

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

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

Jose Martinez, M.D.

Case No. 800-2023-098492

**Physician's and Surgeon's
Certificate No. G 75595**

Respondent.

DECISION

**The attached Stipulated Surrender of License and Order is hereby
adopted as the Decision and Order of the Medical Board of California,
Department of Consumer Affairs, State of California.**

This Decision shall become effective at 5:00 p.m. on May 9, 2025. IT

IS SO ORDERED May 2, 2025.

MEDICAL BOARD OF CALIFORNIA


**Reji Varghese
Executive Director**

1 ROB BONTA
2 Attorney General of California
3 MICHAEL C. BRUMMEL
4 Supervising Deputy Attorney General
5 JADE WOLANSKY
6 Deputy Attorney General
7 State Bar No. 349302
8 California Department of Justice
9 1300 I Street, Suite 125
10 P.O. Box 944255
11 Sacramento, CA 94244-2550
12 Telephone: (916) 210-7287
13 Facsimile: (916) 327-2247
14 E-mail: Jade.Wolansky@doj.ca.gov
15 *Attorneys for Complainant*

16
17
18
19
20
21
22
23
24
25
26
27
28

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

In the Matter of the Accusation Against:

Case No. 800-2023-098492

JOSE MARTINEZ, M.D.

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

**1212 Hanna Ave.
Corcoran, CA 93212-2313**

**Physician's and Surgeon's Certificate No.
G 75595**

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 Jade Wolansky, Deputy Attorney General.

2. JOSE MARTINEZ, M.D. is representing himself in this proceeding and has chosen not to exercise his right to be represented by counsel.

///

1 3. On or about November 23, 1992, the Board issued Physician's and Surgeon's
2 Certificate No. G 75595 to Respondent Jose Martinez M.D. That license was in full force and
3 effect at all times relevant to the charges brought in Accusation No. 800-2023-098492 and will
4 expire on April 30, 2026, unless renewed.

JURISDICTION

6 4. Accusation No. 800-2023-098492 was filed before the Board and is currently pending
7 against Respondent. The Accusation and all other statutorily required documents were properly
8 served on Respondent on December 6, 2024. Respondent timely filed his Notice of Defense
9 contesting the Accusation. A copy of Accusation No. 800-2023-098492 is attached as **Exhibit A**
10 and incorporated by reference.

ADVISEMENT AND WAIVERS

12 5. Respondent has carefully read and understands the charges and allegations in
13 Accusation No. 800-2023-098492. Respondent also has carefully read and understands the
14 effects of this Stipulated Surrender of License and Order.

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

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

CULPABILITY

25 8. Respondent admits the truth of each and every charge and allegation in Accusation
26 No. 800-2023-098492, agrees that cause exists for discipline and hereby surrenders his
27 Physician's and Surgeon's Certificate No. G 75595 for the Board's formal acceptance.

28 | //

1 9. Respondent understands that by signing this stipulation he enables the Board to issue
2 an order accepting the surrender of his Physician's and Surgeon's Certificate without further
3 process.

RESERVATION

5 10. The admissions made by Respondent herein are only for the purposes of this
6 proceeding, or any other proceedings in which the Medical Board of California or other
7 professional licensing agency is involved, and shall not be admissible in any other criminal or
8 civil proceeding.

CONTINGENCY

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

13 12. Respondent understands that, by signing this stipulation, he enables the Executive
14 Director of the Board to issue an order, on behalf of the Board, accepting the surrender of his
15 Physician's and Surgeon's Certificate No. G 75595 without further notice to, or opportunity to be
16 heard by, Respondent.

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

25 14. The parties agree that this Stipulated Surrender of License and Disciplinary Order
26 shall be null and void and not binding upon the parties unless approved and adopted by the
27 Executive Director on behalf of the Board, except for this paragraph, which shall remain in full
28 force and effect. Respondent fully understands and agrees that in deciding whether or not to

1 approve and adopt this Stipulated Surrender of License and Disciplinary Order, the Executive
2 Director and/or the Board may receive oral and written communications from its staff and/or the
3 Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the
4 Executive Director, the Board, any member thereof, and/or any other person from future
5 participation in this or any other matter affecting or involving Respondent. In the event that the
6 Executive Director on behalf of the Board does not, in his discretion, approve and adopt this
7 Stipulated Surrender of License and Disciplinary Order, with the exception of this paragraph, it
8 shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied
9 upon or introduced in any disciplinary action by either party hereto. Respondent further agrees
10 that should this Stipulated Surrender of License and Disciplinary Order be rejected for any reason
11 by the Executive Director on behalf of the Board, Respondent will assert no claim that the
12 Executive Director, the Board, or any member thereof, was prejudiced by its/his/her review,
13 discussion and/or consideration of this Stipulated Surrender of License and Disciplinary Order or
14 of any matter or matters related hereto.

15 **ADDITIONAL PROVISIONS**

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

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

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

25 ///

26 ///

27 ///

28 ///

ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 75595, issued to Respondent JOSE MARTINEZ, M.D., is surrendered and accepted by the Board.

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

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

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

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked or surrendered license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 800-2023-098492 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

5. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$29,628.50 prior to issuance of a new or reinstated license.

6. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation No. 800-2023-098492 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

111

111

111

111

ACCEPTANCE

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

DATED:

3/3/20

~~JOSE MARTINEZ, M.D.~~
Respondent

ENDORSEMENT

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

DATED: 3/25/2025

Respectfully submitted,

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

Jade Wolansky
JADE WOLANSKY

JADE WOLANSKY
Deputy Attorney General
Attorneys for Complainant

FR2024303129
38679260.docx

Exhibit A

Accusation No. 800-2023-098492

1 ROB BONTA
2 Attorney General of California
3 MICHAEL C. BRUMMEL
4 Supervising Deputy Attorney General
5 JADE WOLANSKY
6 Deputy Attorney General
7 State Bar No. 349302.
8 California Department of Justice
9 1300 I Street, Suite 125
0 P.O. Box 944255
1 Sacramento, CA 94244-2550
2 Telephone: (916) 210-7287
3 Facsimile: (916) 327-2247
4 *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. 800-2023-098492
14 **Jose Martinez, M.D.** ACCUSATION
15 **1212 Hanna Ave.**
Corcoran, CA 93212
16 Physician's and Surgeon's Certificate
17 No. G 75595,
18 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 November 23, 1992, the Medical Board issued Physician's and
25 Surgeon's Certificate No. G 75595 to Jose Martinez, 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 April 30, 2026, unless renewed.

28 | //

JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 2004 of the Code states, in pertinent part:

The board shall have the responsibility for the following:

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

(b) The administration and hearing of disciplinary actions.

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

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

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

1122

5. Section 2227 of the Code states:

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

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

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

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

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

(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.

6. Section 118, subdivision (b) of the Code states, in pertinent part:

(b) The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground.

STATUTORY PROVISIONS

7. 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.

(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.

8. Section 2236 of the Code states, in pertinent part:

a) The conviction of any offense substantially related to the qualifications, functions, or duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this chapter. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred.

1
2 (d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is
3 deemed to be a conviction within the meaning of this section and Section 2236.1. The
record of conviction shall be conclusive evidence of the fact that the conviction occurred.

4 9. Section 490 of the Code states:

5 (a) In addition to any other action that a board is permitted to take against a licensee,
6 a board may suspend or revoke a license on the ground that the licensee has been convicted
7 of a crime, if the crime is substantially related to the qualifications, functions, or duties of
the business or profession for which the license was issued.

8 (b) Notwithstanding any other provision of law, a board may exercise any authority to
9 discipline a licensee for conviction of a crime that is independent of the authority granted
10 under subdivision (a) only if the crime is substantially related to the qualifications,
functions, or duties of the business or profession for which the licensee's license was
issued.

11 (c) A conviction within the meaning of this section means a plea or verdict of guilty
12 or a conviction following a plea of nolo contendere. An action that a board is permitted to
13 take following the establishment of a conviction may be taken when the time for appeal has
14 elapsed, or the judgment of conviction has been affirmed on appeal, or when an order
granting probation is made suspending the imposition of sentence, irrespective of a
subsequent order under Section 1203.4 of the Penal Code.

15 (d) The Legislature hereby finds and declares that the application of this section has
16 been made unclear by the holding in Petropoulos v. Department of Real Estate (2006) 142
17 Cal.App.4th 554, and that the holding in that case has placed a significant number of
statutes and regulations in question, resulting in potential harm to the consumers of
18 California from licensees who have been convicted of crimes. Therefore, the Legislature
19 finds and declares that this section establishes an independent basis for a board to impose
20 discipline upon a licensee, and that the amendments to this section made by Chapter 33 of
the Statutes of 2008 do not constitute a change to, but rather are declaratory of, existing
21 law.

22 10. Section 2021 of the Code states, in pertinent part:

23 ...
24 (b) Each licensee shall report to the board each and every change of address,
25 including an email address, within 30 days after each change, giving both the old and new
26 address. If an address reported to the board at the time of application for licensure or
subsequently is a post office box, the applicant shall also provide the board with a street
27 address. If another address is the licensee's address of record, the licensee may request that
the second address not be disclosed to the public.

11. Section 802.1 of the Code states:

(a) (1) A physician and surgeon, osteopathic physician and surgeon, a doctor of podiatric medicine, and a physician assistant shall report either of the following to the entity that issued his or her license:

(A) The bringing of an indictment or information charging a felony against the licensee.

(B) The conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest, of any felony or misdemeanor.

(2) The report required by this subdivision shall be made in writing within 30 days of the date of the bringing of the indictment or information or of the conviction.

(b) Failure to make a report required by this section shall be a public offense punishable by a fine not to exceed five thousand dollars (\$5,000)

REGULATORY PROVISIONS

12. California Code of Regulations, title 16, section 1360, states:

(a) For the purposes of denial, suspension or revocation of a license pursuant to Section 141 or Division 1.5 (commencing with Section 475) of the code, a crime, professional misconduct, or act shall be considered to be substantially related to the qualifications, functions or duties of a person holding a license if to a substantial degree it evidences present or potential unfitness of a person holding a license to perform the functions authorized by the license in a manner consistent with the public health, safety or welfare. Such crimes, professional misconduct, or acts shall include but not be limited to the following: Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate any provision of state or federal law governing the applicant's or licensee's professional practice.

(b) In making the substantial relationship determination required under subdivision (a) for a crime, the board shall consider the following criteria:

(1) The nature and gravity of the crime;

(2) The number of years elapsed since the date of the crime; and

(3) The nature and duties of the profession.

COST RECOVERY

13. Section 125.3 of the Code states:

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

judge may direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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

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

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

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

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

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

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

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

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

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

FIRST CAUSE FOR DISCIPLINE

(Misdemeanor Criminal Conviction)

3 14. Respondent Jose Martinez, M.D. is subject to disciplinary action under section 2234,
4 subdivision (a), section 2236, subdivision (a), and section 490 of the Code, and California Code
5 of Regulations, title 16, section 1360, in that Respondent was convicted of a crime related to the
6 qualifications, functions, or duties of a physician. The circumstances are as follows:

7 15. On or about May 26, 2023, at approximately 5:55 p.m., an Officer responded to a
8 vehicle and bicycle hit and run collision at an intersection. The Officer arrived at approximately
9 5:57 p.m. Respondent, driving northward and turning westbound, collided into the biker's left
10 side when the biker was biking southward. A witness stated that they saw the biker fall off his
11 bike and roll off the passenger fender of a white Buick vehicle. The biker had bruising on his
12 right lower stomach and a gash and several scratches on his left elbow. The biker stated that he
13 saw Respondent before Respondent drove away. The biker and a witness to the accident stated
14 Respondent did not stop after colliding with the biker. The witness also recognized Respondent as
15 the driver.

16 16. On or about May 27, 2023, at approximately 6:55 p.m., the Officer went to the biker's
17 residence and presented a photo lineup. The biker identified Respondent as the driver.

18 17. After the biker identified Respondent, Officers went to Respondent's residence.
19 When the Officers knocked on the door, a person at the door stated Respondent was asleep and
20 intoxicated. The Officers found Respondent lying face down shirtless with a bath towel near his
21 face. After several attempts, Respondent awakened. The Officers observed Respondent's slurred
22 speech and confused demeanor. Respondent ignored commands and began swearing at the
23 Officers. Respondent's family member assisted in dressing Respondent. Respondent had
24 difficulty walking and had to place his hand on a vehicle on his driveway to keep his balance. The
25 Officers placed Respondent in a police vehicle and transported Respondent to the Corcoran Police
26 Department. The Officers observed a white Buick vehicle in the driveway, which had a scuff
27 mark on the front bumper under the passenger side turn signal lamp.

28 | III

1 18. Respondent was held for a sobering period of approximately four and a half hours.
2 After the Officers read to Respondent his Miranda rights, Respondent did not provide a statement.
3 The Officer forwarded Respondent's case to the Kings County District Attorney's Office for a
4 violation of Vehicle Code section 20001, subdivision (b)(1), hit and run resulting in injury to
5 another person.

6 19. On or about May 27, 2023, at approximately 9:13 p.m., the witness to the accident
7 went to Corcoran Police Department and identified Respondent as the driver in a photo lineup.

8 20. On or about August 31, 2023, the Kings County District Attorney filed a Complaint
9 in an action entitled, *the People of the State of California v. Jose Martinez*, Case No. 23CM2804,
10 Respondent was charged with one felony count for violating Vehicle Code section 20001,
11 subdivision (b)(1), hit and run resulting in injury to another person.

12 21. On or about April 4, 2024, the Kings County District Attorney filed an Amended
13 Complaint in the action entitled, *the People of the State of California v. Jose Martinez*, Case No.
14 23CM2804. Respondent was charged with one misdemeanor count of violating Vehicle Code
15 section 20001, subdivision (b)(1), hit and run resulting in injury to another person.

16 22. On or about April 9, 2024, Respondent pled no contest and was convicted for
17 violating Vehicle Code section 20001, subdivision (b)(1), hit and run resulting in injury to
18 another person, a misdemeanor. The imposition of the sentence was suspended, and Respondent
19 was placed on one year of court probation and ordered to serve one day in county jail, pay various
20 fees, fines, restitution to the state and to the victim.

21 23. During Respondent's Board interview, Respondent denied a history of alcohol misuse
22 and illicit or recreational drug use. Respondent stated that on the day of the accident, on or about
23 May 26, 2023, he had taken allergy medication, Benadryl and Zyrtec for allergies, which could
24 have made him drowsy. Respondent could not recall whether he had a drink that day. Respondent
25 asserted that the biker had collided into his car. Respondent also stated that he was unaware of the
26 vehicle and bike collision at the time of the accident. Respondent stated that he only realized that
27 his vehicle and the biker had collided when he went to his attorney's office on or about May 28,
28 2023.

1 24. Respondent stated he was not scheduled to work on the day of the accident, on or
2 about May 26, 2023, and the following day when the Officers went to his residence, on or about
3 May 27, 2023.

SECOND CAUSE OF DISCIPLINE

(Failure to Report a Misdemeanor Criminal Conviction)

6 25. Respondent Jose Martinez, M.D. is subject to disciplinary action under sections 2227
7 and 2234, as defined by section 802.1 of the Code, for failing to report in writing, within 30 days,
8 his misdemeanor conviction, as more particularly alleged in paragraphs 14 through 24, above,
9 which are hereby incorporated as if fully set forth herein.

THIRD CAUSE OF DISCIPLINE

(Failure to Report a Felony Charge)

12 26. Respondent Jose Martinez, M.D. is subject to disciplinary action under sections 2227
13 and 2234, as defined by section 802.1 of the Code, for failing to report in writing, within 30 days,
14 a felony complaint, as more particularly alleged in paragraphs 14 through 24, above, which are
15 hereby incorporated as if fully set forth herein.

FOURTH CAUSE OF DISCIPLINE

(Failure to Update Address of Record)

18 27. Respondent Jose Martinez, M.D. is subject to disciplinary action under sections 2227
19 and 2021, as defined by section 2021, subdivision (b), of the Code, in that Respondent failed to
20 inform the Board of his change of address, within 30 days after the change. The circumstances are
21 as follows:

22 28. On or about May 30, 2023, Respondent began his leave of absence from Hospital A,
23 which was located at 1212 Hanna Ave, Corcoran, CA 93212. Respondent's address of record was
24 1310 Hanna Avenue #1, Corcoran, CA 93212.

25 29. On or about April 11, 2024, Respondent updated his address of record to Hospital A's
26 address, 1212 Hanna Ave, Corcoran, CA 93212.

27 30. On or about May 15, 2024, Respondent retired or resigned from Hospital A, which
28 was located at 1212 Hanna Ave, Corcoran, CA 93212.

1 31. On or about June 24, 2024, Respondent's former employer, Hospital A, changed their
2 address from 1212 Hanna Ave, Corcoran, CA 93212 to 1310 Hanna Avenue, Corcoran, CA
3 93212.

4 32. On or about July 9, 2024, during the Board interview, the Board investigator
5 informed Respondent about the Board's requirement to keep addresses of record updated.

6 33. Although Respondent retired or resigned from Hospital A on or about May 15, 2024,
7 Respondent's address of record is still Respondent's former address, 1212 Hanna Ave, Corcoran,
8 CA 93212. To date, Respondent has failed to update his address of record.

PRAYER

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

12 1. Revoking or suspending Physician's and Surgeon's Certificate Number G 75595,
13 issued to Respondent Jose Martinez, M.D.;

14 2. Revoking, suspending or denying approval of Respondent Jose Martinez, M.D.'s
15 authority to supervise physician assistants and advanced practice nurses;

16 3. Ordering Respondent Jose Martinez, M.D., to pay the Board the costs of the
17 investigation and enforcement of this case, and if placed on probation, the costs of probation
18 monitoring; and

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

20
21 DATED: DEC 06 2024

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

26 FR2024303129
38291420.docx