

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

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

**John Ramon Rivera, Jr., M.D.**

**Physician's and Surgeon's  
Certificate No. A 65911**

**Case No.: 800-2021-082688**

**Respondent.**

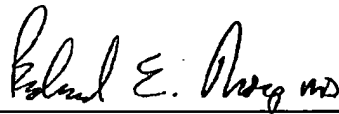
**DECISION**

**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 July 7, 2025.**

**IT IS SO ORDERED: June 5, 2025.**

**MEDICAL BOARD OF CALIFORNIA**



**Richard E. Thorp, M.D., Chair  
Panel B**

1 ROB BONTA  
Attorney General of California  
2 MATTHEW M. DAVIS  
Supervising Deputy Attorney General  
3 NICOLE NOONAN-MILLER  
Deputy Attorney General  
4 State Bar No. 276951  
600 West Broadway, Suite 1800  
5 San Diego, CA 92101  
P.O. Box 85266  
6 San Diego, CA 92186-5266  
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E-mail: Nicole.NoonanMiller@doj.ca.gov  
8 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

13 **JOHN RAMON RIVERA, JR., M.D.**

14 **765 Medical Center Ct., Suite 201**  
15 **Chula Vista, CA 91911-6600**

16 **Physician's and Surgeon's Certificate No. A**  
17 **65911**

18 Respondent.

Case No. 800-2021-082688

OAH No. 2024090608

**STIPULATED SETTLEMENT AND**  
**DISCIPLINARY ORDER**

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

23 **PARTIES**

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

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2. Respondent John Ramon Rivera, Jr., M.D. (Respondent) is represented in this proceeding by attorney David M. Balfour Esq., whose address is: 655 W. Broadway, Ste. 1600 San Diego, CA 92101-8484. On or about July 1, 1998, the Board issued Physician's and Surgeon's Certificate No. A 65911 to John Ramon Rivera, Jr., 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. 800-2021-082688, and will expire on May 31, 2026, unless renewed.

### **JURISDICTION**

3. Accusation No. 800-2021-082688 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 June 27, 2024. Respondent timely filed his Notice of Defense contesting the Accusation.

4. A copy of Accusation No. 800-2021-082688 is attached as exhibit A and incorporated herein by reference.

### **ADVISEMENT AND WAIVERS**

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2021-082688. Respondent has also carefully read, fully discussed with his counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. 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.

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

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**CULPABILITY**

8. Respondent admits the truth of each and every charge and allegation in Accusation No. 800-2021-082688.

9. 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**

10. 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.

11. 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.

12. 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 Board, all of the charges and allegations contained in Accusation No. 800-2021-082688 shall be deemed true, correct and fully admitted by respondent for purposes of any such proceeding or any other licensing proceeding involving Respondent in the State of California.

13. 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.

14. 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 65911 issued to Respondent John Ramon Rivera, Jr., M.D. is revoked. However, the revocation is stayed and Respondent is placed on probation for five (5) years on the following terms and conditions:

1. CONTROLLED SUBSTANCES - ABSTAIN FROM USE. Respondent shall abstain completely from the personal use or possession of controlled substances as defined in the California Uniform Controlled Substances Act, dangerous drugs as defined by Business and Professions Code section 4022, and any drugs requiring a prescription. This prohibition does not apply to medications lawfully prescribed to Respondent by another practitioner for a bona fide illness or condition.

Within 15 calendar days of receiving any lawfully prescribed medications, Respondent shall notify the Board or its designee of the: issuing practitioner's name, address, and telephone number; medication name, strength, and quantity; and issuing pharmacy name, address, and telephone number.

2. ALCOHOL - ABSTAIN FROM USE. Respondent shall abstain completely from the use of products or beverages containing alcohol.

3. BIOLOGICAL FLUID TESTING. Respondent shall immediately submit to biological fluid testing, at Respondent's expense, upon request of the Board or its designee. "Biological fluid testing" may include, but is not limited to, urine, blood, breathalyzer, hair follicle testing, or similar drug screening approved by the Board or its designee. Respondent shall make daily contact with the Board or its designee to determine whether biological fluid testing is required. Respondent shall be tested on the date of the notification as directed by the Board or its designee. The Board may order a Respondent to undergo a biological fluid test on any day, at

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any time, including weekends and holidays. Except when testing on a specific date as ordered by the Board or its designee, the scheduling of biological fluid testing shall be done on a random basis. The cost of biological fluid testing shall be borne by the Respondent.

During the first year of probation, Respondent shall be subject to 52 to 104 random tests. During the second year of probation and for the duration of the probationary term, up to five (5) years, Respondent shall be subject to 36 to 104 random tests per year. Only if there has been no positive biological fluid tests in the previous five (5) consecutive years of probation, may testing be reduced to one (1) time per month. Nothing precludes the Board from increasing the number of random tests to the first-year level of frequency for any reason.

Prior to practicing medicine, Respondent shall contract with a laboratory or service, approved in advance by the Board or its designee, that will conduct random, unannounced, observed, biological fluid testing and meets all of the following standards:

- (a) Its specimen collectors are either certified by the Drug and Alcohol Testing Industry Association or have completed the training required to serve as a collector for the United States Department of Transportation.
- (b) Its specimen collectors conform to the current United States Department of Transportation Specimen Collection Guidelines.
- (c) Its testing locations comply with the Urine Specimen Collection Guidelines published by the United States Department of Transportation without regard to the type of test administered.
- (d) Its specimen collectors observe the collection of testing specimens.
- (e) Its laboratories are certified and accredited by the United States Department of Health and Human Services.
- (f) Its testing locations shall submit a specimen to a laboratory within one (1) business day of receipt and all specimens collected shall be handled pursuant to chain of custody procedures. The laboratory shall process and analyze the specimens and provide legally defensible test results to the Board within seven (7) business days of receipt of the specimen. The Board will be notified of non-negative results within one (1) business day

and will be notified of negative test results within seven (7) business days.

(g) Its testing locations possess all the materials, equipment, and technical expertise necessary in order to test Respondent on any day of the week.

(h) Its testing locations are able to scientifically test for urine, blood, and hair specimens for the detection of alcohol and illegal and controlled substances.

(i) It maintains testing sites located throughout California.

(j) It maintains an automated 24-hour toll-free telephone system and/or a secure on-line computer database that allows the Respondent to check in daily for testing.

(k) It maintains a secure, HIPAA-compliant website or computer system that allows staff access to drug test results and compliance reporting information that is available 24 hours a day.

(l) It employs or contracts with toxicologists that are licensed physicians and have knowledge of substance abuse disorders and the appropriate medical training to interpret and evaluate laboratory biological fluid test results, medical histories, and any other information relevant to biomedical information.

(m) It will not consider a toxicology screen to be negative if a positive result is obtained while practicing, even if the Respondent holds a valid prescription for the substance.

Prior to changing testing locations for any reason, including during vacation or other travel, alternative testing locations must be approved by the Board and meet the requirements above.

The contract shall require that the laboratory directly notify the Board or its designee of non-negative results within one (1) business day and negative test results within seven (7) business days of the results becoming available. Respondent shall maintain this laboratory or service contract during the period of probation.

A certified copy of any laboratory test result may be received in evidence in any proceedings between the Board and Respondent.

If a biological fluid test result indicates Respondent has used, consumed, ingested, or administered to himself or herself a prohibited substance, the Board shall order Respondent to cease practice and instruct Respondent to leave any place of work where Respondent is practicing

1 medicine or providing medical services. The Board shall immediately notify all of Respondent's  
2 employers, supervisors and work monitors, if any, that Respondent may not practice medicine or  
3 provide medical services while the cease-practice order is in effect.

4 A biological fluid test will not be considered negative if a positive result is obtained while  
5 practicing, even if the practitioner holds a valid prescription for the substance. If no prohibited  
6 substance use exists, the Board shall lift the cease-practice order within one (1) business day.

7 After the issuance of a cease-practice order, the Board shall determine whether the positive  
8 biological fluid test is in fact evidence of prohibited substance use by consulting with the  
9 specimen collector and the laboratory, communicating with the licensee, his or her treating  
10 physician(s), other health care provider, or group facilitator, as applicable.

11 For purposes of this condition, the terms "biological fluid testing" and "testing" mean the  
12 acquisition and chemical analysis of a Respondent's urine, blood, breath, or hair.

13 For purposes of this condition, the term "prohibited substance" means an illegal drug, a  
14 lawful drug not prescribed or ordered by an appropriately licensed health care provider for use by  
15 Respondent and approved by the Board, alcohol, or any other substance the Respondent has been  
16 instructed by the Board not to use, consume, ingest, or administer to himself or herself.

17 If the Board confirms that a positive biological fluid test is evidence of use of a prohibited  
18 substance, Respondent has committed a major violation, as defined in section 1361.52(a), and the  
19 Board shall impose any or all of the consequences set forth in section 1361.52(b), in addition to  
20 any other terms or conditions the Board determines are necessary for public protection or to  
21 enhance Respondent's rehabilitation.

22 4. COMMUNITY SERVICE - FREE SERVICES. Within 60 calendar days of the  
23 effective date of this Decision, Respondent shall submit to the Board or its designee for prior  
24 approval a community service plan in which Respondent shall, within the first 2 years of  
25 probation, provide 60 hours of free services (e.g., medical or nonmedical) to a community or non-  
26 profit organization. If the term of probation is designated for 2 years or less, the community  
27 service hours must be completed not later than 6 months prior to the completion of probation.

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Prior to engaging in any community service, Respondent shall provide a true copy of the Decision(s) to the chief of staff, director, office manager, program manager, officer, or the chief executive officer at every community or non-profit organization where Respondent provides community service and shall submit proof of compliance to the Board or its designee within 15 calendar days. This condition shall also apply to any change(s) in community service.

Community service performed prior to the effective date of the Decision shall not be accepted in fulfillment of this condition.

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

A professionalism program 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 program would have been approved by the Board or its designee had the program 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 program or not later than 15 calendar days after the effective date of the Decision, whichever is later.

6. PSYCHIATRIC EVALUATION. Within 30 calendar days of the effective date of this Decision, and on whatever periodic basis thereafter may be required by the Board or its designee, Respondent shall undergo and complete a psychiatric evaluation (and psychological

testing, if deemed necessary) by a Board-appointed board certified psychiatrist specializing in addiction medicine, who shall consider any information provided by the Board or designee and any other information the psychiatrist deems relevant, and shall furnish a written evaluation report to the Board or its designee. Psychiatric evaluations conducted prior to the effective date of the Decision shall not be accepted towards the fulfillment of this requirement. Respondent shall pay the cost of all psychiatric evaluations and psychological testing.

Respondent shall comply with all restrictions or conditions recommended by the evaluating psychiatrist within 15 calendar days after being notified by the Board or its designee.

7. PSYCHOTHERAPY. Within 60 calendar days of the effective date of this Decision, Respondent shall submit to the Board or its designee for prior approval the name and qualifications of a California-licensed board certified psychiatrist or a licensed psychologist who has a doctoral degree in psychology and at least five years of postgraduate experience in the diagnosis and treatment of emotional and mental disorders. Upon approval, Respondent shall undergo and continue psychotherapy treatment, including any modifications to the frequency of psychotherapy, until the Board or its designee deems that no further psychotherapy is necessary.

The psychotherapist shall consider any information provided by the Board or its designee and any other information the psychotherapist deems relevant and shall furnish a written evaluation report to the Board or its designee. Respondent shall cooperate in providing the psychotherapist with any information and documents that the psychotherapist may deem pertinent.

Respondent shall have the treating psychotherapist submit quarterly status reports to the Board or its designee. The Board or its designee may require Respondent to undergo psychiatric evaluations by a Board-appointed board certified psychiatrist. If, prior to the completion of probation, Respondent is found to be mentally unfit to resume the practice of medicine without restrictions, the Board shall retain continuing jurisdiction over Respondent's license and the period of probation shall be extended until the Board determines that Respondent is mentally fit to resume the practice of medicine without restrictions.

Respondent shall pay the cost of all psychotherapy and psychiatric evaluations.

8. VIOLATION OF PROBATION CONDITION FOR SUBSTANCE ABUSING

LICENSEES . Failure to fully comply with any term or condition of probation is a violation of probation.

A. If Respondent commits a major violation of probation as defined by section 1361.52, subdivision (a), of Title 16 of the California Code of Regulations, the Board shall take one or more of the following actions:

(1) Issue an immediate cease-practice order and order Respondent to undergo a clinical diagnostic evaluation to be conducted in accordance with section 1361.5, subdivision (c)(1), of Title 16 of the California Code of Regulations, at Respondent's expense. The cease-practice order issued by the Board or its designee shall state that Respondent must test negative for at least a month of continuous biological fluid testing before being allowed to resume practice. For purposes of determining the length of time a Respondent must test negative while undergoing continuous biological fluid testing following issuance of a cease-practice order, a month is defined as thirty calendar (30) days. Respondent may not resume the practice of medicine until notified in writing by the Board or its designee that he or she may do so.

(2) Increase the frequency of biological fluid testing.

(3) Refer Respondent for further disciplinary action, such as suspension, revocation, or other action as determined by the Board or its designee.

B. If Respondent commits a minor violation of probation as defined by section 1361.52, subdivision (c), of Title 16 of the California Code of Regulations, the Board shall take one or more of the following actions:

(1) Issue a cease-practice order;

(2) Order practice limitations;

(3) Order or increase supervision of Respondent;

(4) Order increased documentation;

(5) Issue a citation and fine, or a warning letter;

(6) Order Respondent to undergo a clinical diagnostic evaluation to be conducted in accordance with section 1361.5, subdivision (c)(1), of Title 16 of the California Code of

1 Regulations, at Respondent's expense;

2 (7) Take any other action as determined by the Board or its designee.

3 C. Nothing in this Decision shall be considered a limitation on the Board's authority  
4 to revoke Respondent's probation if he or she has violated any term or condition of probation. If  
5 Respondent violates probation in any respect, the Board, after giving Respondent notice and the  
6 opportunity to be heard, may revoke probation and carry out the disciplinary order that was  
7 stayed. If an Accusation, or Petition to Revoke Probation, or an Interim Suspension Order is filed  
8 against Respondent during probation, the Board shall have continuing jurisdiction until the matter  
9 is final, and the period of probation shall be extended until the matter is final.

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

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

19 10. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws, all rules  
20 governing the practice of medicine in California and remain in full compliance with any court  
21 ordered criminal probation, payments, and other orders.

22 11. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby  
23 ordered to reimburse the Board its costs of investigation and enforcement, including, but not  
24 limited to, expert review, amended accusations, legal reviews, investigation(s), and subpoena  
25 enforcement, as applicable, in the amount of \$34,803 (thirty four thousand eight hundred three  
26 dollars). Costs shall be payable to the Medical Board of California. Failure to pay such costs  
27 shall be considered a violation of probation.

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Payment must be made in full within 30 calendar days of the effective date of the Order, 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 comply with the payment plan shall be considered a violation of probation.

The filing of bankruptcy by respondent shall not relieve respondent of the responsibility to repay investigation and enforcement costs, including expert review costs (if applicable).

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

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

13. GENERAL PROBATION REQUIREMENTS.

Compliance with Probation Unit

Respondent shall comply with the Board's probation unit.

Address Changes

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

Place of Practice

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

License Renewal

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

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Travel or Residence Outside California

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

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

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

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

In the event Respondent's period of non-practice while on probation exceeds 18 calendar months, Respondent shall successfully complete the Federation of State Medical Boards's Special Purpose Examination, or, at the Board's discretion, a clinical competence assessment program that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model

Disciplinary Orders and Disciplinary Guidelines” prior to resuming the practice of medicine.

Respondent’s period of non-practice while on probation shall not exceed two (2) years. Periods of non-practice will not apply to the reduction of the probationary term. Periods of non-practice for a Respondent residing outside of California will relieve Respondent of the responsibility to comply with the probationary terms and conditions with the exception of this condition and the following terms and conditions of probation: Obey All Laws; General Probation Requirements; Quarterly Declarations; Abstain from the Use of Alcohol and Controlled Substances; and Biological Fluid Testing.

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

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

18. LICENSE SURRENDER. Following the effective date of this Decision, if Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy the terms and conditions of probation, Respondent may request to surrender his or her license. The Board reserves the right to evaluate Respondent’s request and to exercise its discretion in determining whether or not to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent shall within 15 calendar days deliver Respondent’s wallet and wall certificate to the Board or its

1 designee and Respondent shall no longer practice medicine. Respondent will no longer be subject  
2 to the terms and conditions of probation. If Respondent re-applies for a medical license, the  
3 application shall be treated as a petition for reinstatement of a revoked certificate.

4 19. PROBATION MONITORING COSTS. Respondent shall pay the costs associated  
5 with probation monitoring each and every year of probation, as designated by the Board, which  
6 may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of  
7 California and delivered to the Board or its designee no later than January 31 of each calendar  
8 year.

9 20. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for  
10 a new license or certification, or petition for reinstatement of a license, by any other health care  
11 licensing action agency in the State of California, all of the charges and allegations contained in  
12 Accusation No. 800-2021-082688 shall be deemed to be true, correct, and admitted by  
13 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or  
14 restrict license.

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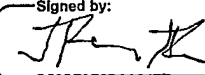
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**ACCEPTANCE**

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, David M. Balfour 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.

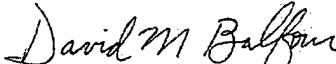
DATED: 2/3/2025

Signed by:  


JOHN RAMON RIVERA, JR., M.D.  
*Respondent*

I have read and fully discussed with Respondent John Ramon Rivera, Jr., 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: February 3, 2025



DAVID M. BALFOUR ESQ.  
*Attorney for Respondent*


**ENDORSEMENT**

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

Respectfully submitted,

DATED: February 3, 2025

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



NICOLE NOONAN-MILLER  
Deputy Attorney General  
*Attorneys for Complainant*

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8 *Attorneys for Complainant*

9  
10 **BEFORE THE**  
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13 In the Matter of the Accusation Against:

Case No. 800-2021-082688

14 **John Ramon Rivera, Jr., M.D.**  
**655 Euclid Ave., Suite 409**  
15 **National City, CA 91950-2981**

**A C C U S A T I O N**

16 **Physician's and Surgeon's Certificate**  
**No. A 65911,**

17 Respondent.  
18

19 **PARTIES**

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

23 2. On or about July 1, 1998, the Medical Board issued Physician's and Surgeon's  
24 Certificate Number A 65911 to John Ramon Rivera, Jr., M.D. (Respondent). The Physician's and  
25 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought  
26 herein and will expire on May 31, 2026, unless renewed.

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## JURISDICTION

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

4. Section 2227 of the Code states:

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

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

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

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

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

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

...

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.

...

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

1 7. Section 2236 of the Code states:

2 (a) The conviction of any offense substantially related to the qualifications,  
3 functions, or duties of a physician and surgeon constitutes unprofessional conduct  
4 within the meaning of this chapter [Chapter 5, the Medical Practice Act]. The record  
of conviction shall be conclusive evidence only of the fact that the conviction  
occurred.

5 ...

6 (d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is  
7 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  
8 occurred.

9 8. Section 2239 of the Code states:

10 (a) The use or prescribing for or administering to himself or herself, of any  
11 controlled substance; or the use of any of the dangerous drugs specified in Section  
4022, or of alcoholic beverages, to the extent, or in such a manner as to be dangerous  
12 or injurious to the licensee, or to any other person or to the public, or to the extent that  
such use impairs the ability of the licensee to practice medicine safely or more than  
13 one misdemeanor or any felony involving the use, consumption, or  
self-administration of any of the substances referred to in this section, or any  
14 combination thereof, constitutes unprofessional conduct. The record of the  
conviction is conclusive evidence of such unprofessional conduct.

15 ...

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

17 For the purposes of denial, suspension or revocation of a license, certificate or  
18 permit pursuant to Division 1.5 (commencing with Section 475) of the code, a crime  
or act shall be considered to be substantially related to the qualifications, functions or  
19 duties of a person holding a license, certificate or permit under the Medical Practice  
Act if to a substantial degree it evidences present or potential unfitness of a person  
20 holding a license, certificate or permit to perform the functions authorized by the  
license, certificate or permit in a manner consistent with the public health, safety or  
welfare. Such crimes or acts shall include but not be limited to the following:  
21 Violating or attempting to violate, directly or indirectly, or assisting in or abetting the  
violation of, or conspiring to violate any provision of the Medical Practice Act.

#### 22 COST RECOVERY

23 10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
24 administrative law judge to direct a licensee found to have committed a violation or violations of  
25 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
26 enforcement of the case, with failure of the licensee to comply subjecting the license to not being

27 ///

1 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
2 included in a stipulated settlement.

3 **FIRST CAUSE FOR DISCIPLINE**

4 **(Conviction of an Offense Substantially Related to the Qualifications, Functions, or Duties**  
5 **of a Physician and Surgeon)**

6 11. Respondent has subjected his Physician's and Surgeon's Certificate No. A 65911 to  
7 disciplinary action under sections 2227 and 2234, as defined by section 2236, of the Code, and  
8 California Code of Regulations, title 16, section 1360, in that Respondent has been convicted of  
9 an offense substantially related to the qualifications, functions, or duties of a physician and  
10 surgeon, as more particularly alleged hereinafter:

11 12. On or about October 10, 2021, San Diego Police officers responded to a report of a  
12 solo-vehicle collision at Pacific Coast Highway and Witherby Street in the City of San Diego.  
13 When officers arrived they observed that a Toyota 4Runner had collided with a guardrail on the  
14 west curb line of the southbound lane of traffic, causing significant damage to the vehicle and the  
15 guardrail. A witness on scene reported that she had been driving behind the 4Runner, and that,  
16 despite it being dark outside, the 4Runner did not have its lights on. The witness said she flashed  
17 her lights to alert the other driver, and the 4Runner began to weave back and forth, almost hitting  
18 a wall, and ultimately driving into the curb and guardrail. As the witness was calling 911, she  
19 observed an older male with gray hair and a white watch exit the vehicle on the driver's side and  
20 leave the area on foot. Officers located Respondent, matching the witness' description, sitting on  
21 the south hillside of Witherby Street, behind a tree, approximately two hundred yards from the  
22 collision site. The witness positively identified Respondent as the driver of the 4Runner.  
23 Respondent had the odor of alcohol on his breath, had red watery eyes, and his speech was  
24 slurred. When questioned by the officer about what had happened, Respondent gave limited  
25 answers if any at all, never admitting to have driven or have been involved in the collision.  
26 Respondent refused to participate in field sobriety tests and was unable to complete the  
27 Preliminary Alcohol Screening (PAS) test as he failed to follow instructions. At police  
28 headquarters, Respondent refused to submit to chemical testing, requiring the officer to obtain a

1 warrant to take Respondent's blood by force. Based on the fact Respondent was involved in a  
2 vehicle collision where Respondent fled the scene and had objective symptoms of intoxication,  
3 Respondent was placed under arrest for driving under the influence of alcohol, driving under the  
4 influence of alcohol with a Blood Alcohol Content (BAC) of 0.08% or higher, and misdemeanor  
5 hit and run.

6 13. On or about October 13, 2021, Respondent's blood sample was tested which resulted  
7 in a BAC of 0.189%.

8 14. On or about March 18, 2022, in *The People of the State of California v. Juan R.*  
9 *Rivera*, San Diego Superior Court Case No. M279976, Respondent was charged with the  
10 following: (1) one count of a violation of Vehicle Code section 23152, subdivision (a), for driving  
11 under the influence of alcohol; (2) one count of a violation of Vehicle Code section 23152,  
12 subdivision (b), for driving with a blood alcohol concentration of .08% or more; and (3) one  
13 count of a violation of Vehicle Code section 20002, subdivision (a), for hit and run driving.

14 15. On or about July 22, 2022, Respondent pled guilty to Count Two, a violation of  
15 Vehicle Code section 23152, subdivision (b), for driving with a blood alcohol concentration of  
16 .08% or more, a misdemeanor. On or about the same day, Respondent was sentenced to three (3)  
17 years summary probation with standard alcohol conditions, ordered to attend and complete a three  
18 (3) month DUI First Conviction Program, ordered to pay restitution, and ordered to pay fines and  
19 fees.

## 20 **SECOND CAUSE FOR DISCIPLINE**

### 21 **(Use of Alcoholic Beverages to the Extent, or in Such a Manner, as to be Dangerous or** 22 **Injurious to Himself, Another Person, or the Public)**

23 16. Respondent has further subjected his Physician's and Surgeon's Certificate No.  
24 A65911 to disciplinary action under sections 2227 and 2234, as defined by section 2239,  
25 subdivision (a), of the Code, in that Respondent has used alcoholic beverages to the extent, or in  
26 such a manner, as to be dangerous or injurious to himself, another person, or the public as more  
27 particularly alleged in paragraphs 11 through 15, above, which are hereby incorporated by  
28 reference and realleged as if fully set forth herein.

1 **THIRD CAUSE FOR DISCIPLINE**

2 **(General Unprofessional Conduct)**

3 17. Respondent has further subjected his Physician's and Surgeon's Certificate No.  
4 A65911 to disciplinary action under sections 2227 and 2234 of the Code, in that Respondent has  
5 engaged in conduct which breaches the rules or ethical code of the medical profession, or conduct  
6 which is unbecoming a member in good standing of the medical profession, and which  
7 demonstrates an unfitness to practice medicine, as more particularly alleged in paragraphs 11  
8 through 16, above, which are hereby incorporated by reference and realleged as if fully set forth  
9 herein.

10 **FOURTH CAUSE FOR DISCIPLINE**

11 **(Violations of Provisions of the Medical Practice Act)**

12 18. Respondent has further subjected his Physician's and Surgeon's Certificate No.  
13 A65911 to disciplinary action under sections 2227 and 2234, as defined by section 2234,  
14 subdivision (a), of the Code, in that Respondent violated provisions of the Medical Practice Act,  
15 as more particularly alleged in paragraphs 11 through 17, above, which are hereby incorporated  
16 by reference and realleged as if fully set forth herein.

17 **DISCIPLINARY CONSIDERATIONS**

18 19. To determine the degree of discipline, if any, to be imposed on Respondent,  
19 Complainant alleges that on or about February 24, 2012, in a prior disciplinary action titled *In the*  
20 *Matter of the Accusation Against John Ramon Rivera, Jr., M.D.*, Medical Board Case No. 10-  
21 2008-196394, the Board revoked Respondent's Physician's and Surgeon's Certificate No.  
22 A65911, stayed the revocation, and placed Respondent on probation for thirty-five (35) months as  
23 a result of Respondent's conviction of a crime, to wit, Vehicle Code sections 23103, subdivision  
24 (a), pursuant to section 23103.5 ("Wet Reckless"), a misdemeanor. That Decision is now final and  
25 is incorporated by reference as if fully set forth herein.

26 20. To determine the degree of discipline, if any, to be imposed on Respondent,  
27 complainant alleges that on or about May 28, 2003, in a prior disciplinary action entitled *In the*  
28 *Matter of the Accusation Against John Ramon Rivera, Jr., MD.*, Medical Board Case No. 10-

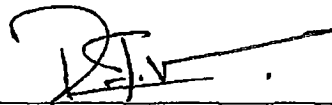
2001-125390, the Board revoked Respondent's Physician's and Surgeon's Certificate No. A65911, stayed the revocation, and placed Respondent on probation for three years as a result of Respondent's conviction of a crime, to wit, Health and Safety Code section 11550, subdivision (a) (Under the Influence of a Controlled Substance, namely "Ecstasy"). That Decision is now final and is incorporated 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 65911, issued to Respondent John Ramon Rivera, Jr., M.D.;
2. Revoking, suspending or denying approval of Respondent John Ramon Rivera, Jr., M.D.'s authority to supervise physician assistants and advanced practice nurses;
3. Ordering Respondent John Ramon Rivera, Jr., M.D., to pay the Board the costs of the investigation and enforcement of this case, and if placed on probation, the costs of probation monitoring; and
4. Taking such other and further action as deemed necessary and proper.

DATED: JUN 27 2024

  
REJTVARGHESE  
Executive Director  
Medical Board of California  
Department of Consumer Affairs  
State of California  
Complainant

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