

**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**

**Respondent.**

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

**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**



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**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*  
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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.

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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

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

3  
4 DATED: 4/07/2020

  
MARC EDWARD MANI, M.D.  
Respondent

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

9 DATED: 4/08/2020

*Peter R. Osinoff*

PETER R. OSINOFF, ESQ.  
Attorney for Respondent

11  
12 **ENDORSEMENT**

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

15  
16 DATED: April 13, 2020

Respectfully submitted,

XAVIER BECERRA  
Attorney General of California

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

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**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

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12 In the Matter of the Accusation Against:  
13 Marc Edward Mani, M.D.  
9675 Brighton Way, Suite 340  
14 Beverly Hills, CA 90210-5155  
15 Physician's and Surgeon's Certificate  
No. A 75271,  
16  
17 Respondent.

Case No. 800-2017-034310  
ACCUSATION

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.  
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1 JURISDICTION

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

4 4. Section 2220 of the Code states:

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

11 "(a) Investigating complaints from the public, from other licensees, from health care  
12 facilities, or from the board that a physician and surgeon may be guilty of unprofessional conduct.  
13 The board shall investigate the circumstances underlying a report received pursuant to Section  
14 805 or 805.01 within 30 days to determine if an interim suspension order or temporary restraining  
15 order should be issued. The board shall otherwise provide timely disposition of the reports  
16 received pursuant to Section 805 and Section 805.01.

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

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

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

28 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.

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

PRAYER

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

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

DATED:  
January 3, 2019

  
KIMBERLY KIRCHMEYER  
Executive Director  
Medical Board of California  
Department of Consumer Affairs  
State of California  
*Complainant*

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