

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

**In the Matter of the Accusation Against:**

**Justin G. English, II, M.D.**

**Physician's and Surgeon's  
Certificate No. C 30497**

**Respondent.**

**Case No. 800-2021-082101**

**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 February 13, 2024.**

**IT IS SO ORDERED February 6, 2024.**

**MEDICAL BOARD OF CALIFORNIA**



**Reji Varghese  
Executive Director**

1 ROB BONTA  
Attorney General of California  
2 MICHAEL C. BRUMMEL  
Supervising Deputy Attorney General  
3 KALEV KASEORU  
Deputy Attorney General  
4 State Bar No. 331645  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 210-7508  
Facsimile: (916) 327-2247  
7 E-mail: Kalev.Kaseoru@doj.ca.gov  
*Attorneys for Complainant*

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

13 In the Matter of the Accusation Against:

14 **JUSTIN G. ENGLISH II, M.D.**  
15 **44108 Greenview Dr.**  
**El Macero, CA 95618-1077**

16 **Physician's and Surgeon's Certificate**  
17 **No. C 30497**

18 Respondent.

Case No. 800-2021-082101

OAH No. 2023110158

**STIPULATED SURRENDER OF  
LICENSE AND DISCIPLINARY ORDER**

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

23 **PARTIES**

24 1. Reji Varghese (Complainant) is the Executive Director of the Medical Board of  
25 California (Board). He brought this action solely in his official capacity and is represented in this  
26 matter by Rob Bonta, Attorney General of the State of California, by Kalev Kaseoru, Deputy  
27 Attorney General.  
28

1           2.     Respondent Justin G. English II, M.D. (Respondent) is represented in this proceeding  
2 by attorney M. Bradley Wishek, Esq., whose address is: 765 University Avenue, Sacramento,  
3 CA 95825.

4           3.     On or about September 5, 1968, the Board issued Physician's and Surgeon's  
5 Certificate No. C 30497 to Justin G. English II, M.D. (Respondent). The Physician's and  
6 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in  
7 Accusation No. 800-2021-082101, and will expire on September 30, 2025, unless renewed.

8                                   **JURISDICTION**

9           4.     Accusation No. 800-2021-082101 was filed before the Board, and is currently  
10 pending against Respondent. The Accusation and all other statutorily required documents were  
11 properly served on Respondent on June 23, 2023. Respondent timely filed his Notice of Defense  
12 contesting the Accusation.

13          5.     A copy of Accusation No. 800-2021-082101 is attached as Exhibit A and  
14 incorporated herein by reference.

15                                   **ADVISEMENT AND WAIVERS**

16          6.     Respondent has carefully read, fully discussed with counsel, and understands the  
17 charges and allegations in Accusation No. 800-2021-082101. Respondent has also carefully read,  
18 fully discussed with his counsel, and understands the effects of this Stipulated Surrender of  
19 License and Disciplinary Order.

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

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

28     ///

1 **CULPABILITY**

2 9. Respondent understands and agrees that the charges and allegations in Accusation  
3 No. 800-2021-082101, if proven at hearing, constitute cause for imposing discipline upon his  
4 Physician's and Surgeon's Certificate and hereby surrenders his Physician's and Surgeon's  
5 Certificate No. C 30497.

6 10. For the purposes of resolving the Accusation without the expense and uncertainty of  
7 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual  
8 basis for the charges in the Accusation, and that those charges constitute cause for discipline.  
9 Respondent believes that he could present evidence disputing the factual basis for the charges in  
10 the Accusation, but he hereby gives up his right to contest that cause for discipline exists based on  
11 those charges as he has retired from the practice of medicine.

12 11. Respondent further agrees that if he ever petitions for reinstatement of his Physician's  
13 and Surgeon's Certificate No. C 30497, all of the charges and allegations contained in Accusation  
14 No. 800-2021-082101, shall be deemed true, correct, and fully admitted by Respondent for  
15 purposes of any such proceedings or any other licensing proceeding involving Respondent in the  
16 State of California or elsewhere.

17 12. Respondent understands that by signing this stipulation he enables the Executive  
18 Director of the Board to issue an order, on behalf of the Board, accepting the surrender of his  
19 Physician's and Surgeon's Certificate No. C 30497 without further process.

20 **CONTINGENCY**

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

24 14. This Stipulated Surrender of License and Disciplinary Order shall be subject to the  
25 approval of the Executive Director on behalf of the Board. The parties agree that this Stipulated  
26 Surrender of License and Disciplinary Order shall be submitted to the Executive Director for his  
27 consideration in the above-entitled matter and, further, that the Executive Director shall have a  
28 reasonable period of time in which to consider and act on this Stipulated Surrender of License and

1 Disciplinary Order after receiving it. By signing this stipulation, Respondent fully understands  
2 and agrees that he may not withdraw his agreement or seek to rescind this stipulation prior to the  
3 time the Executive Director, on behalf of the Board, considers and acts upon it.

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

#### 22 RESERVATION

23 16. The admissions made by Respondent herein are only for the purposes of this  
24 proceeding, or any other proceedings in which the Medical Board of California or other  
25 professional licensing agency is involved, and shall not be admissible in any other criminal or  
26 civil proceeding.

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1 five cents) prior to the issuance of a new or reinstated license.

2 **ACCEPTANCE**

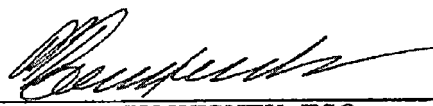
3 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
4 discussed it with my attorney, M. Bradley Wishek, Esq.. I understand the stipulation and the  
5 effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated  
6 Surrender of License and Disciplinary Order voluntarily, knowingly, and intelligently, and agree  
7 to be bound by the Decision and Order of the Medical Board of California.

8  
9 DATED: 1 - 11 - 2024

  
10 JUSTIN G. ENGLISH II, M.D.  
Respondent

11 I have read and fully discussed with Respondent Justin G. English II, M.D. the terms and  
12 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.  
13 I approve its form and content.

14 DATED: 1/12/2024

  
15 M. BRADLEY WISHEK, ESQ.  
Attorney for Respondent


16  
17 **ENDORSEMENT**

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

20 DATED: January 12, 2024

21 Respectfully submitted,

22 ROB BONTA  
Attorney General of California  
23 MICHAEL C. BRUMMEL  
Supervising Deputy Attorney General

24   
25 KALEV KASEORU  
26 Deputy Attorney General  
27 Attorneys for Complainant

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**Exhibit A**

**Accusation No. 800-2021-082101**

1 ROB BONTA  
Attorney General of California  
2 STEVE MUNI  
Supervising Deputy Attorney General  
3 KALEV KASEORU  
Deputy Attorney General  
4 State Bar No. 331645  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 210-7508  
Facsimile: (916) 327-2247  
7 E-mail: Kalev.Kaseoru@doj.ca.gov  
*Attorneys for Complainant*  
8

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11 **DEPARTMENT OF CONSUMER AFFAIRS**  
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13 In the Matter of the Accusation Against:

Case No. 800-2021-082101

14 **Justin G. English II, M.D.**  
15 **44108 Greenview Dr.**  
**El Macero, CA 95618-1077**

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

16 **Physician's and Surgeon's Certificate**  
17 **No. C 30497,**

Respondent.  
18  
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20

21 **PARTIES**

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

25 2. On or about September 5, 1968, the Medical Board issued Physician's and Surgeon's  
26 Certificate Number C 30497 to Justin G. English II, M.D. (Respondent). The Physician's and  
27 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought  
28 herein and will expire on September 30, 2023, unless renewed.

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1 " . . . "

2 7. Section 729 of the Code states:

3 "(a) Any physician and surgeon . . who engages in an act of sexual contact with a patient or  
4 client, or with a former patient or client. . is guilty of sexual exploitation by a physician and  
5 surgeon. . ."

6 8. Section 2228.1 of the Code provides that all licensees must provide a separate  
7 disclosure to all patients which includes probation status, the length of probation, the probation  
8 end date, all practice restrictions placed on the licensee by the Board, the Board's telephone  
9 number, and an explanation of how the patient can find further information if the licensee is  
10 placed on probation after final adjudication by the Board for the commission of any act of sexual  
11 abuse, misconduct or relations with a patient pursuant to section 726 and 729 of the Code.

12 **COST RECOVERY**

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

19 **FACTUAL ALLEGATIONS**

20 10. On or about September 30, 2021, the Board received a complaint from the Davis  
21 Police Department relaying that a patient had alleged an inappropriate touching during an exam  
22 with Respondent.

23 11. Patient A<sup>2</sup>, a 58-year old female, alleged that on or about September 5, 2021, she had  
24 seen Respondent at an Urgent Care facility in Davis, CA, for a suspected urinary tract infection.  
25 Patient A alleged that during the exam, Respondent unbuttoned her pants while she was laying on  
26 the exam table and slipped his ungloved hand on her pubic area underneath her underwear.

27 \_\_\_\_\_  
28 <sup>2</sup> Patient names are omitted to protect privacy. They are known to Respondent and will be  
provided in discovery.

1 Patient A alleged that Respondent had not asked for her consent prior to unbuttoning her pants  
2 and reaching in with his hand, nor had he explained what he was going to do before examining  
3 her. There was no one else in the exam room with Patient A and Respondent during the  
4 examination.

5 12. Patient A filed a police report with the Davis Police Department.

6 13. During the course of the Board's investigation into Patient A's allegation, the  
7 investigator discovered a prior allegation against Respondent for an alleged inappropriate  
8 touching occurring in 2018.

9 14. On or about September 6, 2018, Patient B, a 22-year old female, was seen by  
10 Respondent at Davis Urgent Care for a reported sore and swollen throat. Patient B alleged that  
11 during the examination Respondent:

12 A. Commented upon and touched piercings in Patient B's ear;

13 B. Commented upon and touched a piercing in Patient B's nose;

14 C. Pulled down Patient B's shirt to expose Patient B's dermal piercings on her  
15 sternum/chest, touched the piercings, and exposed the top of her breasts, while commenting upon  
16 Patient B's dermal piercing(s).

17 15. Patient B filed a police report with the Davis Police Department.

18 **FIRST CAUSE FOR DISCIPLINE**

19 **(Unprofessional Conduct: Sexual Misconduct/Sexual Exploitation, Gross Negligence,**  
20 **Repeated Negligent Acts)**

21 16. Respondent Justin G. English, M.D. is subject to disciplinary action under section  
22 2234 (unprofessional conduct/gross negligence/repeated negligent acts) and/or section 726  
23 (sexual misconduct) and/or section 729 (sexual exploitation) of the Code in that he engaged in  
24 Sexual Misconduct and/or Sexual Exploitation of Patient B as described in paragraph 14 above,  
25 including, but not limited to, the following:

26 A. Respondent manipulated the piercings in Patient B's ear, nose, and chest (dermal);

27 B. Respondent made inappropriate comments regarding Patient B's piercings;

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1 C. Respondent pulled down Patient B's shirt partially exposing her breasts and  
2 manipulated her dermal piercing(s).

3 **SECOND CAUSE FOR DISCIPLINE**

4 **(Unprofessional Conduct: Sexual Misconduct/Sexual Exploitation, Repeated Negligent**  
5 **Acts)**

6 17. Respondent Justin G. English, M.D. is subject to disciplinary action under section  
7 2234 (unprofessional conduct//repeated negligent acts) and/or section 726 (sexual misconduct)  
8 and/or section 729 (sexual exploitation) of the Code in that he engaged in Sexual Misconduct  
9 and/or Sexual Exploitation of Patient A as described in paragraph 11 above, including, but not  
10 limited to, the following:

11 A. Respondent failed to explain his intended examination of Patient A's pubic region  
12 before unbuttoning her pants and examining her;

13 B. Respondent touched her pubic area without consent.

14 **THIRD CAUSE FOR DISCIPLINE**

15 **(Unprofessional Conduct)**

16 18. Respondent is further subject to disciplinary action under sections 2227 and 2234, as  
17 defined by section 2234, of the Code, in that he has engaged in conduct which breaches the rules  
18 or ethical code of the medical profession, or conduct which is unbecoming a member in good  
19 standing of the medical profession, and which demonstrates an unfitness to practice medicine, as  
20 more particularly alleged in paragraphs 11 through 17, above, which are hereby incorporated by  
21 reference and realleged as if fully set forth herein.

22 19. Respondent failed to provide sufficient informed consent to Patient A prior to  
23 conducting a physical exam of her pubic area:

24 A. Respondent failed to communicate to and inform Patient A he was going to examine  
25 her pubic area;

26 B. Respondent failed to communicate to and inform Patient A that he was going to  
27 unbutton her pants.

28 ///

1 C. Respondent failed to obtain consent from Patient A to unbutton her pants and to  
2 examine her pubic area.

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 C 30497,  
7 issued to Justin G. English II, M.D.;

8 2. Revoking, suspending or denying approval of Justin G. English II, M.D.'s authority to  
9 supervise physician assistants and advanced practice nurses;

10 3. Ordering Justin G. English II, M.D., to pay the Board the costs of the investigation and  
11 enforcement of this case, and if placed on probation, the costs of probation monitoring;

12 4. Ordering Respondent Justin G. English II, M.D., if placed on probation, to provide  
13 patient notification in accordance with Business and Professions Code section 2228.1; and

14 5. Taking such other and further action as deemed necessary and proper.

15  
16 DATED: JUN 23 2023

Jenna Jona For

17 REJI VARGHESE  
18 Interim Executive Director  
19 Medical Board of California  
20 Department of Consumer Affairs  
21 State of California  
22 Complainant

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