

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

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

Mccheko Graves-Matthews, M.D.

**Physician's and Surgeon's
Certificate No. G 60542**

Case No.: 800-2020-069749

Respondent.

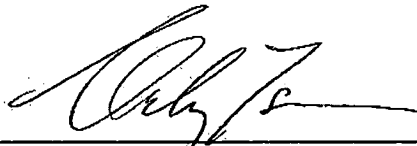
DECISION

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 November 20, 2025.

IT IS SO ORDERED: October 21, 2025.

MEDICAL BOARD OF CALIFORNIA

 **M.D.**

**Veling Tsai, M.D., Vice Chair
Panel A**

1 ROB BONTA
Attorney General of California
2 MACHAELA M. MINGARDI
Supervising Deputy Attorney General
3 THOMAS OSTLY
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8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 800-2020-069749

12 **MCHEKO GRAVES-MATTHEWS, M.D.**
13 **1535 North Main Street, Suite 270**
Walnut Creek, CA 94596-4606

OAH No. 2024090891

14 **Physician's and Surgeon's Certificate No. G**
15 **60542**

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

16 Respondent.

17
18 In the interest of a prompt and speedy settlement of this matter, consistent with the public
19 interest and the responsibility of the Medical Board of California of the Department of Consumer
20 Affairs, the parties hereby agree to the following Stipulated Settlement and Disciplinary Order
21 which will be submitted to the Board for approval and adoption as the final disposition of the
22 Accusation.

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 Thomas Ostly, Deputy
27 Attorney General.
28

2. Respondent Mcheko Graves-Matthews, M.D. (Respondent) is represented in this proceeding by attorney Albert J. Garcia, Esq., whose address is: Physician Advocacy, 2001 Addison Street, Ste. 300 Berkeley, CA 94704.

3. On or about June 29, 1987, the Board issued Physician's and Surgeon's Certificate No. G 60542 to Mcheko Graves-Matthews, 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. 800-2020-069749, and will expire on March 31, 2025, unless renewed.

JURISDICTION

4. Accusation No. 800-2020-069749 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 March 7, 2023. Respondent timely filed her Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2020-069749 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. 800-2020-069749. Respondent has also carefully read, fully discussed with her counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of her 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 her; the right to present evidence and to testify on her 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.

1 **CULPABILITY**

2 9. Respondent understands and agrees that the charges and allegations in Accusation
3 No. 800-2020-069749, if proven at a hearing, constitute cause for imposing discipline upon her
4 Physician's and Surgeon's Certificate.

5 **CONTINGENCY**

6 10. This stipulation shall be subject to approval by the Medical Board of California.
7 Respondent understands and agrees that counsel for Complainant and the staff of the Medical
8 Board of California may communicate directly with the Board regarding this stipulation and
9 settlement, without notice to or participation by Respondent or her counsel. By signing the
10 stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek
11 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
12 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary
13 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
14 action between the parties, and the Board shall not be disqualified from further action by having
15 considered this matter.

16 11. This Stipulated Settlement and Disciplinary Order is intended by the parties herein to
17 be an integrated writing representing the complete, final and exclusive embodiment of the
18 agreement of the parties in this above entitled matter.

19 12. Respondent agrees that if she ever petitions for early termination or modification of
20 probation, or if an accusation and/or petition to revoke probation is filed against her before the
21 Board, all of the charges and allegations contained in Accusation No. 800-2020-069749 shall be
22 deemed true, correct and fully admitted by respondent for purposes of any such proceeding or any
23 other licensing proceeding involving Respondent in the State of California.

24 13. The parties understand and agree that Portable Document Format (PDF) and facsimile
25 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
26 signatures thereto, shall have the same force and effect as the originals.
27
28

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. G 60542 issued to Respondent MCHECKO GRAVES-MATTHEWS, M.D. is revoked. However, the revocation is stayed and Respondent is placed on probation for thirty-five (35) months on the following terms and conditions:

1. REVOCATION - SINGLE CAUSE. Certificate No. G 60542 issued to Respondent Mccheko Graves-Matthews, M.D. is revoked.

2. STANDARD STAY ORDER. However, revocation stayed and Respondent is placed on probation for 35 months upon the following terms and conditions.

3. EDUCATION COURSE. Within 60 calendar days of the effective date of this Decision, and on an annual basis thereafter, 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 per year, for each year of probation. 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. Following the completion of each course, the Board or its designee may administer an examination to test Respondent's knowledge of the course. Respondent shall provide proof of attendance for 65 hours of CME of which 40 hours were in satisfaction of this condition.

4. PRESCRIBING PRACTICES COURSE. Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in a course in prescribing practices 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

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

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

9 Respondent shall submit a certification of successful completion to the Board or its
10 designee not later than 15 calendar days after successfully completing the course, or not later than
11 15 calendar days after the effective date of the Decision, whichever is later.

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

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

26 Respondent shall submit a certification of successful completion to the Board or its
27 designee not later than 15 calendar days after successfully completing the course, or not later than
28 15 calendar days after the effective date of the Decision, whichever is later.

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

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

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

19 7. SOLO PRACTICE PROHIBITION. Respondent is prohibited from engaging in the
20 solo practice of medicine. Prohibited solo practice includes, but is not limited to, a practice
21 where: 1) Respondent merely shares office space with another physician but is not affiliated for
22 purposes of providing patient care, or 2) Respondent is the sole physician practitioner at that
23 location.

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

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

9
10 8. 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 9. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE
20 NURSES. During probation, Respondent is prohibited from supervising physician assistants and
21 advanced practice nurses.

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

25 11. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby
26 ordered to reimburse the Board its costs of investigation and enforcement, including, but not
27 limited to, expert review, amended accusations, legal reviews, investigation(s), and subpoena
28 enforcement, as applicable, in the amount of \$ 24,836.76 (twenty four thousand eight hundred

thirty-six dollars and seventy-six cents). Costs shall be payable to the Medical Board of California. Failure to pay such costs shall be considered a violation of probation.

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.

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

1 license.

2 Travel or Residence Outside California

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

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

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

12 15. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
13 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
14 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is
15 defined as any period of time Respondent is not practicing medicine as defined in Business and
16 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct
17 patient care, clinical activity or teaching, or other activity as approved by the Board. If
18 Respondent resides in California and is considered to be in non-practice, Respondent shall
19 comply with all terms and conditions of probation. All time spent in an intensive training
20 program which has been approved by the Board or its designee shall not be considered non-
21 practice and does not relieve Respondent from complying with all the terms and conditions of
22 probation. Practicing medicine in another state of the United States or Federal jurisdiction while
23 on probation with the medical licensing authority of that state or jurisdiction shall not be
24 considered non-practice. A Board-ordered suspension of practice shall not be considered as a
25 period of non-practice.

26 In the event Respondent's period of non-practice while on probation exceeds 18 calendar
27 months, Respondent shall successfully complete the Federation of State Medical Boards' Special
28 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program

1 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model
2 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

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

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

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

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

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

23 18. LICENSE SURRENDER. Following the effective date of this Decision, if
24 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy
25 the terms and conditions of probation, Respondent may request to surrender his or her license.
26 The Board reserves the right to evaluate Respondent's request and to exercise its discretion in
27 determining whether or not to grant the request, or to take any other action deemed appropriate
28 and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent

1 shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its
2 designee and Respondent shall no longer practice medicine. Respondent will no longer be subject
3 to the terms and conditions of probation. If Respondent re-applies for a medical license, the
4 application shall be treated as a petition for reinstatement of a revoked certificate.

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

10 20. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for
11 a new license or certification, or petition for reinstatement of a license, by any other health care
12 licensing action agency in the State of California, all of the charges and allegations contained in
13 Accusation No. 800-2020-069749 shall be deemed to be true, correct, and admitted by
14 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or
15 restrict license.

16 17 ACCEPTANCE

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

23
24 //

25 //

26 //

27 //

1
2 DATED: _____

3 MCHEKO GRAVES-MATTHEWS, M.D.
4 *Respondent*

5 I have read and fully discussed with Respondent Mcheke Graves-Matthews, M.D. the terms
6 and conditions and other matters contained in the above Stipulated Settlement and Disciplinary
7 Order. I approve its form and content.

8
9 DATED: February 18, 2025

10 *Albert Garcia*
11 ALBERT J. GARCIA, ESQ.
12 *Attorney for Respondent*

13 **ENDORSEMENT**

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

16 DATED: September 17, 2025

Respectfully submitted,

17 ROB BONTA
18 Attorney General of California
19 MACHAELA M. MINGARDI
20 Supervising Deputy Attorney General

21 
22 THOMAS OSTLY
23 Deputy Attorney General
24 *Attorneys for Complainant*

25 SF2022603856

1
2 DATED:

02/19/2025

MCHEKO GRAVES-MATTHEWS, M.D.
Respondent

3
4
5 I have read and fully discussed with Respondent Mcheke Graves-Matthews, M.D. the terms
6 and conditions and other matters contained in the above Stipulated Settlement and Disciplinary
7 Order. I approve its form and content.

8
9 DATED: February 18, 2025

ESQ.
Attorney for Respondent

10
11
12 **ENDORSEMENT**

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

15
16 DATED: _____

Respectfully submitted,

17 ROB BONTA
Attorney General of California
18 MACHAELA M. MINGARDI
Supervising Deputy Attorney General

19
20 THOMAS OSTLY
Deputy Attorney General
Attorneys for Complainant
21
22
23
24

25 SF2022603856

Exhibit A

Accusation No. 800-2020-069749

1 ROB BONTA
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2 GREG CHAMBERS
Supervising Deputy Attorney General
3 HAMSA M. MURTHY
Deputy Attorney General
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7 *Attorneys for Complainant*

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MEDICAL BOARD OF CALIFORNIA
10 **DEPARTMENT OF CONSUMER AFFAIRS**
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12 In the Matter of the Accusation Against:

Case No. 800-2020-069749

13 **Mccheko Graves-Matthews, M.D.**
14 **1535 North Main Street, Suite 270**
Walnut Creek, CA 94596-4606

A C C U S A T I O N

15 **Physician's and Surgeon's Certificate**
16 **No. G 60542,**

17 Respondent.

18
19 **PARTIES**

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

23 2. On or about June 29, 1987, the Medical Board issued Physician's and Surgeon's
24 Certificate Number G 60542 to Mccheko Graves-Matthews, M.D. (Respondent). The Physician's
25 and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
26 herein and will expire on March 31, 2023, unless renewed.

JURISDICTION

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

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 board-certified in psychiatry and neurology. From 1991 to July 2020, she was employed by Alameda County, CA, and she worked approximately twenty years at the Santa Rita Jail in Dublin, CA.

Patient 1

9. On July 22, 2019, Respondent saw Patient 1, a man in his early thirties, at the Santa Rita Jail.¹ During the visit, Patient 1 reported having used methamphetamine regularly prior to his incarceration. Patient 1 also reported that he was experiencing anxiety and/or panic-related symptoms. He reported shortness of breath, sweating, tremulousness, depression, insomnia, and nightmares. He was noted to be in "moderate to severe distress" on exam, and he became tearful during his appointment. Patient 1 reported that he had to "put in a million sick call slips" to get care. On July 22, 2019, Respondent diagnosed Patient 1 with posttraumatic stress disorder, adjustment disorder, mixed depression and anxiety, and amphetamine use disorder. She recommended Remeron, Lexapor, and Benadryl to Patient 1 and obtained his informed consent. However, Respondent did not prescribe any medication to Patient 1 until more than three weeks later, on August 14, 2019. On August 14, 2019, Respondent prescribed Remeron, Lexapro, and

¹ The patients are referred to as "Patients 1, 2, 3 and 4" to protect privacy.

1 Benadryl for Patient 1.² Respondent's failure to prescribe the medications for Patient 1 until
2 August 14, 2019, over three weeks from the visit on July 22, 2019, exposed Patient 1 to a long
3 period of untreated symptoms. Moreover, because Patient 1 was in a correctional setting where
4 there is typically a high level of stress, Patient 1 was at higher than ordinary risk of
5 decomposition, the worsening of symptoms. Accordingly, timely prescribing was particularly
6 important for Patient 1 to prevent decomposition.

7 Patient 2

8 10. Respondent saw Patient 2, a man in his early twenties, on March 12, 2019 at the
9 Santa Rita Jail. Patient 2 had previously been in foster care, where he experienced physical and
10 emotional abuse for two years. Patient 2 reported that he was experiencing anxiety and
11 depression. He also reported a history of methamphetamine and cannabis use. Patient 2 told
12 Respondent that he was experiencing anxiety and depression. Respondent noted that Patient 2
13 showed only "marginal" hygiene, appeared to lack motivation and energy, and had a monotone
14 voice and blunted affect. Respondent diagnosed Patient 2 with adjustment disorder with
15 depression, amphetamine use disorder (severe), and cannabis use disorder (severe).

16 11. Respondent saw Patient 2 on March 12, 2019. Respondent did not sign and enter into
17 Patient 2's medical record her progress note for the March 12, 2019 visit until March 23, 2019.

18 12. Respondent recommended three psychotropic medications, Lexapro, Remeron and
19 Buspar, to Patient 2 on March 12, 2019. She also obtained his informed consent for those
20 medications on that day. She did not prescribe them for Patient 2 until March 23, 2019.³ The
21 eleven day delay in prescribing the medications to Patient 2 exposed him to a longer period of
22 untreated symptoms and a greater potential for decompensation, particularly in light of his
23 correctional institution setting.

24 Patient 3

25 ² Remeron is a medicine used to treat depression, and it typically takes effect only after
26 one or two weeks. Lexapro is a drug used to treat depression and anxiety, and it also typically
27 takes effect only after one or two weeks. Benadryl is an antihistamine and has sedating and/or
28 anti-anxiety effects.

³ Psychotropic drugs are those that affect a person's mental state. They often require days
or weeks to become effective. Buspar is a medication used to treat anxiety.

13. On August 5, 2019, Respondent saw Patient 3, a man in his late fifties at the Santa Rita Jail. Patient 3 reported that his father had passed away earlier that week, that his mother had passed away the year before, and that an infant child of his passed away shortly before his mother. Patient 3 reported that he had been taking the psychotropic medications Paxil and Elavil until a week prior to his incarceration.⁴ Patient 3 reported one suicide attempt when he was a child. He had a cognitive disability, and he was ashamed of his inability to perform basic tasks. Respondent diagnosed Patient 3 with adjustment disorder, depression, and posttraumatic stress disorder.

14. Although Respondent saw Patient 3 on August 5, 2019, she did not sign the progress note for the visit on that day into Patient 3's medical record until August 13, 2019.

15. On August 5, 2019, Respondent recommended the medications Paxil and Remeron to Patient 3 and also obtained his informed consent. However, Respondent did not prescribe those medications for Patient 3 until August 12, 2019. Respondent waited seven days after seeing Patient 3 to prescribe the medications for him, even though Patient 3 reported that he had been relying on psychotropic drugs prior to incarceration to manage symptoms and that he had experienced significant stressors. Additionally, Paxil and Remeron typically require some days or weeks to become fully effective, and Patient 3 was in a correctional setting in which there is a high level of stress and increased likelihood of decomposition, or worsening of symptoms, due to the delay in prescribing.

Patient 4

16. On July 18, 2019, Respondent saw Patient 4, a man in his forties, at the Santa Rita Jail. Patient 4 reported taking multiple medications and using methamphetamines in recent years. Respondent noted that Patient 4 presented as "arrogant" and with "underlying anger that is palpable." Respondent diagnosed Patient 4 with depressive disorder and amphetamine use disorder.

17. Although Respondent saw Patient 4 on July 18, 2019, she did not sign the progress note for the visit on that day into Patient 4's medical record until July 25, 2019.

⁴ Paxil and Elavil are both medications used to treat depression.

1 18. On July 18, 2019, Respondent recommended the medications Buspar, Zoloft, and
2 Effexor for Patient 4 and obtained his informed consent..⁵ However, Respondent did not prescribe
3 those medications for Patient 4 until August 5, 2019. Patient 4 submitted an inmate grievance
4 form on August 1, 2019 stating that he had not received the prescription medications he thought
5 he was going to receive after his visit with Respondent. Respondent delayed prescribing for
6 Patient 4 for multiple weeks even though the prescribed medications, Zoloft, Buspar, and Effexor,
7 require days or weeks to become fully effective, and even though timely prescribing helps to
8 alleviate symptoms more quickly. In addition, medications like Effexor and Zoloft also require
9 dose increases over time. Respondent intended to titrate Effexor up (increase the dosage) over a
10 10-day period. The initial titration could have been completed over the weeks that it took to
11 prescribe the medication, if Respondent had timely prescribed. Because Patient 4 was in a
12 correctional setting where there is a high level of stress, he had greater likelihood for
13 decompensation, or worsening of symptoms, due to Respondent's delay in prescribing.

14 **FIRST CAUSE FOR DISCIPLINE**

15 **(Unprofessional Conduct/ Gross Negligence/ Repeated Negligent Acts – Patient 1)**

16 19. Paragraphs 8 and 9 and are hereby incorporated by reference as if fully stated herein.
17 Respondent has subjected her physician and surgeon's certificate to discipline under Business and
18 Professions Code section 2234 and/or 2234(b) and/or 2234(c).

19 **SECOND CAUSE FOR DISCIPLINE**

20 **(Unprofessional Conduct/ Repeated Negligent Acts/ Failure to Maintain Adequate and
21 Accurate Records – Patient 2)**

22 20. Paragraphs 8, 10, and 11 are hereby incorporated by reference as if fully stated
23 herein. Respondent has subjected her physician and surgeon's certificate to discipline under
24 Business and Professions Code section 2234 and/or 2234(c) and/or 2266.
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27

28 ⁵ Zoloft and Effexor are antidepressants.

1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct/ Repeated Negligent Acts – Patient 2)**

3 21. Paragraphs 8, 10 and 12 are hereby incorporated by reference as if fully stated herein.
4 Respondent has subjected her physician and surgeon's certificate to discipline under Business and
5 Professions Code section 2234 and/or 2234(c).

6 **FOURTH CAUSE FOR DISCIPLINE**

7 **(Unprofessional Conduct/ Repeated Negligent Acts/ Failure to Maintain Adequate and**
8 **Accurate Records – Patient 3)**

9 22. Paragraphs 8, 13, and 14 are hereby incorporated by reference as if fully stated
10 herein. Respondent has subjected her physician and surgeon's certificate to discipline under
11 Business and Professions Code section 2234 and/or 2234(c) and/or 2266.

12 **FIFTH CAUSE FOR DISCIPLINE**

13 **(Unprofessional Conduct/ Repeated Negligent Acts – Patient 3)**

14 23. Paragraphs 8, 13 and 15 are hereby incorporated by reference as if fully stated herein.
15 Respondent has subjected her physician and surgeon's certificate to discipline under Business and
16 Professions Code section 2234 and/or 2234(c).

17 **SIXTH CAUSE FOR DISCIPLINE**

18 **(Unprofessional Conduct/ Repeated Negligent Acts/ Failure to Maintain Adequate and**
19 **Accurate Records – Patient 4)**

20 24. Paragraphs 8, 16, and 17 are hereby incorporated by reference as if fully stated
21 herein. Respondent has subjected her physician and surgeon's certificate to discipline under
22 Business and Professions Code section 2234 and/or 2234(c) and/or 2266

23 **SEVENTH CAUSE FOR DISCIPLINE**

24 **(Unprofessional Conduct/ Gross Negligence/ Repeated Negligent Acts – Patient 4)**

25 25. Paragraphs 8, 16, and 18 and are hereby incorporated by reference as if fully stated
26 herein. Respondent has subjected her physician and surgeon's certificate to discipline under
27 Business and Professions Code section 2234 and/or 2234(b) and/or 2234(c).

1 PRAYER

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

4 1. Revoking or suspending Physician's and Surgeon's Certificate Number G 60542,
5 issued to Mcheke Graves-Matthews, M.D.;

6 2. Revoking, suspending or denying approval of Mcheke Graves-Matthews, M.D.'s
7 authority to supervise physician assistants and advanced practice nurses;

8 3. Ordering Mcheke Graves-Matthews, M.D., to pay the Board the costs of the
9 investigation and enforcement of this case, and if placed on probation, the costs of probation
10 monitoring;

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

12
13 DATED: MAR 07 2023



14 REJI VARGHESE
15 Interim Executive Director
16 Medical Board of California
17 Department of Consumer Affairs
18 State of California
19 Complainant
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