

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

In the Matter of the Accusation Against:

Allan Christopher Churukian, M.D.

Physician's & Surgeon's
Certificate No. A 76015

Respondent.

Case No. 800-2021-083259

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 April 2, 2025.

IT IS SO ORDERED: March 3, 2025.

MEDICAL BOARD OF CALIFORNIA

Michelle A. Bholat, MD

Michelle A. Bholat, M.D. Chair
Panel A

1 ROB BONTA
2 Attorney General of California
3 ALEXANDRA M. ALVAREZ
4 Supervising Deputy Attorney General
5 ROBERT W. LINCOLN
6 Deputy Attorney General
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BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 800-2021-083259

ALLAN CHRISTOPHER CHURUKIAN, M.D.
36458 Inland Valley Dr.
Wildomar, CA 92595-9681

OAH No. 2024050364

Physician's and Surgeon's Certificate No.
A 76015

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

Respondent.

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

PARTIES

1. Reji Varghese (Complainant) is the Executive Director of the Medical Board of California (Board). He brought this action solely in his official capacity and is represented in this matter by Rob Bonta, Attorney General of the State of California, by Robert W. Lincoln, Deputy Attorney General.

2. Respondent Allan Christopher Churukian, 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 August 1, 2001, the Board issued Physician's and Surgeon's Certificate No. A 76015 to Allan Christopher Churukian, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2021-083259, and will expire on October 31, 2026, unless renewed.

JURISDICTION

4. Accusation No. 800-2021-083259 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on January 4, 2024. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2021-083259 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 Accusation No. 800-2021-083259. 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 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.

CULPABILITY

9. Respondent understands and agrees that the charges and allegations in Accusation No. 800-2021-083259, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate.

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

11. Respondent does not contest that, at an administrative hearing, complainant could establish a prima facie case with respect to the charges and allegations in Accusation No. 800-2021-083259, a true and correct copy of which is attached hereto as Exhibit A, and that he has thereby subjected his Physician's and Surgeon's Certificate, No. A 76015 to disciplinary action.

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

CONTINGENCY

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

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. 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.

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16. 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. A 76015 issued to Respondent ALLAN CHRISTOPHER CHURUKIAN, M.D., is publicly reprimanded and subject to the following terms and conditions:

1. PUBLIC REPRIMAND.

2. On or about May 15, 2018, you failed to adequately manage and document your care and treatment of Patient A, in violation of California Business and Professions Code sections 2234, subdivision (c), and 2266, as more fully described in Accusation No. 800-2021-083259, a true and copy of which is attached hereto as Exhibit A and incorporated by reference as if fully set forth herein.

3. EDUCATION COURSE. Within 60 calendar days of the effective date of this Decision, 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 10 hours. The education 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 the course(s), the Board or its designee may administer an examination to test Respondent's knowledge of the course. Respondent shall provide proof of attendance for 35 hours of CME, of which 10 hours were in satisfaction of this condition.

4. MEDICAL RECORD KEEPING COURSE. Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in a course in medical record keeping approved in advance by the Board or its designee. Respondent shall provide the approved course provider with any information and documents that the approved course provider may deem pertinent. Respondent shall participate in and successfully complete the classroom component of the course not later than six (6) months after Respondent's initial enrollment. Respondent shall successfully

1 complete any other component of the course within one (1) year of enrollment. The medical
2 record keeping course shall be at Respondent's expense and shall be in addition to the Continuing
3 Medical Education (CME) requirements for renewal of licensure.

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

9 Respondent shall submit a certification of successful completion to the Board or its
10 designee not later than 15 calendar days after successfully completing the course, or not later than
11 15 calendar days after the effective date of the Decision, whichever is later.

12 5. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby
13 ordered to reimburse the Board its costs of investigation and enforcement, including, but not
14 limited to, expert review, amended accusations, legal reviews, investigation(s), and subpoena
15 enforcement, as applicable, in the amount of \$31,056.60 (thirty-one thousand fifty-six dollars and
16 sixty cents). Costs shall be payable to the Medical Board of California. Failure to pay such costs
17 shall be considered a violation of settlement.

18 Payment must be made in full within 30 calendar days of the effective date of the Order, or
19 by a payment plan approved by the Medical Board of California. Any and all requests for a
20 payment plan shall be submitted in writing by respondent to the Board. Failure to comply with
21 the payment plan shall be considered a violation of settlement.

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

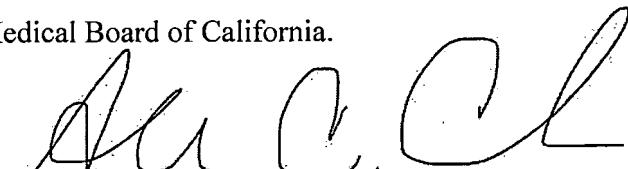
24 6. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for
25 a new license or certification, or petition for reinstatement of a license, by any other health care
26 licensing action agency in the State of California, all of the charges and allegations contained in
27 Accusation No. 800-2021-083259 shall be deemed to be true, correct, and admitted by
28 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or

1 restrict license.

2 **ACCEPTANCE**

3 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
4 discussed it with my attorney, Raymond J. McMahon, 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 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be
7 bound by the Decision and Order of the Medical Board of California.

8 DATED: 12/9/2024

9 
10 ALLAN CHRISTOPHER CHURUKIAN, M.D.
Respondent

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

14 DATED: 12/9/2024

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16 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: 12/19/2024

Respectfully submitted,

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

/s. Robert W. Lincoln

ROBERT W. LINCOLN
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2021-083259

1 RÖB BONTA
2 Attorney General of California
3 ALEXANDRA M. ALVAREZ
4 Supervising Deputy Attorney General
5 ROBERT W. LINCOLN
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BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: Case No. 800-2021-083259
Allan Christopher Churukian, M.D. ACCUSATION
36458 Inland Valley Drive
Wildomar, CA 92595-9681
Physician's and Surgeon's Certificate
No. A 76015,
Respondent.

PARTIES

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

2. On or about August 1, 2001, the Medical Board issued Physician's and Surgeon's Certificate No. A 76015 to Allan Christopher Churukian, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on October 31, 2024, 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 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.

STATUTORY PROVISIONS

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

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.

(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.

6. Section 2266 of the Code states: 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.

COST RECOVERY

7. 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

8. At the time of treatment by Respondent, Patient A¹ was a 77-year-old male. On or about May 15, 2018, Patient A presented to the Inland Valley Medical Center (IVMC) via Emergency Medical Services (EMS). Patient A's chief complaint was of a motor vehicle accident (MVA) with neck pain, headache and an episode of generalized weakness associated with stool incontinence.

9. On or about May 15, 2018, Patient A was traveling on the freeway when he was rear ended by another car. Patient A was restrained by a seat belt while driving; there was little damage to Patient A's vehicle. There was no airbag deployment during Patient A's accident and Patient A was able to drive the vehicle home.

¹ The patient's name is redacted herein for privacy.

1 10. During Respondent's treatment of Patient A, he noted that Patient A had a history of
2 diabetes and coronary artery disease (CAD). Respondent noted that thirty (30) minutes after the
3 accident when Patient A was home, he developed right sided head and neck pain and became very
4 weak. Patient A was unable to get up from his chair and to reach the bathroom and became
5 incontinent of stool. Patient A then called EMS and was transported to IVMC.

6 11. Respondent's diagnosis of Patient A stated that Patient A had cervical strain,
7 generalized weakness, hypoglycemia, MVA, and muscle tension headache. Respondent's advice
8 to Patient A was to take Tylenol as needed, have regular caloric intake and follow-up with his
9 primary care provider in 3-5 days if Patient A was not improving. Respondent stated Patient A
10 was stable for discharge without a medical emergency identified.

11 12. On or about May 17, 2018, Patient A returned to the ED with additional symptoms
12 and complaints. A computed tomography (CT) scan showed Patient A had multiple subdural
13 hematomas and Patient A was taken off Plavix² and aspirin. Patient A was admitted to the
14 hospital and discharged on May 25, 2018, with extensive brain bleeds.

15 13. Respondent was negligent in his care and treatment of Patient A, which included, but
16 was not limited to, the following:

17 14. By failing to obtain a head CT on an elderly patient who was taking an anti-platelet
18 medication and presented to the ED with a headache and an episode of generalized weakness
19 following a MVA.

20 15. By failing to obtain a medication history in a diabetic patient on an anti-platelet
21 medication who presented to the ED with an episode of weakness following an MVA.

22 16. By failing to obtain a "road test"³ prior to discharging a patient home following an
23 episode of generalized weakness and inability to ambulate.

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27 ² Plavix, also known as Clopidogrel, is an antiplatelet drug that helps prevent blood clots.

28 ³ Road test is a screening neurological exam. The "road test" is a comprehensive test, testing a patient's strength, proprioception, coordination, and balance.

FIRST CAUSE FOR DISCIPLINE

(Repeated Negligent Acts)

3 17. Respondent has subjected his Physician's and Surgeon's Certificate No. A 76015
4 to disciplinary action under section 2227 and 2234, as defined by section 2234, subdivision (c), of
5 the Code, in that Respondent committed two or more acts of negligence in his care and treatment
6 of Patient A. The circumstances are alleged in paragraphs 8 to 16, above, are alleged and
7 incorporated herein by reference as if fully set forth.

SECOND CAUSE FOR DISCIPLINE

(Failure to Maintain Adequate or Accurate Records)

10 18. Respondent has further subjected his Physician's and Surgeon's Certificate No.
11 A 76015 to disciplinary action under 2227 and 2234, as defined by section 2266, of the Code, in
12 that Respondent failed to maintain adequate and accurate records regarding his care and treatment
13 of Patient A, as more particularly alleged in paragraphs 8 through 17, above, which are hereby
14 incorporated by reference and set forth herein.

THIRD CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

17 19. Respondent has further subjected his Physician's and Surgeon's Certificate No.
18 A 76015 to disciplinary action under sections 2227 and 2234 of the Code, in that he has engaged
19 in conduct which breaches the rules or ethical code of the medical profession, and which
20 demonstrates an unfitness to practice medicine, as more particularly alleged in paragraphs 8
21 through 18, above, which are hereby incorporated by reference and set forth herein,

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PRAYER

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

1. Revoking or suspending Physician's and Surgeon's Certificate No. A 76015, issued to Respondent Allan Christopher Churukian, M.D.;
2. Revoking, suspending or denying approval of Respondent Allan Christopher Churukian, M.D.'s authority to supervise physician assistants and advanced practice nurses;
3. Ordering Respondent Allan Christopher Churukian, M.D., to pay the Board the costs of the investigation and enforcement of this case, and if placed on probation, the costs of probation monitoring; and
4. Taking such other and further action as deemed necessary and proper.

DATED: JAN 04 2024

JENNA Jones Ron

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

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