

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

In the Matter of the Accusation Against:

Jennings Ryan Staley, M.D.

Physician's and Surgeon's  
Certificate No. C 54121

Respondent.

Case No. 800-2020-066389

DECISION

The attached Stipulated Surrender of License 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 May 9, 2023.

IT IS SO ORDERED May 2, 2023.

MEDICAL BOARD OF CALIFORNIA



Reji Varghese  
Interim Executive Director

1 ROB BONTA  
Attorney General of California  
2 ALEXANDRA M. ALVAREZ  
Supervising Deputy Attorney General  
3 CHRISTINE A. RHEE  
Deputy Attorney General  
4 State Bar No. 295656  
600 West Broadway, Suite 1800  
5 San Diego, CA 92101  
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6 San Diego, CA 92186-5266  
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7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

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

12  
13 In the Matter of the Accusation Against:

14 **JENNINGS RYAN STALEY, M.D.**  
15 **31888 Del Obispo Street, Suite No. C-2**  
**San Juan Capistrano, CA 92675**

16 **Physician's and Surgeon's Certificate**  
17 **No. C 54121,**

18 Respondent.

Case No. 800-2020-066389

OAH No. 2022110611

**STIPULATED SURRENDER OF  
LICENSE AND DISCIPLINARY ORDER**

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

22 **PARTIES**

23 1. William Prasifka (Complainant) was the Executive Director of the Medical Board of  
24 California (Board) and brought this action solely in his official capacity. Reji Varghese is  
25 presently the Interim Executive Director of the Board. He is represented in this matter by Rob  
26 Bonta, Attorney General of the State of California, by Christine A. Rhee, Deputy Attorney  
27 General.

28 ///



1 **CULPABILITY**

2 8. Respondent admits the truth of each and every charge and allegation in Accusation  
3 No. 800-2020-066389, agrees that cause exists for discipline and hereby surrenders his  
4 Physician's and Surgeon's Certificate No. C 54121 for the Board's formal acceptance.

5 9. Respondent understands that by signing this stipulation he enables the Board to issue  
6 an order accepting the surrender of his Physician's and Surgeon's Certificate without further  
7 process.

8 **CONTINGENCY**

9 10. Pursuant to Business and Professions Code section 2224, subdivision (b), the  
10 Executive Director of the Board has been delegated the authority to adopt or reject a stipulation  
11 for surrender of a Physician's and Surgeon's Certificate.

12 11. The parties agree that this Stipulated Surrender of License and Disciplinary Order  
13 shall be null and void and not binding upon the parties unless approved by the Interim Executive  
14 Director on behalf of the Board. Respondent fully understands and agrees that in deciding  
15 whether or not to approve and adopt this Stipulated Surrender of License and Disciplinary Order,  
16 the Interim Executive Director and/or the Board may receive oral and written communications  
17 from its staff and/or the Attorney General's Office. Communications pursuant to this paragraph  
18 shall not disqualify the Interim Executive Director, the Board, or any member thereof, and/or any  
19 other person from future participation in this or any other matter affecting or involving  
20 Respondent. In the event that the Interim Executive Director on behalf of the Board does not, in  
21 his discretion, approve and adopt the Stipulated Surrender of License and Disciplinary Order,  
22 with the exception of this paragraph, it shall not become effective, shall be of no evidentiary  
23 value whatsoever, and shall not be relied upon or introduced in any disciplinary action by either  
24 party hereto. Respondent further agrees that should this Stipulated Surrender of License and  
25 Disciplinary Order be rejected for any reason by the Interim Executive Director on behalf of the  
26 Board, Respondent will assert no claim that the Board, or any member thereof, was prejudiced by  
27 its/his/her review, discussion and/or consideration of this Stipulated Surrender of License and  
28 Disciplinary Order or of any matter or matters related hereto.



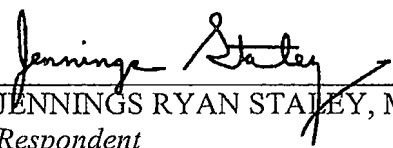
1 surrendered license in effect at the time the petition is filed, and all of the charges and allegations  
2 contained in Accusation No. 800-2020-066389 shall be deemed to be true, correct and admitted  
3 by Respondent when the Board determines whether to grant or deny the petition.

4 5. Respondent shall pay the agency its costs of investigation and enforcement in the  
5 amount of \$17,960.00 prior to issuance of a new or reinstated license.

6 6. If Respondent should ever apply or reapply for a new license or certification, or  
7 petition for reinstatement of a license, by any other health care licensing agency in the State of  
8 California, all of the charges and allegations contained in Accusation No. 800-2020-066389 shall  
9 be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of  
10 Issues or any other proceeding seeking to deny or restrict licensure.

11 ACCEPTANCE

12 I have carefully read the above Stipulated Surrender of License and Disciplinary Order and  
13 have fully discussed it with my attorney Earll M. Pott, Esq. I understand the stipulation and the  
14 effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated  
15 Surrender of License and Disciplinary Order voluntarily, knowingly, and intelligently, and agree  
16 to be bound by the Decision and Order of the Medical Board of California.

17  
18 DATED: 4/16/2023 \_\_\_\_\_   
19 JENNINGS RYAN STALEY, M.D.  
20 Respondent

21 I have read and fully discussed with Respondent Jennings Ryan Staley, M.D., the terms and  
22 conditions and other matters contained in this Stipulated Surrender of License and Disciplinary  
23 Order. I approve its form and content.

24 DATED: 4/24/2023 \_\_\_\_\_   
25 EARLL M. POTT, ESQ.  
26 Attorney for Respondent

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**ENDORSEMENT**

The foregoing Stipulated Surrender of License and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California of the Department of Consumer Affairs.

DATED: 4/24/23

Respectfully submitted,  
ROB BONTA  
Attorney General of California  
ALEXANDRA M. ALVAREZ  
Supervising Deputy Attorney General

  
CHRISTINE A. RHEE  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 800-2020-066389**



1 ROB BONTA  
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2 ALEXANDRA M. ALVAREZ  
Supervising Deputy Attorney General  
3 CHRISTINE A. RHEE  
Deputy Attorney General  
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14 **JENNINGS RYAN STALEY, M.D.**  
15 **31888 Del Obispo Street, Suite C-2**  
**San Juan Capistrano, CA 92675**

**A C C U S A T I O N**

16 **Physician's and Surgeon's Certificate**  
17 **No. C 54121,**

Respondent.

19  
20 **PARTIES**

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

24 2. On or about May 5, 2010, the Medical Board issued Physician's and Surgeon's  
25 Certificate No. C 54121 to Jennings Ryan Staley, 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 expired on May 31, 2022.

28 ///



1 7. Section 2228.1 of the Code states, in pertinent part:

2 (a) On and after July 1, 2019, except as otherwise provided in subdivision (c),  
3 the board and the Podiatric Medical Board of California shall require a licensee to  
4 provide a separate disclosure that includes the licensee's probation status, the length  
5 of the probation, the probation end date, all practice restrictions placed on the licensee  
6 by the board, the board's telephone number, and an explanation of how the patient  
7 can find further information on the licensee's probation on the licensee's profile page  
8 on the board's online license information internet web site, to a patient or the  
9 patient's guardian or health care surrogate before the patient's first visit following the  
10 probationary order while the licensee is on probation pursuant to a probationary order  
11 made on and after July 1, 2019, in any of the following circumstances:

12 (1) A final adjudication by the board following an administrative hearing or  
13 admitted findings or prima facie showing in a stipulated settlement establishing any  
14 of the following:

15 ...

16 (B) Drug or alcohol abuse directly resulting in harm to patients or the extent  
17 that such use impairs the ability of the licensee to practice safely.

18 ...

19 (2) An accusation or statement of issues alleged that the licensee committed any  
20 of the acts described in subparagraphs (A) to (D), inclusive, of paragraph (1), and a  
21 stipulated settlement based upon a nolo contendere or other similar compromise that  
22 does not include any prima facie showing or admission of guilt or fact but does  
23 include an express acknowledgment that the disclosure requirements of this section  
24 would serve to protect the public interest.

25 (b) A licensee required to provide a disclosure pursuant to subdivision (a) shall  
26 obtain from the patient, or the patient's guardian or health care surrogate, a separate,  
27 signed copy of that disclosure.

28 (c) A licensee shall not be required to provide a disclosure pursuant to  
subdivision (a) if any of the following applies:

(1) The patient is unconscious or otherwise unable to comprehend the  
disclosure and sign the copy of the disclosure pursuant to subdivision (b) and a  
guardian or health care surrogate is unavailable to comprehend the disclosure and  
sign the copy.

(2) The visit occurs in an emergency room or an urgent care facility or the visit  
is unscheduled, including consultations in inpatient facilities.

(3) The licensee who will be treating the patient during the visit is not known to  
the patient until immediately prior to the start of the visit.

(4) The licensee does not have a direct treatment relationship with the patient.

(d) On and after July 1, 2019, the board shall provide the following  
information, with respect to licensees on probation and licensees practicing under

1 probationary licenses, in plain view on the licensee's profile page on the board's  
2 online license information internet web site.

3 (1) For probation imposed pursuant to a stipulated settlement, the causes  
4 alleged in the operative accusation along with a designation identifying those causes  
5 by which the licensee has expressly admitted guilt and a statement that acceptance of  
6 the settlement is not an admission of guilt.

7 (2) For probation imposed by an adjudicated decision of the board, the causes  
8 for probation stated in the final probationary order.

9 (3) For a licensee granted a probationary license, the causes by which the  
10 probationary license was imposed.

11 (4) The length of the probation and end date.

12 (5) All practice restrictions placed on the license by the board.

13 (e) Section 2314 shall not apply to this section.

14 8. Section 2234 of the Code, states, in pertinent part:

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

18 ...

19 (e) The commission of any act involving dishonesty or corruption that is  
20 substantially related to the qualifications, functions, or duties of a physician and  
21 surgeon.

22 ...

23 9. Section 2236 of the Code states, in pertinent part:

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

...

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

10. Section 2238 of the Code states:

A violation of any federal statute or federal regulation or any of the statutes or  
regulations of this state regulating dangerous drugs or controlled substances  
constitutes unprofessional conduct.

1 11. Section 2239 of the Code states, in pertinent part:

2 (a) The use or prescribing for or administering to himself or herself, of any  
3 controlled substance; or the use of any of the dangerous drugs specified in Section  
4 4022, or of alcoholic beverages, to the extent, or in such a manner as to be dangerous  
5 or injurious to the licensee, or to any other person or to the public, or to the extent that  
6 such use impairs the ability of the licensee to practice medicine safely or more than  
7 one misdemeanor or any felony involving the use, consumption, or  
8 self-administration of any of the substances referred to in this section, or any  
9 combination thereof, constitutes unprofessional conduct. The record of the  
10 conviction is conclusive evidence of such unprofessional conduct.

11 ...

12 12. Section 2242 of the Code states, in pertinent part:

13 (a) Prescribing, dispensing, or furnishing dangerous drugs as defined in Section  
14 4022 without an appropriate prior examination and a medical indication, constitutes  
15 unprofessional conduct. An appropriate prior examination does not require a  
16 synchronous interaction between the patient and the licensee and can be achieved  
17 through the use of telehealth, including, but not limited to, a self-screening tool or a  
18 questionnaire, provided that the licensee complies with the appropriate standard of  
19 care.

20 ...

21 13. California Code of Regulations, title 16, section 1360, states:

22 For the purposes of denial, suspension or revocation of a license, certificate or  
23 permit pursuant to Division 1.5 (commencing with Section 475) of the code, a crime  
24 or act shall be considered to be substantially related to the qualifications, functions or  
25 duties of a person holding a license, certificate or permit under the Medical Practice  
26 Act if to a substantial degree it evidences present or potential unfitness of a person  
27 holding a license, certificate or permit to perform the functions authorized by the  
28 license, certificate or permit in a manner consistent with the public health, safety or  
welfare. Such crimes or acts shall include but not be limited to the following:  
Violating or attempting to violate, directly or indirectly, or assisting in or abetting the  
violation of, or conspiring to violate any provision of the Medical Practice Act.

**COST RECOVERY**

14. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
administrative law judge to direct a licensee found to have committed a violation or violations of  
the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
enforcement of the case, with failure of the licensee to comply subjecting the license to not being  
renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
included in a stipulated settlement.

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1 **FACTUAL ALLEGATIONS**

2 15. In or around early March 2020, Respondent owned a medical practice named Skinny  
3 Beach Med Spa located in San Diego, California. Skinny Beach Med Spa offices were located in  
4 San Diego, Del Mar, and San Juan Capistrano. Skinny Beach Med Spa offered weight loss  
5 programs, hyperbaric oxygen therapy, Botox, tattoo removal, hair removal, and fat transfer.

6 16. On or about March 19, 2020, California Governor Gavin Newsom issued a statewide  
7 shelter-in-place order to contain the spread of COVID-19.

8 17. On or about March 27, 2020, Skinny Beach Med Spa sent an email newsletter to its  
9 patient population. The email started with, "Quick thoughts on the COVID-19 pandemic from  
10 Dr. Staley." In the email, Respondent stated that he had obtained a "limited supply" of  
11 hydroxychloroquine,<sup>1</sup> and that he was selling "COVID treatment packs" which contained the  
12 following medications and supplements: azithromycin,<sup>2</sup> hydroxychloroquine, Vitamin C, and  
13 zinc. Respondent offered to proactively sell these treatment packs to patients. Should those  
14 patients then experience symptoms of COVID-19, Respondent would instruct the patients on how  
15 to take the medication via telemedicine visits. In this email, Respondent also offered anti-anxiety  
16 treatments to avoid panic and promote sleep and a concierge medicine package for 90 days which  
17 would include intravenous drips, 24/7 access to Respondent, and COVID-19 testing.

18 18. On or about April 3, 2020, an undercover agent (UC) from the Federal Bureau of  
19 Investigation (FBI) posed as a potential patient and spoke to Respondent on the phone. The UC  
20 told Respondent that he had a wife and three kids and that his father would be moving in with his  
21 family. The UC asked Respondent about his COVID treatment packs. Respondent explained  
22 how the treatment pack worked, and that the UC could either pick up the packs or have them  
23 mailed to him. Respondent told the UC that once someone got sick, Respondent would "activate"  
24 the kit and advise the household on how to take the medications. Respondent explained that the

25 \_\_\_\_\_  
26 <sup>1</sup> Hydroxychloroquine is an immunosuppressive prescription drug often used to treat and  
27 prevent malaria and to treat lupus and arthritis. It is a dangerous drug pursuant to section 4022 of  
the Code.

28 <sup>2</sup> Azithromycin is a prescription antibiotic commonly used to treat bacterial infections. It  
is a dangerous drug pursuant to section 4022 of the Code.

1 medication would be taken by all household members, including those that were asymptomatic, to  
2 prevent them from contracting COVID-19.

3 19. During this phone call on or about April 3, 2020, Respondent told the UC that  
4 hydroxychloroquine “cures the disease [COVID-19],” is an “amazing cure,” and that by taking  
5 the medication, “you’re immune for at least six weeks.” Respondent also told the UC that  
6 “[t]here’s never been before, except for hepatitis C, in the history of medicine been a situation  
7 where a medication is completely curative of a virus... [i]t’s hard to believe, it’s almost too good  
8 to be true.”

9 20. During this phone call on or about April 3, 2020, Respondent told the UC that he had  
10 just gotten the last “tank” of hydroxychloroquine smuggled out of China and that he had “tricked  
11 customs” by stating that it was “yam extract.” At the end of the call, Respondent agreed to sell  
12 the UC six COVID treatment kits for his family for approximately \$4,000.00.

13 21. On or about April 6, 2020, the UC spoke to Respondent on the phone. During the  
14 call, Respondent asked the UC if he needed Viagra,<sup>3</sup> Xanax,<sup>4</sup> or IV fluids, to which the UC  
15 responded, “[y]eah, I mean, who doesn’t need those things,” and “[y]eah, why not?” Respondent  
16 did not conduct any kind of medical examination of the UC, nor did he ask the UC any questions  
17 to determine whether Viagra or Xanax were medically indicated for the UC or any of his  
18 purported family members. On or about the same day, the UC paid for the treatment packs to be  
19 mailed to him.

20 22. On or about April 9, 2020, the FBI received the mailed COVID treatment packs. The  
21 package included azithromycin, hydroxychloroquine, and chloroquine.<sup>5</sup> The package also  
22 contained plastic bottles of Viagra and Xanax.

23 ///

24 <sup>3</sup> Viagra, brand name for sildenafil, is a prescription medication commonly prescribed to  
25 treat erectile dysfunction. It is a dangerous drug pursuant to section 4022 of the Code.

26 <sup>4</sup> Xanax, brand name for alprazolam, is a benzodiazepine and a Schedule IV controlled  
27 substance pursuant to Health and Safety Code section 11507, subdivision (d). It is also a  
28 dangerous drug pursuant to section 4022 of the Code.

<sup>5</sup> Chloroquine is an anti-malarial and immunosuppressive prescription drug. It is a  
dangerous drug pursuant to section 4022 of the Code.

1           23. On or about April 10, 2020, federal agents interviewed Respondent at Skinny Beach  
2 Med Spa. Contrary to what he told the UC, Respondent denied telling patients that  
3 hydroxychloroquine was a cure for COVID-19. Respondent also told the federal agents that he  
4 legally purchased hydroxychloroquine from a pharmaceutical supplier in China.

5           24. On or about April 16, 2020, in *United States of America v. Jennings Ryan Staley*,  
6 Case No. 20-mj-01407-JLB, a Complaint was filed charging Respondent with one count of felony  
7 mail fraud, in violation of Title 18, section 1341 of the United States Code.

8           25. On or about May 20, 2020, in *United States of America v. Jennings Ryan Staley*, Case  
9 No. 20-cr-01227-GPC, an Indictment was filed charging Respondent with one count of mail fraud  
10 in violation of Title 18, section 1341 of the United States Code.

11           26. On or about August 21, 2020, in *United States of America v. Jennings Ryan Staley*,  
12 Case No. 20-cr-01227-GPC, the Court modified Respondent's conditions of pre-trial release to  
13 include drug and alcohol testing no more than four times per month.

14           27. On or about December 2, 2020, in *United States of America v. Jennings Ryan Staley*,  
15 Case No. 20-cr-01227-GPC, a Superseding Indictment was filed charging Respondent with the  
16 following: three counts of mail fraud, in violation of Title 18, section 1341 of the United States  
17 Code; one count of illegally importing merchandise, in violation of Title 18, section 545 of the  
18 United States Code; three counts of providing false statements to federal agents, in violation of  
19 Title 18, section 1001(a)(2) of the United States Code section; and one count of aggravated  
20 identity theft, in violation of Title 18, section 1028A of the United States Code.

21           28. On or about July 13, 2021, in *United States of America v. Jennings Ryan Staley*, Case  
22 No. 20-cr-01227-GPC, Respondent signed a plea agreement agreeing to plead guilty to one count  
23 of illegally importing merchandise, in violation of Title 18, section 545 of the United States Code.  
24 In the plea agreement, Respondent admitted that the following facts are true and undisputed:

25           a. On or about March 28, 2020, Respondent sent a message to an employee asking  
26 whether the employee had extra hydroxychloroquine tablets from a prior valid prescription.  
27 On or about March 29, 2020, Respondent wrote a prescription for 180 tablets of 200 mg  
28 hydroxychloroquine for the employee without the employee's knowledge or consent.



1 Respondent then used this prescription to obtain 90 hydroxychloroquine tablets, which he  
2 sold as part of his COVID treatment packs;

3 b. Regarding his communications and conduct with the UC, Respondent admitted  
4 to abusing a position of public trust as a physician and surgeon; and

5 c. Respondent willfully attempted to obstruct and impede the investigation into  
6 his conduct by denying the statements he made to the UC when questioned by federal  
7 agents.

8 29. On or about April 26, 2022, in a bond revocation hearing in *United States of America*  
9 *v. Jennings Ryan Staley*, Case No. 20-cr-01227-GPC, Respondent admitted to violating the terms  
10 of his pre-trial release by ingesting cocaine on or about November 9, 2020, May 2, 2021, and  
11 April 2, 2022.

12 30. On or about May 27, 2022, in *United States of America v. Jennings Ryan Staley*, Case  
13 No. 20-cr-01227-GPC, Respondent pled guilty to one count of illegal importation of merchandise,  
14 in violation of Title 18, section 545 of the United States Code. On or about the same day,  
15 Respondent was sentenced to 30 days of imprisonment followed by two years of supervised  
16 release with various terms and conditions and a \$10,000.00 fine.

17 **FIRST CAUSE FOR DISCIPLINE**  
18 **(Conviction of a Crime Related to the Qualifications,  
19 Functions or Duties of a Physician and Surgeon)**

20 31. Respondent has subjected his Physician's and Surgeon's Certificate No. C 54121 to  
21 disciplinary action under sections 2227 and 2234, as defined by section 2236, of the Code, and  
22 section 1360 of Title 16 of the California Code of Regulations, in that he has been convicted of a  
23 crime substantially related to the qualifications, functions, or duties of a physician and surgeon, as  
24 more particularly alleged in paragraphs 15 through 30, above, which are hereby incorporated by  
reference and re-alleged as if fully set forth herein.

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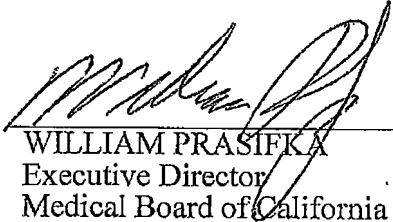


1 PRAYER

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

- 4 1. Revoking or suspending Physician's and Surgeon's Certificate No. C 54121, issued to  
5 Respondent Jennings Ryan Staley, M.D.;
- 6 2. Revoking, suspending or denying approval of Respondent Jennings Ryan Staley,  
7 M.D.'s authority to supervise physician assistants and advanced practice nurses;
- 8 3. Ordering Respondent Jennings Ryan Staley, M.D., to pay the Board the costs of the  
9 investigation and enforcement of this case, and if placed on probation, the costs of probation  
10 monitoring;
- 11 4. Ordering Respondent Jennings Ryan Staley, M.D., if placed on probation, to provide  
12 patient notification in accordance with Business and Professions Code section 2228.1; and
- 13 5. Taking such other and further action as deemed necessary and proper.

14  
15 DATED: OCT 04 2022

  
16 WILLIAM PRASIFKA  
17 Executive Director  
18 Medical Board of California  
19 Department of Consumer Affairs  
20 State of California  
21 Complainant

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