

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

In the Matter of the Accusation  
Against:

Ikechukwu Obika Arene, M.D.

Physician's and Surgeon's  
Certificate No. C 51962

Case No.: 800-2021-084594

**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 April 4, 2025.

IT IS SO ORDERED: March 6, 2025.

MEDICAL BOARD OF CALIFORNIA

*Michelle A. Bholat, MD*

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

1 ROB BONTA  
2 Attorney General of California  
3 STEVE DIEHL  
4 Supervising Deputy Attorney General  
5 KALEV KASEORU  
6 Deputy Attorney General  
7 State Bar No. 331645  
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14 *Attorneys for Complainant*

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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. 800-2021-084594

**IKECHUKWU OBIKA ARENE, M.D.  
11325 Park Square Dr, Apt K202  
Bakersfield, CA 93311-8846**

OAH No. 2024070700

**Physician's and Surgeon's Certificate  
No. C 51962**

**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 Kalev Kaseoru, Deputy Attorney General.

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2. Respondent Ikechukwu Obika Arene, M.D. (Respondent) is represented in this proceeding by attorneys Fred Ray Esq., and Lindsay M. Johnson, Esq., whose address is: 4100 Newport Place, Suite 670, Newport Beach, CA 92660-2463.

3. On or about June 3, 2005, the Board issued Physician's and Surgeon's Certificate No. C 51962 to Ikechukwu Obika Arene, 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. 800-2021-084594, and will expire on March 31, 2025, unless renewed.

## **JURISDICTION**

4. Accusation No. 800-2021-084594 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 February 29, 2024. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2021-084594 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. 800-2021-084594. 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.

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## CULPABILITY

9. Respondent understands and agrees that the charges and allegations in Accusation No. 800-2021-084594, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate.

10. 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. 800-2021-084594, 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. C 51962 to disciplinary action. Respondent hereby gives up his right to contest those charges.

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

## CONTINGENCY

12. 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.

13. 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.

14. 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

1 Board, all of the charges and allegations contained in Accusation No. 800-2021-084594 shall be  
2 deemed true, correct and fully admitted by respondent for purposes of any such proceeding or any  
3 other licensing proceeding involving Respondent in the State of California.

4 15. The parties understand and agree that Portable Document Format (PDF) and facsimile  
5 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile  
6 signatures thereto, shall have the same force and effect as the originals.

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

10 **DISCIPLINARY ORDER**

11 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. C 51962 issued  
12 to Respondent IKECHUKWU OBIKA ARENE, M.D. is revoked. However, the revocation is  
13 stayed and Respondent is placed on probation for three (3) years on the following terms and  
14 conditions:

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

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

1        Respondent shall submit a certification of successful completion to the Board or its  
2        designee not later than 15 calendar days after successfully completing the course, or not later than  
3        15 calendar days after the effective date of the Decision, whichever is later.

4        2. PROFESSIONALISM PROGRAM (ETHICS COURSE). Within 60 calendar days of  
5        the effective date of this Decision, Respondent shall enroll in a professionalism program, that  
6        meets the requirements of Title 16, California Code of Regulations (CCR) section 1358.1.  
7        Respondent shall participate in and successfully complete that program. Respondent shall  
8        provide any information and documents that the program may deem pertinent. Respondent shall  
9        successfully complete the classroom component of the program not later than six (6) months after  
10      Respondent's initial enrollment, and the longitudinal component of the program not later than the  
11      time specified by the program, but no later than one (1) year after attending the classroom  
12      component. The professionalism program shall be at Respondent's expense and shall be in  
13      addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

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

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

22        3. CLINICAL COMPETENCE ASSESSMENT PROGRAM. Within 60 calendar days  
23        of the effective date of this Decision, Respondent shall enroll in a clinical competence assessment  
24        program approved in advance by the Board or its designee. Respondent shall successfully  
25        complete the program not later than six (6) months after Respondent's initial enrollment unless  
26        the Board or its designee agrees in writing to an extension of that time.

27        The program shall consist of a comprehensive assessment of Respondent's physical and  
28        mental health and the six general domains of clinical competence as defined by the Accreditation

1      Council on Graduate Medical Education and American Board of Medical Specialties pertaining to  
2      Respondent's current or intended area of practice. The program shall take into account data  
3      obtained from the pre-assessment, self-report forms and interview, and the Decision(s),  
4      Accusation(s), and any other information that the Board or its designee deems relevant. The  
5      program shall require Respondent's on-site participation as determined by the program for the  
6      assessment and clinical education and evaluation. Respondent shall pay all expenses associated  
7      with the clinical competence assessment program.

8              At the end of the evaluation, the program will submit a report to the Board or its designee  
9      which unequivocally states whether the Respondent has demonstrated the ability to practice  
10     safely and independently. Based on Respondent's performance on the clinical competence  
11     assessment, the program will advise the Board or its designee of its recommendation(s) for the  
12     scope and length of any additional educational or clinical training, evaluation or treatment for any  
13     medical condition or psychological condition, or anything else affecting Respondent's practice of  
14     medicine. Respondent shall comply with the program's recommendations.

15              Determination as to whether Respondent successfully completed the clinical competence  
16     assessment program is solely within the program's jurisdiction.

17              If Respondent fails to enroll, participate in, or successfully complete the clinical  
18     competence assessment program within the designated time period, Respondent shall receive a  
19     notification from the Board or its designee to cease the practice of medicine within three (3)  
20     calendar days after being so notified. The Respondent shall not resume the practice of medicine  
21     until enrollment or participation in the outstanding portions of the clinical competence assessment  
22     program have been completed. If the Respondent did not successfully complete the clinical  
23     competence assessment program, the Respondent shall not resume the practice of medicine until a  
24     final decision has been rendered on the accusation and/or a petition to revoke probation. The  
25     cessation of practice shall not apply to the reduction of the probationary time period.

26              4. **SOLO PRACTICE PROHIBITION.** Respondent is prohibited from engaging in the  
27     solo practice of medicine. Prohibited solo practice includes, but is not limited to, a practice  
28     where: 1) Respondent merely shares office space with another physician but is not affiliated for

1 purposes of providing patient care, or 2) Respondent is the sole physician practitioner at that  
2 location.

3 If Respondent fails to establish a practice with another physician or secure employment in  
4 an appropriate practice setting within 60 calendar days of the effective date of this Decision,  
5 Respondent shall receive a notification from the Board or its designee to cease the practice of  
6 medicine within three (3) calendar days after being so notified. The Respondent shall not resume  
7 practice until an appropriate practice setting is established.

8 If, during the course of the probation, the Respondent's practice setting changes and the  
9 Respondent is no longer practicing in a setting in compliance with this Decision, the Respondent  
10 shall notify the Board or its designee within five (5) calendar days of the practice setting change.  
11 If Respondent fails to establish a practice with another physician or secure employment in an  
12 appropriate practice setting within 60 calendar days of the practice setting change, Respondent  
13 shall receive a notification from the Board or its designee to cease the practice of medicine within  
14 three (3) calendar days after being so notified. The Respondent shall not resume practice until an  
15 appropriate practice setting is established.

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

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

25 6. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE  
26 NURSES. During probation, Respondent is permitted to supervise physician assistants and  
27 advanced practice nurses.

28 7. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws, all rules

1 governing the practice of medicine in California and remain in full compliance with any court  
2 ordered criminal probation, payments, and other orders.

3       8. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby  
4 ordered to reimburse the Board its costs of investigation and enforcement, including, but not  
5 limited to, expert review, amended accusations, legal reviews, investigation(s), and subpoena  
6 enforcement, as applicable, in the amount of \$24,535.35 (twenty-four thousand five hundred  
7 thirty-five dollars and thirty-five cents). Costs shall be payable to the Medical Board of  
8 California. Failure to pay such costs shall be considered a violation of probation.

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

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

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

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

20       10. GENERAL PROBATION REQUIREMENTS.

21       Compliance with Probation Unit

22       Respondent shall comply with the Board's probation unit.

23       Address Changes

24       Respondent shall, at all times, keep the Board informed of Respondent's business and  
25 residence addresses, email address (if available), and telephone number. Changes of such  
26 addresses shall be immediately communicated in writing to the Board or its designee. Under no  
27 circumstances shall a post office box serve as an address of record, except as allowed by Business  
28 and Professions Code section 2021, subdivision (b).

1        Place of Practice

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

5        License Renewal

6        Respondent shall maintain a current and renewed California physician's and surgeon's  
7        license.

8        Travel or Residence Outside California

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

12       In the event Respondent should leave the State of California to reside or to practice  
13       Respondent shall notify the Board or its designee in writing 30 calendar days prior to the dates of  
14       departure and return.

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

18       12. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or  
19       its designee in writing within 15 calendar days of any periods of non-practice lasting more than  
20       30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is  
21       defined as any period of time Respondent is not practicing medicine as defined in Business and  
22       Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct  
23       patient care, clinical activity or teaching, or other activity as approved by the Board. If  
24       Respondent resides in California and is considered to be in non-practice, Respondent shall  
25       comply with all terms and conditions of probation. All time spent in an intensive training  
26       program which has been approved by the Board or its designee shall not be considered non-  
27       practice and does not relieve Respondent from complying with all the terms and conditions of  
28       probation. Practicing medicine in another state of the United States or Federal jurisdiction while

1 on probation with the medical licensing authority of that state or jurisdiction shall not be  
2 considered non-practice. A Board-ordered suspension of practice shall not be considered as a  
3 period of non-practice.

4 In the event Respondent's period of non-practice while on probation exceeds 18 calendar  
5 months, Respondent shall successfully complete the Federation of State Medical Boards's Special  
6 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program  
7 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model  
8 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

9 Respondent's period of non-practice while on probation shall not exceed two (2) years.

10 Periods of non-practice will not apply to the reduction of the probationary term.

11 Periods of non-practice for a Respondent residing outside of California will relieve  
12 Respondent of the responsibility to comply with the probationary terms and conditions with the  
13 exception of this condition and the following terms and conditions of probation: Obey All Laws;  
14 General Probation Requirements; Quarterly Declarations; Abstain from the Use of Alcohol and/or  
15 Controlled Substances; and Biological Fluid Testing..

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

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

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

11       16. PROBATION MONITORING COSTS. Respondent shall pay the costs associated  
12 with probation monitoring each and every year of probation, as designated by the Board, which  
13 may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of  
14 California and delivered to the Board or its designee no later than January 31 of each calendar  
15 year.

16       17. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for  
17 a new license or certification, or petition for reinstatement of a license, by any other health care  
18 licensing action agency in the State of California, all of the charges and allegations contained in  
19 Accusation No. 800-2021-084594 shall be deemed to be true, correct, and admitted by  
20 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or  
21 restrict license.

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## **ACCEPTANCE**

2 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
3 discussed it with my attorney, Fred Ray and/or Lindsay M. Johnson. I understand the stipulation  
4 and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated  
5 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be  
6 bound by the Decision and Order of the Medical Board of California.

DATED: 1/17/2025

— DocuSigned by:

Ikechukwu Arene

—34FCB491C0DB439.

IKECHUKWU OBIKA ARENE, M.D.  
*Respondent*

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

15 DATED: 01/17/2025

*Lindsay M. Johnson*  
LINDSAY M. JOHNSON, ESQ. and/or FRED RAY,  
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: January 17, 2025

Respectfully submitted,

ROB BONTA  
Attorney General of California  
STEVE DIEHL  
Supervising Deputy Attorney General

KALEV KASEORU  
Deputy Attorney General  
*Attorneys for Complainant*

KALEV KASEORU  
Deputy Attorney General  
*Attorneys for Complainant*

LA2023601956

**Exhibit A**

**Accusation No. 800-2021-084594**

1 ROB BONTA  
2 Attorney General of California  
3 MICHAEL C. BRUMMEL  
4 Supervising Deputy Attorney General  
5 KALEV KASEORU  
6 Deputy Attorney General  
7 State Bar No. 331645  
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*Attorneys for Complainant*

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

13 In the Matter of the Accusation Against: Case No. 800-2021-084594  
14 **Ikechukwu Obika Arene, M.D.** ACCUSATION  
15 **11325 Park Square Dr, Apt K202**  
16 **Bakersfield, CA 93311-8846**  
17 Physician's and Surgeon's Certificate  
No. C 51962,  
Respondent.

## PARTIES

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

24       2. On or about June 3, 2005, the Medical Board issued Physician's and Surgeon's  
25 Certificate No. C 51962 to Ikechukwu Obika Arene, M.D. (Respondent). The Physician's and  
26 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought  
27 herein and will expire on March 31, 2025, 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 provides, in pertinent part, that a licensee who is found guilty under the Medical Practice Act may have his or her license revoked, suspended for a period not to exceed one year, place on probation and required to pay the costs of probation monitoring, or such other action taken in relation to discipline as the Board deems proper.

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."

1       6. Unprofessional conduct under Business and Professions Code section 2234 is conduct  
2 which breaches the rules or ethical conduct of the medical profession, or conduct which is  
3 unbecoming to a member in good standing of the medical profession, and which demonstrates an  
4 unfitness to practice medicine. (*Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564,  
5 575.)

6       7. Section 2266 of the Code states: "The failure of a physician and surgeon to maintain  
7 adequate and accurate records relating to the provision of services to their patients constitutes  
8 unprofessional conduct."

## COST RECOVERY

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

## FACTUAL ALLEGATIONS

### Patient A<sup>1</sup>

18       9. On or about April 20, 2021, Patient A, a four-year-old male with a history of chronic  
19 kidney disease, presented to Respondent at the Emergency Department of the Colusa Medical  
20 Center with seizure-like activity.

21       10. Respondent documented that Patient A's seizures had stopped after the administration  
22 of lorazepam<sup>2</sup>, however, nursing documentation noted that Patient A experienced jerking  
23 movements throughout his stay at the emergency department, especially when his heart rate  
24 dropped from a baseline eighty (80) beats per minute down to fifty (50) beats per minute.

<sup>1</sup> Patient names have been redacted to protect patient privacy. They are known to Respondent and will be provided in discovery.

27 Respondent and will be provided in the recovery.  
28 <sup>2</sup> Lorazepam is a type of drug that acts on the brain and nervous system and has been  
approved by the FDA to treat status epilepticus (a seizure with five (5) minutes or more of  
continuous clinical and/or electrographic seizure activity or recurrent seizure activity without  
recovery between seizures) as a component of the management of seizure emergencies.

1       11. A transfer process was initiated for Patient A to be transferred to a higher level of  
2 care at another facility. Respondent documented that he convinced the receiving physician that a  
3 delay in Patient A's transfer would negatively affect Patient A, and the hospital received approval  
4 for the transfer. Respondent failed to monitor or reassess Patient A before his transfer, and while  
5 Patient A continued to experience symptoms, Respondent did not attend to, or observe, Patient A.

6       12. Documentation and notes from the nursing staff indicated that multiple attempts were  
7 made to alert Respondent to Patient A's ongoing symptoms, but Respondent was absent and did  
8 not make himself available to the nursing staff, nor did Respondent reassess Patient A's condition  
9 until the flight crew arrived to transfer him.

10       Patient B

11       13. On or about May 17, 2021, Patient B, an 84-year-old female with a history of diabetes  
12 and hypertension, was treated by Respondent for chest pain at the Emergency Department of the  
13 Colusa Medical Center.

14       14. Upon arrival at the emergency department, Patient B suffered cardiac arrest and was  
15 unresponsive when Respondent arrived at her bedside. Patient B's blood pressure was 114/69 and  
16 heart rate, paced by an external pacemaker, was at 60. Respondent ordered the pacemaker turned  
17 off and Patient B's heart rate was documented at 36. While Respondent ordered some treatment  
18 for Patient B, he did not remain with her to monitor and assess her condition and treatment.

19       15. Respondent was not at Patient B's bedside when she suffered cardiac arrest in the  
20 emergency department.

21       16. Respondent failed to identify STEMI<sup>3</sup> with junctional escape rhythm<sup>4</sup> in his care and  
22 treatment of Patient B.

23       17. Respondent failed to consider fibrinolysis<sup>5</sup> in his care and treatment of Patient B.

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26       <sup>3</sup> An ST-elevation myocardial infarction (STEMI) is a type of severe heart attack caused  
27 by a complete blockage of a coronary artery.

28       <sup>4</sup> An abnormal heart rhythm that occurs in an area of your heart that is compensating for  
another area of the heart that cannot begin and sustain a strong heartbeat.

29       <sup>5</sup> The normal body process of preventing blood clots that occur naturally from growing  
and causing problems.

1                   Patient C

2       18. On or about April 19, 2021, Patient C, a 27-year-old male, was treated by Respondent  
3 for intermittent shortness of breath at the Emergency Department of the Colusa Medical Center.

4       19. Patient C had reported a history of shortness of breath since being diagnosed with  
5 COVID-19 in December 2020, as well as a history of childhood asthma.

6       20. On or about April 19, 2021, a nursing entry for Patient C indicated that he was in a  
7 bed, waiting for a provider, and had requested an albuterol treatment and inhaler. The nursing  
8 entry indicated that Patient C decided that he had waited too long to be seen by a provider and left  
9 without being seen by a provider.

10      21. On or about May 5, 2021, Respondent completed a chart entry for Patient C regarding  
11 the April 19, 2021, emergency department visit detailing an encounter with Patient C and a  
12 diagnosis of shortness of breath and a plan for discharge.

13      22. Patient C stated to a Medical Board Investigator that he never had an encounter with  
14 any physician on April 19, 2021, at Colusa Medical Center, and left without receiving any  
15 treatment.

16                   FIRST CAUSE FOR DISCIPLINE

17                   (Gross Negligence)

18      23. Respondent Ikechukwu Obika Arene, M.D., has subjected his Physician's and  
19 Surgeon's Certificate No. C 51962 to disciplinary action under section 2234, subdivision (b), of  
20 the Code, in that he committed gross negligence during the care of Patients A, B, and C, as more  
21 particularly alleged in paragraphs 9 through 21, above, which are hereby incorporated by  
22 reference and realleged as if fully set forth herein. More specifically, the grossly negligent acts  
23 include:

24           A. Respondent's care and treatment of Patient A constituted an extreme departure  
25 from the standard of care when he failed to be present during all critical phases of care for a  
26 patient in status epilepticus.

27           ///

28           ///

1                   B. Respondent's care and treatment of Patient B constituted an extreme departure  
2 from the standard of care in that he failed to be present during all critical phases of care for a  
3 patient presenting with cardiac arrest in the emergency department.

4                   C. Respondent's care and treatment of Patient C constituted an extreme departure  
5 from the standard of care in that he failed to complete an accurate patient record in the care and  
6 treatment of Patient C, namely apparently recording an interaction between himself and Patient C  
7 that never took place.

8                   **SECOND CAUSE FOR DISCIPLINE**

9                   **(Repeated Negligent Acts)**

10                  24. Respondent Ikechukwu Obika Arene, M.D., has subjected his Physician's and  
11 Surgeon's Certificate No. C 51962 to disciplinary action under section 2234, subdivision (c), of  
12 the Code, in that he committed repeated negligent acts during the care and treatment of Patients A  
13 and B, as more particularly alleged in paragraphs 9 through 23, above, and those paragraphs are  
14 incorporated by reference as if fully set forth herein.

15                  25. Specifically, Respondent committed negligence in his care and treatment of Patient  
16 A, which includes, but is not limited to, the following:

17                   A. Respondent failed to be present during all critical phases of care for a patient in  
18 status epilepticus<sup>6</sup>;

19                   B. Respondent failed to reassess and/or monitor Patient A after his initial diagnosis  
20 and treatment.

21                  26. Specifically, Respondent committed negligence in his care and treatment of Patient B,  
22 which includes, but is not limited to, the following:

23                   A. Respondent failed to appropriately diagnose and evaluate Patient B for  
24 treatment;

25                   B. Respondent failed to be present during all critical phases of care for a patient  
26 presenting with cardiac arrest in the emergency department.

27                   

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28                   <sup>6</sup> A seizure with five (5) minutes or more of continuous clinical and/or electrographic  
seizure activity or recurrent seizure activity without recovery between seizures.

### **THIRD CAUSE FOR DISCIPLINE**

#### **(General Unprofessional Conduct)**

3       27. Respondent Ikechukwu Obika Arene, M.D., has subjected his Physician's and  
4 Surgeon's Certificate No. C 51962 to disciplinary action under Code section 2234, in that he  
5 committed unprofessional conduct relating to his care and treatment of Patients A, B, and C, as  
6 more particularly alleged in paragraphs 9 through 26, above, which are hereby incorporated by  
7 reference and realleged as if fully set forth herein.

#### **FOURTH CAUSE FOR DISCIPLINE**

#### **(Failure to Maintain Accurate Records)**

10       28. Respondent Ikechukwu Obika Arene, M.D., has subjected his Physician's and  
11 Surgeon's Certificate No. C 51962 to disciplinary action under Code sections 2234 and 2266, in  
12 that he failed to maintain adequate and accurate medical records relating to his care and treatment  
13 of Patient C, as more particularly alleged in paragraphs 18 through 23 and 27, above, which are  
14 hereby incorporated by reference and realleged as if fully 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:

4        1.    Revoking or suspending Physician's and Surgeon's Certificate Number C 51962,  
5 issued to Respondent Ikechukwu Obika Arene, M.D.;

6        2.    Revoking, suspending or denying approval of Respondent Ikechukwu Obika Arene,  
7 M.D.'s authority to supervise physician assistants and advanced practice nurses;

8        3.    Ordering Respondent Ikechukwu Obika Arene, M.D., to pay the Board the costs of  
9 the investigation and enforcement of this case, and if placed on probation, the costs of probation  
10 monitoring; and

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

DATED: FEB 29 2024

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

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