

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

In the Matter of the Accusation Against:

Estrella Pineda Asejo, M.D.

**Physician's and Surgeon's
Certificate No. A 37718**

Respondent.

Case No. 800-2023-094472

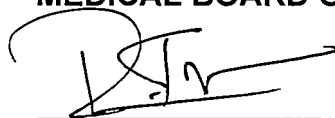
DECISION

The attached Stipulated Surrender of License and 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 November 14, 2023.

IT IS SO ORDERED November 7, 2023.

MEDICAL BOARD OF CALIFORNIA



**Reji Varghese
Executive Director**

1 ROB BONTA
Attorney General of California
2 JUDITH T. ALVARADO
Supervising Deputy Attorney General
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8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 800-2023-094472

13 **ESTRELLA PINEDA ASEJO, M.D.**
14 **1212 Kensington Street**
15 **Delano, CA 93215**

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

16 **Physician's and Surgeon's Certificate**
17 **No. A 37718,**

Respondent.

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. Reji Varghese (Complainant) is the Executive Director of the Medical Board of
22 California (Board). He brought this action solely in his official capacity and is represented in this
23 matter by Rob Bonta, Attorney General of the State of California, by Rebecca L. Smith, Deputy
24 Attorney General.

25 2. Estrella Pineda Asejo, M.D. (Respondent) is representing herself in this proceeding
26 and has chosen not to exercise her right to be represented by counsel.

27 3. On or about November 30, 1981, the Board issued Physician's and Surgeon's
28 Certificate No. A 37718 to Respondent. That license was in full force and effect at all times.

1 relevant to the charges brought in Accusation No. 800-2023-094472 and expired on September
2 30, 2023.

3 JURISDICTION

4 4. Accusation No. 800-2023-094472 was filed before the Board, and is currently
5 pending against Respondent. The Accusation and all other statutorily required documents were
6 properly served on Respondent on September 22, 2023. A copy of Accusation No. 800-2023-
7 094472 is attached as Exhibit A and incorporated by reference.

8 ADVISEMENT AND WAIVERS

9 5. Respondent has carefully read, and understands the charges and allegations in
10 Accusation No. 800-2023-094472. Respondent also has carefully read, and understands the
11 effects of this Stipulated Surrender of License and Order.

12 6. Respondent is fully aware of her legal rights in this matter, including the right to a
13 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
14 her own expense; the right to confront and cross-examine the witnesses against her; the right to
15 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to
16 compel the attendance of witnesses and the production of documents; the right to reconsideration
17 and court review of an adverse decision; and all other rights accorded by the California
18 Administrative Procedure Act and other applicable laws.

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

21 CULPABILITY

22 8. Respondent admits the truth of each and every charge and allegation in Accusation
23 No. 800-2023-094472, agrees that cause exists for discipline and hereby surrenders her
24 Physician's and Surgeon's Certificate No. A 37718 for the Board's formal acceptance.

25 9. Respondent understands that by signing this stipulation she enables the Board to issue
26 an order accepting the surrender of her Physician's and Surgeon's Certificate without further
27 process.

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CONTINGENCY

10. Business and Professions Code section 2224, subdivision (b), provides, in pertinent part, that the Medical Board “shall delegate to its executive director the authority to adopt a ... stipulation for surrender of a license.”

11. Respondent understands that, by signing this stipulation, she enables the Executive Director of the Board to issue an order, on behalf of the Board, accepting the surrender of her Physician's and Surgeon's Certificate No. A 37718 without further notice to, or opportunity to be heard by Respondent.

12. This Stipulated Surrender of License and Disciplinary Order shall be subject to the approval of the Executive Director on behalf of the Board. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be submitted to the Executive Director for his consideration in the above-entitled matter and, further, that the Executive Director shall have a reasonable period of time in which to consider and act on this Stipulated Surrender of License and Disciplinary Order after receiving it. By signing this stipulation, Respondent fully understands and agrees that she may not withdraw her agreement or seek to rescind this stipulation prior to the time the Executive Director, on behalf of the Medical Board, considers and acts upon it.

13. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be null and void and not binding upon the parties unless approved and adopted by the Executive Director on behalf of the Board, except for this paragraph, which shall remain in full force and effect. Respondent fully understands and agrees that in deciding whether or not to approve and adopt this Stipulated Surrender of License and Disciplinary Order, the Executive Director and/or the Board may receive oral and written communications from its staff and/or the Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the Executive Director, the Board, any member thereof, and/or any other person from future participation in this or any other matter affecting or involving Respondent. In the event that the Executive Director on behalf of the Board does not, in his discretion, approve and adopt this Stipulated Surrender of License and Disciplinary Order, with the exception of this paragraph, it shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied

1 upon or introduced in any disciplinary action by either party hereto. Respondent further agrees
2 that should this Stipulated Surrender of License and Disciplinary Order be rejected for any reason
3 by the Executive Director on behalf of the Board, Respondent will assert no claim that the
4 Executive Director, the Board, or any member thereof, was prejudiced by its/his/her review,
5 discussion and/or consideration of this Stipulated Surrender of License and Disciplinary Order or
6 of any matter or matters related hereto.

7 **ADDITIONAL PROVISIONS**

8 14. This Stipulated Surrender of License and Disciplinary Order is intended by the parties
9 herein to be an integrated writing representing the complete, final and exclusive embodiment of
10 the agreements of the parties in the above-entitled matter.

11 15. The parties agree that copies of this Stipulated Surrender of License and Disciplinary
12 Order, including copies of the signatures of the parties, may be used in lieu of original documents
13 and signatures and, further, that such copies shall have the same force and effect as originals.

14 16. In consideration of the foregoing admissions and stipulations, the parties agree the
15 Executive Director of the Board may, without further notice to or opportunity to be heard by
16 Respondent, issue and enter the following Disciplinary Order on behalf of the Board:

17 **ORDER**

18 **IT IS HEREBY ORDERED** that Physician's and Surgeon's Certificate No. A 37718,
19 issued to Respondent Estrella Pineda Asejo, M.D., is surrendered and accepted by the Board.

20 1. The surrender of Respondent's Physician's and Surgeon's Certificate and the
21 acceptance of the surrendered license by the Board shall constitute the imposition of discipline
22 against Respondent. This stipulation constitutes a record of the discipline and shall become a part
23 of Respondent's license history with the Board.

24 2. Respondent shall lose all rights and privileges as a physician and surgeon in
25 California as of the effective date of the Board's Decision and Order.

26 3. Respondent shall cause to be delivered to the Board her pocket license and, if one was
27 issued, her wall certificate on or before the effective date of the Decision and Order.

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4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked or surrendered license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 800-2023-094472 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

5. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation No. 800-2023-094472 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

6. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$20,358.25 (Twenty Thousand Three Hundred Fifty-Eight Dollars and Twenty-Five Cents) prior to issuance of a new or reinstated license.

ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 10.20.2023

ESTRELLA PINEDA ASEJO, M.D.
Respondent

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ENDORSEMENT

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

DATED: November 1, 2023

Respectfully submitted,

ROB BONTA
Attorney General of California
JUDITH T. ALVARADO
Supervising Deputy Attorney General



REBECCA L. SMITH
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2023-094472

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14 **1212 Kensington Street**
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A C C U S A T I O N

15 **Physician's and Surgeon's Certificate**
16 **No. A 37718,**

Respondent.

17
18
19 **PARTIES**

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

23 2. On or about November 30, 1981, the Medical Board issued Physician's and Surgeon's
24 Certificate Number A 37718 to Estrella Pineda Asejo, M.D. (Respondent). The Physician's and
25 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
26 herein and will expire on September 30, 2023, unless renewed.

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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 (Code) unless otherwise indicated.

4. Section 2004 of the Code states:

The board shall have the responsibility for the following:

(a) The enforcement of the disciplinary and criminal provisions of the Medical Practice Act.

(b) The administration and hearing of disciplinary actions.

(c) Carrying out disciplinary actions appropriate to findings made by a panel or an administrative law judge.

(d) Suspending, revoking, or otherwise limiting certificates after the conclusion of disciplinary actions.

(e) Reviewing the quality of medical practice carried out by physician and surgeon certificate holders under the jurisdiction of the board.

(f) Approving undergraduate and graduate medical education programs.

(g) Approving clinical clerkship and special programs and hospitals for the programs in subdivision (f).

(h) Issuing licenses and certificates under the board's jurisdiction.

(i) Administering the board's continuing medical education program.

5. Section 2227 of the Code states:

(a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary action with the board, may, in accordance with the provisions of this chapter:

(1) Have his or her license revoked upon order of the board.

(2) Have his or her right to practice suspended for a period not to exceed one year upon order of the board.

(3) Be placed on probation and be required to pay the costs of probation monitoring upon order of the board.

(4) Be publicly reprimanded by the board. The public reprimand may include a requirement that the licensee complete relevant educational courses approved by the board.

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1 (5) Have any other action taken in relation to discipline as part of an order of
2 probation, as the board or an administrative law judge may deem proper.

3 (b) Any matter heard pursuant to subdivision (a), except for warning letters,
4 medical review or advisory conferences, professional competency examinations,
5 continuing education activities, and cost reimbursement associated therewith that are
6 agreed to with the board and successfully completed by the licensee, or other matters
7 made confidential or privileged by existing law, is deemed public, and shall be made
8 available to the public by the board pursuant to Section 803.1.

9 STATUTORY PROVISIONS

10 6. Section 822 of the Code states:

11 If a licensing agency determines that its licentiate's ability to practice his or her
12 profession safely is impaired because the licentiate is mentally ill, or physically ill
13 affecting competency, the licensing agency may take action by any one of the
14 following methods:

15 (a) Revoking the licentiate's certificate or license.

16 (b) Suspending the licentiate's right to practice.

17 (c) Placing the licentiate on probation.

18 (d) Taking such other action in relation to the licentiate as the licensing agency
19 in its discretion deems proper.

20 The licensing section shall not reinstate a revoked or suspended certificate or
21 license until it has received competent evidence of the absence or control of the
22 condition which caused its action and until it is satisfied that with due regard for the
23 public health and safety the person's right to practice his or her profession may be
24 safely reinstated.

25 COST RECOVERY

26 7. Section 125.3 of the Code states:

27 (a) Except as otherwise provided by law, in any order issued in resolution of a
28 disciplinary proceeding before any board within the department or before the
Osteopathic Medical Board, upon request of the entity bringing the proceeding, the
administrative law judge may 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.

(b) In the case of a disciplined licensee that is a corporation or a partnership, the
order may be made against the licensed corporate entity or licensed partnership.

(c) A certified copy of the actual costs, or a good faith estimate of costs where
actual costs are not available, signed by the entity bringing the proceeding or its
designated representative shall be prima facie evidence of reasonable costs of
investigation and prosecution of the case. The costs shall include the amount of
investigative and enforcement costs up to the date of the hearing, including, but not
limited to, charges imposed by the Attorney General.

(d) The administrative law judge shall make a proposed finding of the amount

1 of reasonable costs of investigation and prosecution of the case when requested
2 pursuant to subdivision (a). The finding of the administrative law judge with regard
3 to costs shall not be reviewable by the board to increase the cost award. The board
4 may reduce or eliminate the cost award, or remand to the administrative law judge if
5 the proposed decision fails to make a finding on costs requested pursuant to
6 subdivision (a).

7 (e) If an order for recovery of costs is made and timely payment is not made as
8 directed in the board's decision, the board may enforce the order for repayment in any
9 appropriate court. This right of enforcement shall be in addition to any other rights
10 the board may have as to any licensee to pay costs.

11 (f) In any action for recovery of costs, proof of the board's decision shall be
12 conclusive proof of the validity of the order of payment and the terms for payment.

13 (g) (1) Except as provided in paragraph (2), the board shall not renew or
14 reinstate the license of any licensee who has failed to pay all of the costs ordered
15 under this section.

16 (2) Notwithstanding paragraph (1), the board may, in its discretion,
17 conditionally renew or reinstate for a maximum of one year the license of any
18 licensee who demonstrates financial hardship and who enters into a formal agreement
19 with the board to reimburse the board within that one-year period for the unpaid
20 costs.

21 (h) All costs recovered under this section shall be considered a reimbursement
22 for costs incurred and shall be deposited in the fund of the board recovering the costs
23 to be available upon appropriation by the Legislature.

24 (i) Nothing in this section shall preclude a board from including the recovery of
25 the costs of investigation and enforcement of a case in any stipulated settlement.

26 (j) This section does not apply to any board if a specific statutory provision in
27 that board's licensing act provides for recovery of costs in an administrative
28 disciplinary proceeding.

29 CAUSE FOR DISCIPLINE

30 (Inability to Practice)

31 8. Respondent Estrella Pineda Asejo, M.D. is subject to disciplinary action under section
32 822 of the Code, in that she is unable to engage in the practice of medicine due to mental
33 impairments, as indicated by psychiatrist, Dr. J.J., following a mental health evaluation.


34 PRAYER

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

37 1. Revoking or suspending Physician's and Surgeon's Certificate Number A 37718,
38 issued to Respondent Estrella Pineda Asejo, M.D.;

- 1 2. Revoking, suspending or denying approval of Respondent Estrella Pineda Asejo,
2 M.D.'s authority to supervise physician assistants and advanced practice nurses;
3 3. Ordering Respondent Estrella Pineda Asejo, M.D., to pay the Board the costs of the
4 investigation and enforcement of this case, and if placed on probation, the costs of probation
5 monitoring; and
6 4. Taking such other and further action as deemed necessary and proper.

7
8 DATED: SEP 22 2023


REJI VARGHESE
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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