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

In the Matter of the Accusation Against: **Hector Jacobo Lopez, M.D.** Physician's and Surgeon's Certificate No. A 63052 Respondent.	Case No. 800-2023-099218

ORDER CORRECTING CLERICAL ERROR IN "CASE NUMBER" ON DECISION ORDER PAGE

On its own motion, the Medical Board of California (hereafter "Board") finds that there is a clerical error in the case number portion of the Order Page in the above-entitled matter and that such clerical error should be corrected so that the case number will conform to the Board's issued case number.

IT IS HEREBY ORDERED that the case number contained on the Decision Order Page in the above-entitled matter be and hereby is amended and corrected as of the date of entry of the decision to read as 800-2023-099218.

Date: May 21, 2025

Michelle A. Bholat, MD

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

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

In the Matter of the Accusation Against: Hector Jacobo Lopez, M.D. Physician's & Surgeon's Certificate No. A 63052 Respondent.	Case No. 800-8023-099218

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 June 12, 2025.

IT IS SO ORDERED: May 13, 2025.

MEDICAL BOARD OF CALIFORNIA

Michelle A. Bholat, MD

Michelle A. Bholat, Chair
Panel A

ROB BONTA
Attorney General of California
MICHAEL C. BRUMMEL
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BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: **HECTOR JACOBO LOPEZ, M.D.** **26505 Cassidy Ln.** **Davis, CA 95616-9423** **Physician's and Surgeon's Certificate No. A 63052** Respondent.	Case No. 800-2023-099218 OAH No. 2024040389 **STIPULATED SETTLEMENT AND DISCIPLINARY ORDER**

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 Megan R. O'Carroll, Deputy Attorney General.

2. Respondent Hector Jacobo Lopez, M.D. (Respondent) is represented in this proceeding by attorney Bradford J. Hinshaw, Esq., whose address is: 12901 Saratoga Ave. Saratoga, CA 95070.

3. On or about July 18, 1997, the Board issued Physician's and Surgeon's Certificate No. A 63052 to Hector Jacobo Lopez, 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. 800-2023-099218, and will expire on March 31, 2027, unless renewed.

JURISDICTION

4. Accusation No. 800-2023-099218 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 December 21, 2023. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2023-099218 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. 800-2023-099218. Respondent has also carefully read, fully discussed with his counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

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

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

CULPABILITY

9. Respondent understands and agrees that the charges and allegations in Accusation No. 800-2023-099218, 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. 800-2023-099218, a true and correct copy of which is attached hereto as Exhibit A, and that he has thereby subjected his Physician's and Surgeon's Certificate, No. A 63052 to disciplinary action.

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

CONTINGENCY

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

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

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 63052 issued to Respondent Hector Jacobo Lopez, M.D. shall be and is hereby publicly reprimanded pursuant to California Business and Professions Code section 2227, subdivision (a)(4). This Public Reprimand, which is issued in connection with Accusation No. 800-2023-099218 is as follows:

"You were negligent in your care and treatment of a single patient, as more fully described in Accusation No. 800-2023-099218."

A. EDUCATION COURSE. Within 60 calendar days of the effective date of this Decision, Respondent shall submit to the Board or its designee for its prior approval educational program(s) or course(s) which shall not be less than 40 hours. The educational program(s) or course(s) shall be aimed at correcting any areas of deficient practice or knowledge and shall be Category I certified. The educational program(s) or course(s) shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure. Respondent shall participate in and successfully complete the educational program(s) or course(s) not later than six (6) months after Respondent's initial enrollment.

Respondent shall provide proof of attendance for 40 hours of CME in satisfaction of this condition and in excess of the standard CME requirements for renewal of licensure. Respondent shall submit a certification of successful completion of the educational program(s) or course(s) to the Board or its designee not later than 15 calendar days after successfully completing the educational program(s) or course(s). Any violation of this condition or failure to complete the educational program(s) or course(s) shall be considered unprofessional conduct and grounds for further disciplinary action.

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

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

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

Respondent shall submit a certification of successful completion to the Board or its designee not later than 15 calendar days after successfully completing the course, or not later than 15 calendar days after the effective date of the Decision, whichever is later. Any violation of this condition or failure to complete the medical recordkeeping course shall be considered unprofessional conduct and grounds for further disciplinary action.

C. **INVESTIGATION/ENFORCEMENT COST RECOVERY.** Respondent is hereby ordered to reimburse the Board its costs of investigation and enforcement in the amount of $13,304 (thirteen thousand, three hundred and four dollars). Costs shall be payable to the Medical Board of California.

Payment must be made in full within 12 months of the effective date of this Decision, or by a payment plan approved by the Medical Board of California. Any and all requests for a payment plan shall be submitted in writing by respondent to the Board. Failure to fully reimburse the Board this amount of costs within twelve (12) months of the effective date of this Decision, unless the Board or its designee agrees in writing to an extension of that time, shall constitute general unprofessional conduct and may serve as the grounds for further disciplinary action.

The filing of bankruptcy by respondent shall not relieve respondent of the responsibility to repay investigation and enforcement costs.

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ACCEPTANCE

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

DATED: 11/5/24

HECTOR JACOBO LOPEZ, M.D.
Respondent

I have read and fully discussed with Respondent Hector Jacobo Lopez, M.D. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 11-5-24

BRADFORD J. HINSHAW, ESQ.
Attorney for Respondent

ENDORSEMENT

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

DATED: 1/15/2025

Respectfully submitted,

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

Megan R. O'Carroll

MEGAN R. O'CARROLL
Deputy Attorney General
Attorneys for Complainant

SA2023306134

Exhibit A

Accusation No. 800-2023-099218

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

In the Matter of the Accusation Against: **Hector Jacobo Lopez, M.D.** **26505 Cassidy Ln.** **Davis, CA 95616-9423** **Physician's and Surgeon's Certificate No. A 63052,** Respondent.	Case No. 800-2023-099218 **ACCUSATION**

PARTIES

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

2. On or about July 18, 1997, the Medical Board issued Physician's and Surgeon's Certificate Number A 63052 to Hector Jacobo Lopez, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on 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 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, placed 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.

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

COST RECOVERY

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

FACTUAL ALLEGATIONS

8. Respondent is an Emergency Room physician. In December of 2016, he was employed at Rideout Memorial Hospital in Marysville, California. In December of 2016, Patient 1[1] was a 29-year old man.

9. On or about December 24, 2016, in the early hours of the morning, Yuba City Police officers located Patient 1, intoxicated in public, lying in the street near the corner of Oji Way and Whyler Road, in Yuba City. The officers determined that Patient 1 was too intoxicated to be safely transported to the County Jail, and consequently called an ambulance to take him to the local Emergency Room. Paramedics responded to the location at approximately 1:11 a.m. and observed Patient 1, lying on the sidewalk. A paramedic assessed Patient 1, and concluded that he was severely intoxicated. The ambulance transported Patient 1 to Rideout Memorial Hospital's Emergency Room in Marysville, which was approximately three miles from the corner of Oji Way and Whyler Road in Yuba City.

10. Patient 1 was transferred to the Emergency Room at Rideout and was received by the intake nurse at approximately 1:39 a.m. He was initially seen by a triage nurse who determined that he presented a fall risk because he "forgets his limitations." He was seen by a

[1] The Patient's name is redacted to protect his privacy. The full name of Patient 1 will be provided to Respondent and his counsel in discovery.

Registered Nurse (R.N.). at approximately 1:42 a.m. The R.N. took Patient 1's vital signs at 1:45 a.m., and found him to have a temperature of 98.2 degrees Fahrenheit, a pulse of 101, and a blood pressure of 127/77.

11. At 1:55 a.m., Respondent was noted to be at Patient 1's bedside. Respondent documented minimal history of Patient 1. Respondent documented that Patient 1 had no complaints, and noted "Patient with ETOH intoxication." Respondent noted a review of systems that was negative for any significant findings.

12. Under "Examination," Respondent noted that Patient 1 was wet from the outdoors, that he answered questions appropriately, although loudly, and that he was able to walk a straight line. Again, Respondent noted all examination categories to be negative for significant findings. Respondent's assessment was "alcohol abuse." At 1:56 a.m., Respondent entered a note that Patient 1 was stable, and clear for discharge home. Respondent did not order any testing of Patient 1 or attempt to determine his level of alcohol consumption. Respondent did not conduct a thorough neurological evaluation of Patient 1. Respondent did not document or evaluate differential diagnoses of Patient 1.

13. The R.N. entered a note in the medical record at 2:02 a.m., stating that Patient 1 was aware of the plan to discharge him. The R.N. subsequently noted, however, that Patient 1 had eloped from care without waiting to receive the discharge paperwork. At no point did Respondent attempt to contact law enforcement or a relative to collect Patient 1 before or after issuing discharge orders.

14. About one hour later, at approximately 3:00 a.m. on or about December 24, 2016, Patient 1 was run over by a train a short walking distance from Rideout Memorial Hospital. He was found, approximately five hours later, by a member of the public who called 911. The train had severed both of Patient 1's legs from his body, but he survived with above-the-knee bilateral leg amputations. When Patient 1 was returned to Rideout Memorial Hospital and his blood alcohol level was measured, approximately seven hours after his initial discharge, his blood alcohol content was 0.11.

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FIRST CAUSE FOR DISCIPLINE

(Gross Negligence)

15. Respondent is subject to disciplinary action under section 2234, subdivision (b), of the Code, in that he was grossly negligent in his care and treatment of Patient 1.

16. Paragraphs 8 through 14, above, are incorporated here by reference as if fully set forth herein.

17. Respondent was grossly negligent for unsafely discharging Patient 1 without having established that Patient 1 was stable and competent to function independently.

SECOND CAUSE FOR DISCIPLINE

(Repeated Negligent Acts)

18. Respondent is subject to disciplinary action under section 2234, subdivision (c), of the Code, in that he was repeatedly negligent in his care and treatment of Patient 1.

19. Paragraphs 8 through 14, above, are incorporated here by reference as if fully set forth herein.

20. Respondent was repeatedly negligent in his care and treatment of Patient 1 for his acts and omissions, including, but not limited to, the following:

a. Failing to complete a sufficient history and physical examination, including a neurological examination, to rule out other differential diagnoses and to ensure Patient 1 was stable; and

b. Unsafely discharging Patient 1 without having established that Patient 1 was stable and competent to function independently.

21. Respondent's conduct, as set forth above, constitutes repeated negligent acts in violation of 2234, subdivision, (c) of the Code, thus subjecting Respondent's license to discipline.

THIRD CAUSE FOR DISCIPLINE

(Inadequate Records)

22. Respondent is subject to disciplinary action under section 2266 of the Code in that he failed to adequately and accurately maintain medical records for Patient 1, as alleged in

paragraphs 8 through 14, above, which are incorporated here by reference as if fully set forth herein.

PRAYER

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

1. Revoking or suspending Physician's and Surgeon's Certificate Number A 63052, issued to Respondent Hector Jacobo Lopez, M.D.;

2. Revoking, suspending or denying approval of Respondent Hector Jacobo Lopez, M.D.'s authority to supervise physician assistants and advanced practice nurses;

3. Ordering Respondent Hector Jacobo Lopez, M.D., to pay the Board the costs of the investigation and enforcement of this case, and if placed on probation, the costs of probation monitoring;

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

DATED: DEC 2 1 2023

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

SA2023306134