

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

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

**Howard Bradley Salvay, M.D.**

**Physician's and Surgeon's  
Certificate No. G 34434**

**Case No.: 800-2020-069636**

**Respondent.**

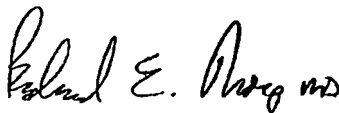
**DECISION**

**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 November 27, 2024.**

**IT IS SO ORDERED: October 31, 2024.**

**MEDICAL BOARD OF CALIFORNIA**



**Richard E. Thorp, Chair  
Panel B**

1 ROB BONTA  
Attorney General of California  
2 GREG W. CHAMBERS  
Supervising Deputy Attorney General  
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6 *Attorneys for Complainant*

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

11 In the Matter of the First Amended Accusation  
Against:

12 **HOWARD BRADLEY SALVAY, M.D.**  
13 **3600 CHARDONNAY RD**  
**SOQUEL, CA 95073-9743**

14 **Physician's and Surgeon's Certificate No.**  
15 **G 34434**

16 Respondent.

Case No. 800-2020-069636

OAH No. 2024020193

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

17  
18 In the interest of a prompt and speedy settlement of this matter, consistent with the public  
19 interest and the responsibility of the Medical Board of California of the Department of Consumer  
20 Affairs, the parties hereby agree to the following Stipulated Settlement and Disciplinary Order  
21 which will be submitted to the Board for approval and adoption as the final disposition of the  
22 Accusation.

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 Greg W. Chambers,  
27 Supervising Deputy Attorney General.  
28

2. Respondent Howard Bradley Salvay, M.D. (Respondent) is represented in this proceeding by attorney Raymond J. McMahon, Esq., whose address is: 5440 Trabuco Road Irvine, CA 92620.

3. On or about June 25, 1977, the Board issued Physician's and Surgeon's Certificate No. G 34434 to Respondent. The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in First Amended Accusation No. 800-2020-069636, and will expire on May 31, 2025, unless renewed.

## JURISDICTION

4. First Amended Accusation No. 800-2020-069636 was filed before the Board, and is currently pending against Respondent. The First Amended Accusation and all other statutorily required documents were properly served on Respondent on July 6, 2023. Respondent timely filed his Notice of Defense contesting the First Amended Accusation.

5. A copy of First Amended Accusation No. 800-2020-069636 is attached as exhibit A and incorporated herein by reference.

## ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in First Amended Accusation No. 800-2020-069636. Respondent has also carefully read, fully discussed with his counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the First Amended 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.

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

1 **CULPABILITY**

2 9. Respondent admits the truth of paragraph 9 in the First Amended Accusation 800-  
3 2020-069636. Respondent understands and agrees that the charges and remaining allegations in  
4 First Amended Accusation No. 800-2020-069636, if proven at a hearing, constitute cause for  
5 imposing discipline upon his Physician's and Surgeon's Certificate.

6 10. Respondent agrees that, at a hearing, Complainant could establish a prima facie case  
7 or factual basis for the charges in the First Amended Accusation, and that Respondent hereby  
8 gives up his right to contest those charges.

9 11. Respondent does not contest that, at an administrative hearing, complainant could  
10 establish a prima facie case with respect to the charges and allegations in First Amended  
11 Accusation No. 800-2020-069636, a true and correct copy of which is attached hereto as Exhibit  
12 A, and that he has thereby subjected his Physician's and Surgeon's Certificate, No. G 34434 to  
13 disciplinary action.

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

17 **CONTINGENCY**

18 13. This stipulation shall be subject to approval by the Medical Board of California.  
19 Respondent understands and agrees that counsel for Complainant and the staff of the Medical  
20 Board of California may communicate directly with the Board regarding this stipulation and  
21 settlement, without notice to or participation by Respondent or his counsel. By signing the  
22 stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek  
23 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails  
24 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary  
25 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal  
26 action between the parties, and the Board shall not be disqualified from further action by having  
27 considered this matter.  
28

14. This Stipulated Settlement and Disciplinary Order is intended by the parties herein to be an integrated writing representing the complete, final and exclusive embodiment of the agreement of the parties in this above-entitled matter.

15. Respondent agrees that if he ever petitions for early termination or modification of probation, or if an accusation and/or petition to revoke probation is filed against him before the Board, all of the charges and allegations contained in First Amended Accusation No. 800-2020-069636 shall be deemed true, correct and fully admitted by respondent for purposes of any such proceeding or any other licensing proceeding involving Respondent in the State of California.

16. 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.

17. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or opportunity to be heard by the Respondent, issue and enter the following Disciplinary Order:

## DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 34434 issued to Respondent HOWARD BRADLEY SALVAY, M.D. is revoked. However, the revocation is stayed and Respondent is placed on probation for three (3) years on the following terms and conditions:

1. EDUCATION COURSE. Within 60 calendar days of the effective date of this Decision, and on an annual basis thereafter, Respondent shall submit to the Board or its designee for its prior approval educational program(s) or course(s) which shall not be less than 40 hours per year, for each year of probation. The educational program(s) or course(s) shall be aimed at correcting any areas of deficient practice or knowledge and shall be Category I certified. The educational program(s) or course(s) shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure. Following the completion of each course, the Board or its designee may administer an examination to test Respondent's knowledge of the course. Respondent shall provide proof of attendance for 65

1 hours of CME of which 40 hours were in satisfaction of this condition.

2 2. MEDICAL RECORD KEEPING COURSE. Within 60 calendar days of the effective  
3 date of this Decision, Respondent shall enroll in a course in medical record keeping approved in  
4 advance by the Board or its designee. Respondent shall provide the approved course provider  
5 with any information and documents that the approved course provider may deem pertinent.  
6 Respondent shall participate in and successfully complete the classroom component of the course  
7 not later than six (6) months after Respondent's initial enrollment. Respondent shall successfully  
8 complete any other component of the course within one (1) year of enrollment. The medical  
9 record keeping course shall be at Respondent's expense and shall be in addition to the Continuing  
10 Medical Education (CME) requirements for renewal of licensure.

11 A medical record keeping course taken after the acts that gave rise to the charges in the  
12 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board  
13 or its designee, be accepted towards the fulfillment of this condition if the course would have  
14 been approved by the Board or its designee had the course been taken after the effective date of  
15 this Decision.

16 Respondent shall submit a certification of successful completion to the Board or its  
17 designee not later than 15 calendar days after successfully completing the course, or not later than  
18 15 calendar days after the effective date of the Decision, whichever is later.

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

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

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

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

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

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

21      6.    INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby  
22      ordered to reimburse the Board its costs of investigation and enforcement, including, but not  
23      limited to, expert review, amended accusations, legal reviews, investigation(s), and subpoena  
24      enforcement, as applicable, in the amount of \$15,286.60 (Fifteen thousand two hundred eighty-  
25      six dollars and 60 cents). Costs shall be payable to the Medical Board of California. Failure to  
26      pay such costs shall be considered a violation of probation.

27      Payment must be made in full within 30 calendar days of the effective date of the  
28      Order, or by a payment plan approved by the Medical Board of California. Any and all

1 requests for a payment plan shall be submitted in writing by respondent to the Board.

2 Failure to comply with the payment plan shall be considered a violation of probation.

3 The filing of bankruptcy by respondent shall not relieve respondent of the responsibility to  
4 repay investigation and enforcement costs, including expert review costs.

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

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

10 8. GENERAL PROBATION REQUIREMENTS.

11 Compliance with Probation Unit Respondent shall comply with the Board's probation unit.  
12 Address Changes Respondent shall, at all times, keep the Board informed of Respondent's  
13 business and residence addresses, email address (if available), and telephone number. Changes of  
14 such addresses shall be immediately communicated in writing to the Board or its designee. Under  
15 no circumstances shall a post office box serve as an address of record, except as allowed by  
16 Business and Professions Code section 2021, subdivision (b).

17 Place of Practice

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

21 License Renewal

22 Respondent shall maintain a current and renewed California physician's and surgeon's  
23 license.

24 Travel or Residence Outside California

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

28 In the event Respondent should leave the State of California to reside or to practice



Respondent shall notify the Board or its designee in writing 30 calendar days prior to the dates of departure and return.

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

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

In the event Respondent's period of non-practice while on probation exceeds 18 calendar months, Respondent shall successfully complete the Federation of State Medical Boards's Special Purpose Examination, or, at the Board's discretion, a clinical competence assessment program that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine. Respondent's period of non-practice while on probation shall not exceed two (2) years. Periods of non-practice will not apply to the reduction of the probationary term.

Periods of non-practice for a Respondent residing outside of California will relieve Respondent of the responsibility to comply with the probationary terms and conditions with the

1 exception of this condition and the following terms and conditions of probation: Obey All Laws;  
2 General Probation Requirements; Quarterly Declarations; Abstain from the Use of Alcohol and/or  
3 Controlled Substances; and Biological Fluid Testing.

4 11. COMPLETION OF PROBATION. Respondent shall comply with all financial  
5 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the  
6 completion of probation. This term does not include cost recovery, which is due within 30  
7 calendar days of the effective date of the Order, or by a payment plan approved by the Medical  
8 Board and timely satisfied. Upon successful completion of probation, Respondent's certificate  
9 shall be fully restored.

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

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

27 14. PROBATION MONITORING COSTS. Respondent shall pay the costs associated  
28 with probation monitoring each and every year of probation, as designated by the Board, which

1 may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of  
2 California and delivered to the Board or its designee no later than January 31 of each calendar  
3 year.


4 15. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for  
5 a new license or certification, or petition for reinstatement of a license, by any other health care  
6 licensing action agency in the State of California, all of the charges and allegations contained in  
7 Accusation No. 800-2020-069636 shall be deemed to be true, correct, and admitted by  
8 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or  
9 restrict license.

10 ACCEPTANCE

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

16  
17 DATED:


10/4/24

  
HOWARD BRADLEY SALVAY, M.D.  
Respondent

18  
19  
20 I have read and fully discussed with Respondent Howard Bradley Salvay, M.D. the terms  
21 and conditions and other matters contained in the above Stipulated Settlement and Disciplinary  
22 Order. I approve its form and content.

23  
24 DATED:

October 3, 2024

  
RAYMOND J. MCMAHON, ESQ.  
Attorney for Respondent

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**ENDORSEMENT**

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

DATED: 10/3/2024

Respectfully submitted,

ROB BONTA  
Attorney General of California

*GREG W. Chambers*

GREG W. CHAMBERS  
Supervising Deputy Attorney General  
*Attorneys for Complainant*

**Exhibit A**

**First Amended Accusation No. 800-2020-069636**

1 ROB BONTA  
Attorney General of California  
2 GREG W. CHAMBERS  
Supervising Deputy Attorney General  
3 State Bar No. 237509  
4 455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004  
Telephone: (415) 510-3495  
5 Facsimile: (415) 703-5480  
*Attorneys for Complainant*  
6

7 **BEFORE THE**  
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10 **STATE OF CALIFORNIA**

11 In the Matter of the First Amended Accusation  
Against:

Case No. 800-2020-069636

12 **HOWARD BRADLEY SALVAY, M.D.**  
13 **3600 CHARDONNAY RD.**  
14 **SOQUEL, CA 95073-9743**

**FIRST AMENDED ACCUSATION**

15 **Physician's and Surgeon's Certificate**  
16 **No. G 34434,**

Respondent.

17  
18 **PARTIES**

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

22 2. On or about June 25, 1977, the Medical Board issued Physician's and Surgeon's  
23 Certificate Number G 34434 to Howard Bradley Salvay, M.D. (Respondent). The Physician's  
24 and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought  
25 herein and will expire on May 31, 2025, unless renewed.

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## JURISDICTION

3. This First Amended 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 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.

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

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

5. Section 2234 of the Code states:

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

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

(b) Gross negligence.

(c) Repeated negligent acts. To be repeated, there must be two or more negligent acts or omissions. An initial negligent act or omission followed by a separate and distinct departure from the applicable standard of care shall constitute repeated negligent acts.

(1) An initial negligent diagnosis followed by an act or omission medically

appropriate for that negligent diagnosis of the patient shall constitute a single negligent act.

(2) When the standard of care requires a change in the diagnosis, act, or omission that constitutes the negligent act described in paragraph (1), including, but not limited to, a reevaluation of the diagnosis or a change in treatment, and the licensee's conduct departs from the applicable standard of care, each departure constitutes a separate and distinct breach of the standard of care.

(d) Incompetence.

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

(f) Any action or conduct that would have warranted the denial of a certificate.

(g) The failure by a certificate holder, in the absence of good cause, to attend and participate in an interview by the board. This subdivision shall only apply to a certificate holder who is the subject of an investigation by the board.

6. Section 2266 of the Code provides that the failure of a physician and surgeon to maintain adequate and accurate records relating to the provision of services to their patients constitutes unprofessional conduct.

7. All the events alleged in this First Amended Accusation took place in California.

#### **COST RECOVERY**

8. 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.

#### **FACTUAL ALLEGATIONS**

9. On June 30, 2020, Respondent saw Patient 1 in an office setting for a sonohysterogram in light of infertility concerns.<sup>1</sup> Patient 1 was in stirrups and naked from the waist down, with a drape, in preparation for the procedure. Respondent did not put on gloves

<sup>1</sup> "Patient 1" and "Patient 2" are used to protect privacy. A sonohysterogram (or saline infusion sonogram) is a procedure to look at the inside of the uterus and at the functioning of the fallopian tubes. Sound waves are used to create images of the uterus. For the procedure, a speculum is placed in the vagina and a small catheter is placed through the cervix into the lower uterine segment.



1 when he entered the examination room. Respondent placed a speculum in Patient 1's vagina  
2 without wearing gloves.

3 10. On July 2, 2020, Respondent saw Patient 2 in an office setting for an ultrasound and  
4 insertion of an intrauterine device (IUD).<sup>2</sup> Respondent did not wear gloves during the IUD  
5 placement procedure for Patient 2. To perform the IUD procedure, Respondent inserted a  
6 speculum into Patient 2's vagina to hold it open for the placement of the IUD. He did not wear  
7 gloves during the placement of the speculum in Patient 2's vagina.

8 11. After the IUD insertion, Patient 2 bled. Managing Patient 2's bleeding required  
9 several mitigation measures. However, Respondent did not document in Patient 2's medical  
10 record from July 2, 2020 Patient 2's bleeding, or any other mitigation efforts to manage Patient  
11 2's bleeding.

12 **FIRST CAUSE FOR DISCIPLINE**

13 **(Unprofessional Conduct/ Gross Negligence – Patient 1)**

14 12. Paragraph 9 is hereby incorporated by reference as if fully stated herein. Respondent  
15 has subjected his physician's and surgeon's certificate to discipline under Business and  
16 Professions Code sections 2234 and/or 2234(b).

17 **SECOND CAUSE FOR DISCIPLINE**

18 **(Unprofessional Conduct/ Gross Negligence – Patient 2)**

19 13. Paragraph 10 is hereby incorporated by reference as if fully stated herein. Respondent  
20 has subjected his physician's and surgeon's certificate to discipline under Business and  
21 Professions Code sections 2234 and/or 2234(b).

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28 <sup>2</sup> Intrauterine devices (IUDs) are small contraceptive devices that are inserted into the  
uterus to prevent pregnancy.

1 **THIRD CAUSE FOR DISCIPLINE**  
2 **(Unprofessional Conduct/ Gross Negligence/ Failure to Maintain Adequate and Accurate**  
3 **Records – Patient 2)**

4 14. Paragraphs 10 and 11 are hereby incorporated by reference as if fully stated herein.  
5 Respondent has subjected his physician's and surgeon's certificate to discipline under Business  
6 and Professions Code sections 2234 and/or 2234(b), and 2266.

7 **PRAYER**

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

10 1. Revoking or suspending Physician's and Surgeon's Certificate Number G 34434,  
11 issued to Respondent Howard Bradley Salvay, M.D.;

12 2. Revoking, suspending or denying approval of Respondent Howard Bradley Salvay,  
13 M.D.'s authority to supervise physician assistants and advanced practice nurses;

14 3. Ordering Respondent Howard Bradley Salvay, M.D., to pay the Board the costs of the  
15 investigation and enforcement of this case, and if placed on probation, the costs of probation  
16 monitoring;

17 4. Taking such other and further action as deemed necessary and proper.

18 DATED: OCT 04 2024

19 JENNA JONES FOR  
20 REJI VARGHESE  
21 Executive Director  
22 Medical Board of California  
23 Department of Consumer Affairs  
24 State of California  
25 Complainant  
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