

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

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

Eung Koo Bai, M.D.

**Physician's and Surgeon's
Certificate No. C 41124**

Respondent.

Case No. 800-2022-092879

DECISION

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

This Decision shall become effective at 5:00 p.m. on SEP 30 2025.

IT IS SO ORDERED MAY 16 2025.

MEDICAL BOARD OF CALIFORNIA



**Reji Varghese
Executive Director**

1 ROB BONTA
Attorney General of California
2 MATTHEW M. DAVIS
Supervising Deputy Attorney General
3 LEANNA E. SHIELDS
Deputy Attorney General
4 State Bar No. 239872
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8 *Attorneys for Complainant*

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

13 In the Matter of the Accusation Against:

Case No. 800-2022-092879

14 **EUNG KOO BAI, M.D.**
15 **12017 East Rosecrans Avenue**
Norwalk, CA 90650

OAH No. 2024100945

16 **Physician's and Surgeon's Certificate**
17 **No. C 41124,**

**STIPULATED SURRENDER OF
LICENSE AND DISCIPLINARY ORDER**

18 Respondent.

19
20 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
21 entitled proceedings that the following matters are true:

22 **PARTIES**

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

27 2. Eung Koo Bai, M.D. (Respondent) is represented in this proceeding by attorney
28 Raymond J. McMahon, Esq., whose address is: 5440 Trabuco Road, Irvine, CA 92620.

1 3. On or about October 3, 1983, the Board issued Physician's and Surgeon's Certificate
2 No. C 41124 to Respondent. That license was in full force and effect at all times relevant to the
3 charges brought in Accusation No. 800-2022-092879 and will expire on January 31, 2027, unless
4 renewed.

5 **JURISDICTION**

6 4. On or about August 22, 2024, Accusation No. 800-2022-092879 was filed before the
7 Board and is currently pending against Respondent. On or about August 22, 2024, a true and
8 correct copy of Accusation No. 800-2022-092879 and all other statutorily required documents
9 were properly served on Respondent. Respondent timely filed his Notice of Defense contesting
10 the Accusation. A copy of Accusation No. 800-2022-092879 is attached as Exhibit A and
11 incorporated herein by reference.

12 **ADVISEMENT AND WAIVERS**

13 5. Respondent has carefully read, fully discussed with counsel, and fully understands the
14 charges and allegations in Accusation No. 800-2022-092879. Respondent also has carefully read,
15 fully discussed with counsel, and fully understands the effects of this Stipulated Surrender of
16 License and Order.

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

23 7. Having the benefit of counsel, Respondent voluntarily, knowingly, and intelligently
24 waives and gives up each and every right set forth above.

25 **CULPABILITY**

26 8. Respondent agrees that, at an administrative hearing, Complainant could establish a
27 *prima facie* case with respect to each and every charge and allegation contained in Accusation
28 No. 800-2022-092879, agrees that he has thereby subjected his Physician's and Surgeon's

1 Certificate No. C 41124 to discipline, and agrees to be bound by the Board's imposition of
2 discipline as set forth in the Disciplinary Order below.

3 9. Respondent further agrees that if he ever petitions for reinstatement of his Physician's
4 and Surgeon's Certificate No. C 41124, or if an accusation is filed against him before the Board,
5 all of the charges and allegations contained in Accusation No. 800-2022-092879, shall be deemed
6 true, correct, and fully admitted by Respondent for purposes of any such proceeding.

7 10. Respondent understands that by signing this stipulation he enables the Board to issue
8 an order accepting the surrender of his Physician's and Surgeon's Certificate No. C 41124
9 without further notice to, or opportunity to be heard by, Respondent.

10 CONTINGENCY

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

14 12. Respondent understands that, by signing this stipulation, he enables the Executive
15 Director of the Board to issue an order, on behalf of the Board, accepting the surrender of his
16 Physician's and Surgeon's Certificate No. C 41124 without further notice to, or opportunity to be
17 heard by, Respondent.

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

26 14. The parties agree that this Stipulated Surrender of License and Disciplinary Order
27 shall be null and void and not binding upon the parties unless approved and adopted by the
28 Executive Director on behalf of the Board, except for this paragraph, which shall remain in full

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

16 **ADDITIONAL PROVISIONS**

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

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

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

26 **DISCIPLINARY ORDER**

27 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. C 41124, issued
28 to Respondent Eung Koo Bai, M.D., is hereby surrendered and accepted by the Board.

1 1. The surrender of Respondent's Physician's and Surgeon's Certificate No. C 41124
2 and the acceptance of the surrendered license by the Board, shall constitute the imposition of
3 discipline against Respondent, effective September 30, 2025. This stipulation constitutes a record
4 of the discipline and shall become a part of Respondent's license history with the Board.

5 2. Respondent shall lose all rights and privileges as a physician and surgeon in
6 California as of the effective date of the Board's Decision and Order, which shall be September
7 30, 2025.

8 3. Respondent shall cause to be delivered to the Board his pocket license and, if one was
9 issued, his wall certificate on or before the effective date of the Decision and Order, which shall
10 be September 30, 2025.

11 4. If Respondent ever files an application for licensure or a petition for reinstatement in
12 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
13 comply with all the laws, regulations and procedures for reinstatement of a revoked or
14 surrendered license in effect at the time the petition is filed, and all of the charges and allegations
15 contained in Accusation No. 800-2022-092879 shall be deemed to be true, correct and fully
16 admitted by Respondent when the Board determines whether to grant or deny the petition.

17 5. Respondent shall pay the agency its costs of investigation and enforcement in the
18 amount of \$26,906.00 prior to issuance of a new or reinstated license.

19 6. If Respondent should ever apply or reapply for a new license or certification, or
20 petition for reinstatement of a license, by any other health care licensing agency in the State of
21 California, all of the charges and allegations contained in Accusation No. 800-2022-092879 shall
22 be deemed to be true, correct, and fully admitted by Respondent for the purpose of any Statement
23 of Issues or any other proceeding seeking to deny or restrict licensure.

24 7. If Respondent should ever apply or reapply for a new license or certification, or
25 petition for reinstatement of a license, by any other health care licensing agency in the State of
26 California, all of the charges and allegations contained in Accusation No. 800-2022-092879 shall
27 be deemed to be true, correct, and fully admitted by Respondent for the purpose of any Statement
28 of Issues or any other proceeding seeking to deny or restrict licensure.

ACCEPTANCE


I have carefully read the above Stipulated Surrender of License and Disciplinary Order and have fully discussed it with my attorney Raymond J. McMahon, Esq. I fully understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate No. C 41124. 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: 4-29-2025


EUNG KOO BAI, M.D.
Respondent

I have read and fully discussed with Respondent Eung Koo Bai, M.D., the terms and conditions and other matters contained in this Stipulated Surrender of License and Disciplinary Order. I approve its form and content.

DATED: April 30, 2025


RAYMOND J. MCMAHON, ESQ.
Attorney for Respondent

ENDORSEMENT

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

DATED: _____

Respectfully submitted,

ROB BONTA
Attorney General of California
MATTHEW M. DAVIS
Supervising Deputy Attorney General

LEANNA E. SHIELDS
Deputy Attorney General
Attorneys for Complainant

LA2024600577/85086754

1 ACCEPTANCE

2 I have carefully read the above Stipulated Surrender of License and Disciplinary Order and
3 have fully discussed it with my attorney Raymond J. McMahon, Esq. I fully understand the
4 stipulation and the effect it will have on my Physician's and Surgeon's Certificate No. C 41124. I
5 enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and
6 intelligently, and agree to be bound by the Decision and Order of the Medical Board of
7 California.

8
9 DATED: _____

EUNG KOO BAI, M.D.
Respondent

11 I have read and fully discussed with Respondent Eung Koo Bai, M.D., the terms and
12 conditions and other matters contained in this Stipulated Surrender of License and Disciplinary
13 Order. I approve its form and content.

14
15 DATED: _____

RAYMOND J. MCMAHON, ESQ.
Attorney for Respondent


17
18 ENDORSEMENT

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

22 DATED: April 30, 2025 _____

Respectfully submitted,

23 ROB BONTA
24 Attorney General of California
25 MATTHEW M. DAVIS
26 Supervising Deputy Attorney General

27 
28 LEANNA E. SHIELDS
Deputy Attorney General
Attorneys for Complainant

LA2024600577/85086754

Exhibit A

Accusation No. 800-2022-092879

1 ROB BONTA
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2 MATTHEW M. DAVIS
Supervising Deputy Attorney General
3 LEANNA E. SHIELDS
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8 *Attorneys for Complainant*

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

13 In the Matter of the Accusation Against:

Case No. 800-2022-092879

14 **EUNG KOO BAI, M.D.**
12017 East Rosecrans Avenue
15 Norwalk, CA 90650

A C C U S A T I O N

16 **Physician's and Surgeon's Certificate**
No. C 41124,

17 Respondent.

19
20 Complainant alleges:

21 **PARTIES**

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

25 2. On or about October 3, 1983, the Medical Board issued Physician's and Surgeon's
26 Certificate No. C 41124 to Eung Koo Bai, M.D. (Respondent). The Physician's and Surgeon's
27 Certificate was in full force and effect at all times relevant to the charges brought herein and will
28 expire on January 31, 2025, unless renewed.

1 JURISDICTION

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

5 4. Section 2227 of the Code states:

6 (a) A licensee whose matter has been heard by an administrative law judge of
7 the Medical Quality Hearing Panel as designated in Section 11371 of the Government
8 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:

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

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

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

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

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

17 (b) Any matter heard pursuant to subdivision (a), except for warning letters,
18 medical review or advisory conferences, professional competency examinations,
19 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.

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

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

23 ...

24 (b) Gross negligence.

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

28 ///

1 (1) An initial negligent diagnosis followed by an act or omission medically
2 appropriate for that negligent diagnosis of the patient shall constitute a single
3 negligent act.

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

9 ...

10 COST RECOVERY

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

17 FACTUAL ALLEGATIONS

18 7. On or about October 26, 2022, Patient A,¹ a then 41-year-old female, presented for a
19 visit with Respondent. According to records, Patient A presented with complaints of pain under
20 the right breast area or rib area. According to records, Patient A requested an ultrasound to check
21 for gallstones, a prescription for menstrual cramps, and a mammogram.

22 8. During Respondent's evaluation of Patient A, among other things, Respondent
23 examined Patient A's abdominal area for rashes and palpated Patient A's abdomen for tenderness.
24 During his evaluation, Respondent lifted Patient A's bra to palpate the bottom portion of Patient
25 A's right breast and to examine the area for, among other things, yeast infection. Respondent did
26 not perform an examination of Patient A's left breast.

27 9. According to Respondent's notes for this visit, Respondent noted focal tenderness in
28 the right upper quadrant of Patient A's abdomen area but no palpable masses.

¹ For patient privacy purposes, the patient's true name is not used in the instant
Accusation to maintain patient confidentiality. The patient identity is known to Respondent or
will be disclosed to Respondent upon receipt of a duly issued request for discovery in accordance
with Government Code section 11507.6.

10. Respondent then ordered an abdominal ultrasound and a screening mammogram. Respondent also issued a prescription to Patient A for Motrin (800 mg).

11. During Respondent's evaluation of Patient A's breast area, Respondent did not ask Patient A to remove her clothing or offer a chaperone. In examining Patient A's right lower breast area, Respondent did not ask Patient A to lift her arms to allow him to visually examine the area under her right breast. Respondent also did not perform an examination of Patient A's left breast or of Patient A's axillae.

12. During Respondent's evaluation of Patient A's abdominal area, Respondent did not take a detailed history of Patient A's gastrointestinal symptoms, nor did he note any discussion with Patient A regarding the specifics of her pain. Particularly, among other things, Respondent did not determine the onset, duration, or quality of Patient A's pain. Further, Respondent did not assess Patient A's blood pressure, heart rate, respiratory rate, or pulse oximetry. Respondent also did not order any laboratory studies to evaluate for gallbladder disease.

FIRST CAUSE FOR DISCIPLINE

(Gross Negligence)

13. Respondent has subjected his Physician's and Surgeon's Certificate No. C 41124 to disciplinary action under sections 2227 and 2234, as defined by 2234, subdivision (b), of the Code, in that Respondent committed gross negligence in his care and treatment of Patient A as more particularly alleged hereinafter.

14. Paragraphs 7 through 12, above, are hereby incorporated by reference and realleged as if fully set forth herein.

15. Respondent failed to perform a proper breast exam of Patient A, and/or performed an unnecessary and/or improper exam of Patient A's right breast.

16. Respondent failed to perform an appropriate evaluation of Patient A's abdominal pain.

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1 SECOND CAUSE FOR DISCIPLINE

2 (Repeated Negligent Acts)

3 17. Respondent has further subjected his Physician's and Surgeon's Certificate No.
4 C 41124 to disciplinary action under sections 2227 and 2234, as defined by 2234, subdivision (c),
5 of the Code, in that Respondent committed repeated negligent acts in his care and treatment of
6 Patient A as more particularly alleged in paragraphs 7 through 16, above, which are hereby
7 incorporated by reference and realleged as if fully set forth herein.

8 PRAYER

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

- 11 1. Revoking or suspending Physician's and Surgeon's Certificate No. C 41124, issued to
12 Respondent Eung Koo Bai, M.D.;
- 13 2. Revoking, suspending or denying approval of Respondent Eung Koo Bai, M.D.'s
14 authority to supervise physician assistants and advanced practice nurses;
- 15 3. Ordering Respondent Eung Koo Bai, M.D., to pay the Board the costs of the
16 investigation and enforcement of this case, and if placed on probation, the costs of
17 probation monitoring; and
- 18 4. Taking such other and further action as deemed necessary and proper.

19
20 DATED: AUG 22 2024

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

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