.

3 7. GENERAL PROBATION REQUIREMENTS.

4 Compliance with Probation Unit

5 Respondent shall comply with the Board's probation unit.

6 Address Changes

7 Respondent shall, at all times, keep the Board informed of Respondent's business and  
8 residence addresses, email address (if available), and telephone number. Changes of such  
9 addresses shall be immediately communicated in writing to the Board or its designee. Under no  
10 circumstances shall a post office box serve as an address of record, except as allowed by Business  
11 and Professions Code section 2021(b).

12 Place of Practice

13 Respondent shall not engage in the practice of medicine in Respondent's or patient's place  
14 of residence, unless the patient resides in a skilled nursing facility or other similar licensed  
15 facility.

16 License Renewal

17 Respondent shall maintain a current and renewed California physician's and surgeon's  
18 license.

19 Travel or Residence Outside California

20 Respondent shall immediately inform the Board or its designee, in writing, of travel to any  
21 areas outside the jurisdiction of California which lasts, or is contemplated to last, more than thirty  
22 (30) calendar days.

23 In the event Respondent should leave the State of California to reside or to practice,  
24 Respondent shall notify the Board or its designee in writing 30 calendar days prior to the dates of  
25 departure and return.

26 8. INTERVIEW WITH THE BOARD OR ITS DESIGNEE. Respondent shall be  
27 available in person upon request for interviews either at Respondent's place of business or at the  
28 probation unit office, with or without prior notice throughout the term of probation.

1           9.   NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or  
2 its designee in writing within 15 calendar days of any periods of non-practice lasting more than  
3 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is  
4 defined as any period of time Respondent is not practicing medicine as defined in Business and  
5 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct  
6 patient care, clinical activity or teaching, or other activity as approved by the Board. If  
7 Respondent resides in California and is considered to be in non-practice, Respondent shall  
8 comply with all terms and conditions of probation. All time spent in an intensive training  
9 program which has been approved by the Board or its designee shall not be considered non-  
10 practice and does not relieve Respondent from complying with all the terms and conditions of  
11 probation. Practicing medicine in another state of the United States or Federal jurisdiction while  
12 on probation with the medical licensing authority of that state or jurisdiction shall not be  
13 considered non-practice. A Board-ordered suspension of practice shall not be considered as a  
14 period of non-practice.

15           In the event Respondent's period of non-practice while on probation exceeds 18 calendar  
16 months, Respondent shall successfully complete the Federation of State Medical Boards's Special  
17 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program  
18 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model  
19 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

20           Respondent's period of non-practice while on probation shall not exceed two (2) years.

21           Periods of non-practice will not apply to the reduction of the probationary term.

22           Periods of non-practice for a Respondent residing outside of California will relieve  
23 Respondent of the responsibility to comply with the probationary terms and conditions with the  
24 exception of this condition and the following terms and conditions of probation: Obey All Laws;  
25 General Probation Requirements; Quarterly Declarations; Abstain from the Use of Alcohol and/or  
26 Controlled Substances; and Biological Fluid Testing.

27           10.   COMPLETION OF PROBATION. Respondent shall comply with all financial  
28 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the



1 completion of probation. Upon successful completion of probation, Respondent's certificate shall  
2 be fully restored.

3 11. VIOLATION OF PROBATION. Failure to fully comply with any term or condition  
4 of probation is a violation of probation. If Respondent violates probation in any respect, the  
5 Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and  
6 carry out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke  
7 Probation, or an Interim Suspension Order is filed against Respondent during probation, the  
8 Board shall have continuing jurisdiction until the matter is final, and the period of probation shall  
9 be extended until the matter is final.

10 12. LICENSE SURRENDER. Following the effective date of this Decision, if  
11 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy  
12 the terms and conditions of probation, Respondent may request to surrender his or her license.  
13 The Board reserves the right to evaluate Respondent's request and to exercise its discretion in  
14 determining whether or not to grant the request, or to take any other action deemed appropriate  
15 and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent  
16 shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its  
17 designee and Respondent shall no longer practice medicine. Respondent will no longer be subject  
18 to the terms and conditions of probation. If Respondent re-applies for a medical license, the  
19 application shall be treated as a petition for reinstatement of a revoked certificate.

20 13. PROBATION MONITORING COSTS. Respondent shall pay the costs associated  
21 with probation monitoring each and every year of probation, as designated by the Board, which  
22 may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of  
23 California and delivered to the Board or its designee no later than January 31 of each calendar  
24 year.

### 25 ACCEPTANCE

26 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
27 discussed it with my attorney, Peter R. Osinoff, Esq. I understand the stipulation and the effect it  
28 will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and

Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the  
Decision and Order of the Medical Board of California.

DATED: 4/07/2020

MARC EDWARD MANI, M.D.  
*Respondent*

I have read and fully discussed with Respondent Marc Edward Mani, M.D. the terms and  
conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.  
I approve its form and content.

DATED: 4/08/2020

*Peter R. Osinoff*

PETER R. OSINOFF, ESQ.  
*Attorney for Respondent*

**ENDORSEMENT**

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully  
submitted for consideration by the Medical Board of California.

DATED: April 13, 2020

Respectfully submitted,

XAVIER BECERRA  
Attorney General of California

*Judith Alvarado*  
JUDITH T. ALVARADO  
Supervising Deputy Attorney General  
*Attorneys for Complainant*

LA2018502927  
63197237

**Exhibit A**

**Accusation No. 800-2017-034310**

1 XAVIER BECERRA  
Attorney General of California  
2 JUDITH T. ALVARADO  
Supervising Deputy Attorney General  
3 State Bar No. 155307  
California Department of Justice  
4 300 South Spring Street, Suite 1702  
Los Angeles, California 90013  
5 Telephone: (213) 269-6453  
Facsimile: (213) 897-9395  
6 Attorneys for Complainant

FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO JANUARY 3 2019  
BY: [Signature] ANALYST

7  
8 BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
9 DEPARTMENT OF CONSUMER AFFAIRS  
10 STATE OF CALIFORNIA

11  
12 In the Matter of the Accusation Against:

Case No. 800-2017-034310

13 Marc Edward Mani, M.D.  
9675 Brighton Way, Suite 340  
14 Beverly Hills, CA 90210-5155

ACCUSATION

15 Physician's and Surgeon's Certificate  
No. A 75271,

16 Respondent.

17  
18  
19 Complainant alleges:

20 PARTIES

21 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official  
22 capacity as the Executive Director of the Medical Board of California, Department of Consumer  
23 Affairs (Board).

24 2. On or about June 21, 2001, the Medical Board issued Physician's and Surgeon's  
25 Certificate Number A 75271 to Marc Edward Mani, M.D. (Respondent). The Physician's and  
26 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought  
27 herein and will expire on May 31, 2019, unless renewed.

28 ///

## JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2220 of the Code states:

"Except as otherwise provided by law, the board may take action against all persons guilty of violating this chapter. The board shall enforce and administer this article as to physician and surgeon certificate holders, including those who hold certificates that do not permit them to practice medicine, such as, but not limited to, retired, inactive, or disabled status certificate holders, and the board shall have all the powers granted in this chapter for these purposes including, but not limited to:

"(a) Investigating complaints from the public, from other licensees, from health care facilities, or from the board that a physician and surgeon may be guilty of unprofessional conduct. The board shall investigate the circumstances underlying a report received pursuant to Section 805 or 805.01 within 30 days to determine if an interim suspension order or temporary restraining order should be issued. The board shall otherwise provide timely disposition of the reports received pursuant to Section 805 and Section 805.01.

"(b) Investigating the circumstances of practice of any physician and surgeon where there have been any judgments, settlements, or arbitration awards requiring the physician and surgeon or his or her professional liability insurer to pay an amount in damages in excess of a cumulative total of thirty thousand dollars (\$30,000) with respect to any claim that injury or damage was proximately caused by the physician's and surgeon's error, negligence, or omission.

"(c) Investigating the nature and causes of injuries from cases which shall be reported of a high number of judgments, settlements, or arbitration awards against a physician and surgeon."

5. Section 2227 of the Code provides that a licensee who is found guilty under the Medical Practice Act may have his or her license revoked, suspended for a period not to exceed one year, placed on probation and required to pay the costs of probation monitoring, or such other action taken in relation to discipline as the Board deems proper.

6. Section 2234 of the Code, states:

1 "The board shall take action against any licensee who is charged with unprofessional  
2 conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not  
3 limited to, the following:

4 "(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the  
5 violation of, or conspiring to violate any provision of this chapter.

6 "...

7 "(e) The commission of any act involving dishonesty or corruption which is substantially  
8 related to the qualifications, functions, or duties of a physician and surgeon.

9 "..."

10 7. Section 2236 of the Code states:

11 "(a) The conviction of any offense substantially related to the qualifications, functions, or  
12 duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this  
13 chapter [Chapter 5, the Medical Practice Act]. The record of conviction shall be conclusive  
14 evidence only of the fact that the conviction occurred.

15 "(b) The district attorney, city attorney, or other prosecuting agency shall notify the  
16 Medical Board of the pendency of an action against a licensee charging a felony or misdemeanor  
17 immediately upon obtaining information that the defendant is a licensee. The notice shall identify  
18 the licensee and describe the crimes charged and the facts alleged. The prosecuting agency shall  
19 also notify the clerk of the court in which the action is pending that the defendant is a licensee,  
20 and the clerk shall record prominently in the file that the defendant holds a license as a physician  
21 and surgeon.

22 "(c) The clerk of the court in which a licensee is convicted of a crime shall, within 48 hours  
23 after the conviction, transmit a certified copy of the record of conviction to the board. The  
24 division may inquire into the circumstances surrounding the commission of a crime in order to fix  
25 the degree of discipline or to determine if the conviction is of an offense substantially related to  
26 the qualifications, functions, or duties of a physician and surgeon.

27 ///

28 ///

1       “(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to  
2 be a conviction within the meaning of this section and Section 2236.1. The record of conviction  
3 shall be conclusive evidence of the fact that the conviction occurred.”

4                                   **FIRST CAUSE FOR DISCIPLINE**

5                                   **(Conviction of a Crime)**

6       8.     Respondent is subject to disciplinary action under section 2236 of the Code in that he  
7 was convicted of a crime substantially related to the qualifications, functions, or duties of a  
8 physician. The circumstances are as follows:

9       9.     On or about May 30, 2017, in the case of *United States of America v. Marc Edward*  
10 *Mani*, United States District Court for the Central District of California case number Cr 17-00322  
11 RGK, Respondent was charged with violating Title 31 United States Code sections 5314 and  
12 5322(a), and 31 Code of Federal Regulations sections 1010.350(a), 1010.306(c) and 1010.306(d),  
13 (willful failure to file reports of foreign bank and financial accounts).

14     10.    On or about September 17, 2018, Respondent was convicted, by way of a plea of  
15 guilty, of the crime of willful failure to file reports of foreign bank and financial accounts reports  
16 in violation of Title 31 United States Code sections 5314 and 5322(a), and 31 Code of Federal  
17 Regulations sections 1010.350(a), as charged in the Information.

18     11.    Respondent was sentenced on September 17, 2018, to serve twelve months and one  
19 day in federal prison. Respondent was ordered to pay taxes, penalties, interest on unreported  
20 income for years 2012, 2013 and 2014. He was further ordered to one year of supervised release  
21 upon his release from prison. He was also ordered to pay a special assessment.

22     12.    Respondent is incarcerated at the United States Penitentiary in Tucson, Arizona. His  
23 scheduled release date is July 31, 2019.

24                                   **SECOND CAUSE FOR DISCIPLINE**

25                                   **(Dishonest and Corrupt Acts)**

26     13.    Respondent is subject to disciplinary action under section 2234, subdivision (e), in  
27 that he engaged in dishonest and corrupt acts. The circumstances are as follows:

28     ///

1 14. The allegations of the First Cause for Discipline paragraphs 9 through 12 are  
2 incorporated herein by reference as if fully set forth.

3 PRAYER

4 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
5 and that following the hearing, the Medical Board of California issue a decision:

- 6 1. Revoking or suspending Physician's and Surgeon's Certificate Number A 75271,  
7 issued to Marc Edward Mani, M.D.;
- 8 2. Revoking, suspending or denying approval of Marc Edward Mani, M.D.'s authority to  
9 supervise physician assistants and advanced practice nurses;
- 10 3. Ordering Marc Edward Mani, M.D., if placed on probation, to pay the Board the costs  
11 of probation monitoring; and
- 12 4. Taking such other and further action as deemed necessary and proper.

13  
14 DATED:

15 January 3, 2019

16   
17 KIMBERLY KIRCHMEYER  
18 Executive Director  
19 Medical Board of California  
20 Department of Consumer Affairs  
21 State of California  
22 Complainant

23  
24  
25  
26  
27  
28  
LA2018502927  
MANI ACCUSATION MBC EDITS.docx