

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

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

Marti Guantic Menez, M.D.

**Physician's and Surgeon's
Certificate No. A 48634**

Case No. 800-2023-102706

Respondent.

DECISION

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

**This Decision shall become effective at 5:00 p.m. on October 28,
2025.**

IT IS SO ORDERED October 16, 2025.

MEDICAL BOARD OF CALIFORNIA



**Reji Varghese
Executive Director**

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

12 In the Matter of the Accusation Against:

Case No. 800-2023-102706

13 **MARTI GUANTIC MENEZ, M.D.**
14 **PO Box 4242**
Lakewood, CA 90711-4242

DEFAULT DECISION
AND ORDER

[Gov. Code, § 11520]

15 **Physician's and Surgeon's Certificate**
16 **No. A 48634,**

Respondent.

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19 **FINDINGS OF FACT**

20 1. On or about July 14, 2025, Complainant Reji Varghese, in his official capacity as the
21 Executive Director of the Medical Board of California, Department of Consumer Affairs, filed
22 Accusation No. 800-2023-102706 against MARTI GUANTIC MENEZ, M.D. (Respondent)
23 before the Medical Board of California (Board).

24 2. On or about September 4, 1990, the Board issued Physician's and Surgeon's
25 Certificate No. A 48634 to Respondent. The Physician's and Surgeon's Certificate expired on
26 July 31, 2024, and has not been renewed. A true and correct copy of a Certificate of Licensure
27 for Respondent, including his address of record with the Board, is attached as Exhibit A to the

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1 simultaneously submitted Default Decision Evidence Packet ("Evidence Packet"). The Evidence
2 Packet is hereby incorporated by reference, in its entirety, as if fully set forth herein.

3 3. On or about July 14, 2025, Samuel Guardado, an employee of the Board, served by
4 Certified Mail (tracking no. 7020-2450-0000-6867-3336) a copy of the Accusation No. 800-2023-
5 102706; Statement to Respondent; Notice of Defense; Request for Discovery; and Discovery
6 Statutes to Respondent's address of record with the Board, which was and is P.O. Box 4242,
7 Lakewood, CA 90711-4242. A true and correct copy of the Accusation, the related documents,
8 and Declaration of Service are attached as Exhibit B to the Evidence Packet.

9 4. Service of the Accusation was effective as a matter of law under the provisions of
10 Government Code section 11505, subdivision (c).

11 5. Per the U.S. Postal Service website and tracking portal, the aforementioned
12 documents were available for pick up at the U.S. Postal Office located at 5200 Clark Avenue,
13 Lakewood, CA 90714, as of July 26, 2025. A true and correct copy of the website screenshot
14 from August 19, 2025, is attached as Exhibit C to the Evidence Packet.

15 6. Business and Professions Code section 118 states, in pertinent part:

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

21 7. Government Code section 11506 states, in pertinent part:

22 (c) The respondent shall be entitled to a hearing on the merits if the respondent
23 files a notice of defense, and the notice shall be deemed a specific denial of all parts
24 of the accusation not expressly admitted. Failure to file a notice of defense shall
constitute a waiver of respondent's right to a hearing, but the agency in its discretion
may nevertheless grant a hearing.

25 Respondent failed to file a Notice of Defense within 15 days after service upon him of the
26 Accusation, and therefore waived his right to a hearing on the merits of Accusation No. 800-
27 2023-102706.

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1 8. California Government Code section 11520 states, in pertinent part:

2 (a) If the respondent either fails to file a notice of defense or to appear at the
3 hearing, the agency may take action based upon the respondent's express admissions
4 or upon other evidence and affidavits may be used as evidence without any notice to
5 respondent.

6 9. Business and Professions Code section 125.3 states, in pertinent part:

7 (a) Except as otherwise provided by law, in any order issued in resolution of a
8 disciplinary proceeding before any board within the department or before the
9 osteopathic Medical Board, upon request of the entity bringing the proceeding, the
10 administrative law judge may direct a licensee found to have committed a violation or
11 violations of the licensing act to pay a sum not to exceed the reasonable costs of the
12 investigation and enforcement of the case.

13 10. On July 30, 2025, an employee of the Attorney General's office, counsel for
14 Complainant, served via certified mail (tracking no. 9590-9266-9904-2236-9728-90) a Courtesy
15 Notice of Default and courtesy copies of Accusation No. 800-2023-102706, Statement to
16 Respondent, Notice of Defense (two copies), Request for Discovery, and Government Code
17 sections 11507.5, 11507.6, 11507.7 to Respondent's address of record with the Board, which was
18 and is P.O. Box 4242, Lakewood, CA 90711-4242. In addition, a second copy of the Courtesy
19 Notice of Default and attachments referenced above was sent via certified mail to Respondent's
20 last known physical address, which is 5426 Chambers Court, Lakewood, CA 90712. A true and
21 correct copy of said Courtesy Notice of Default and attachments and declaration of service are
22 attached as Exhibit D to the Evidence Packet.

23 11. The certified mail delivery slip was signed as delivered on August 1, 2025, at the
24 address of 5426 Chambers Court, Lakewood, CA 90712. A true and correct copy of said certified
25 mail delivery slip is attached as Exhibit E to the Evidence Packet.

26 12. To date, Respondent has not submitted a Notice of Defense to the Board or its
27 counsel of record in this matter. (Declaration of Deputy Attorney General Monica L. Dobson,
28 Exhibit F to the Evidence Packet.)

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1 13. Section 2234 of the Code states:

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

5 (a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the
6 violation of, or conspiring to violate any provision of this chapter.

7 (b) Gross negligence.

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

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

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

18 (d) Incompetence.

19 (e) The commission of any act involving dishonesty or corruption that is substantially
20 related to the qualifications, functions, or duties of a physician and surgeon.

21 (f) Any action or conduct that would have warranted the denial of a certificate.

22 (g) The failure by a certificate holder, in the absence of good cause, to attend and
23 participate in an interview by the board. This subdivision shall only apply to a certificate
24 holder who is the subject of an investigation by the board.

25 14. Pursuant to its authority under Government Code section 11520, the Board finds
26 Respondent is in default. The Board will take action without further hearing and, based on
27 Respondent's express admissions by way of default and the evidence before it, contained in
28 Exhibits A, B, C, D, E, F, G, and H finds that the following allegations in Accusation No. 800-
29 2023-102706 are true:

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1 A. First Cause for Discipline – Gross Negligence

2 Respondent is subject to disciplinary action under sections 2227 and 2234, as defined by
3 section 2234, subdivision (b), of the Code, in that he committed gross negligence in his care
4 and treatment of Patient A¹ as follows:

- 5 (a) Respondent failed to screen Patient A for a heritable condition when the family history
6 was high risk. When Patient A was four months of age, Respondent was informed that
7 Patient A's brother was being treated for Duchenne muscular dystrophy (DMD), a
8 genetic disorder. Respondent was also informed that Patient A's two uncles also had
9 DMD. Respondent did not screen Patient A for DMD until he was 21 months old. As
10 such, Respondent committed gross negligence.
- 11 (b) Respondent failed to address Patient A's abnormal lab results with appropriate medical
12 intervention or referral to a higher level of care. Patient A's creatine kinase level was
13 extremely elevated. This is indicative of likely DMD. Respondent took no action and
14 made no referral for three months, when Patient A's mother requested a referral. As
15 such, Respondent committed gross negligence.
- 16 (c) Respondent failed to manage a subspecialty referral for Patient A. Respondent referred
17 Patient A to Pediatric Neurology. The physician receiving the referral promptly
18 indicated that she did not see patients with DMD and that Respondent needed to reroute
19 the referral. Respondent did not reroute the referral, and it expired after six months. As
20 such, Respondent committed gross negligence.

21 (Supporting evidence: Exhibit G, Declaration of Nicole Gorton, M.D.)

22 B. Second Cause for Discipline – Repeated Negligent Acts

23 Respondent is further subject to disciplinary action under sections 2227 and 2234, as
24 defined by section 2234, subdivision (c), of the Code, in that he committed repeated
25 negligent acts in his care and treatment of Patient A, as more particularly alleged in

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27 _____
28 ¹ The identity of Patient A is known to all parties but not disclosed in the Accusation, this
document or any of its attachments, to protect the patient's identity.

1 paragraphs 14A(a) through 14A(c), above, which are hereby incorporated by reference and
2 realleged as if fully set forth herein.

3 (Supporting evidence: Exhibit G, Declaration of Nicole Gorton, M.D.)

4 15. The investigation and enforcement costs are \$32,285.00.

5 (Supporting evidence: Exhibit H, Certification of Prosecution Costs: Declaration of Monica L.
6 Dobson)

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8 **DETERMINATION OF ISSUES**

9 1. Based on the foregoing findings of fact, Respondent Marti Guantic Menez, M.D. has
10 subjected his Physician's and Surgeon's Certificate No. A 48634 to discipline.

11 2. A copy of the Accusation and the related documents and Declaration of Service are
12 attached as Exhibit B to the Evidence Packet.

13 3. The Board has jurisdiction to adjudicate this case by default.

14 4. Pursuant to Business and Professions Code section 125.3, the Board is authorized to
15 order Respondent to pay the Board the reasonable costs of investigation and enforcement of the
16 case prayed for in the Accusation total \$32,285.00, based on the Certification of Costs attached as
17 Exhibit H to the Evidence Packet.

18 5. The Medical Board of California is authorized to revoke Respondent's Physician's
19 and Surgeon's Certificate based upon the following violations alleged in the Accusation, and the
20 Findings of Fact and Determination of Issues, above:

- 21 a. Respondent committed gross negligence in his care and treatment of Patient A,
22 in violation of Business and Professions Code section 2234, subdivision (b);
23 and
24 b. Respondent committed repeated negligent acts in his care and treatment of
25 Patient A, in violation of Business and Professions Code section 2234,
26 subdivision (c).

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1 **ORDER**

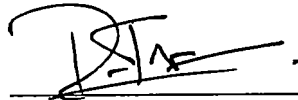
2 IT IS SO ORDERED that Physician's and Surgeon's Certificate No. A 48634, heretofore
3 issued to Respondent Marti Guantic Menez, M.D., is revoked.

4 Respondent Marti Guantic Menez, M.D. is ordered to pay the Board the costs of the
5 investigation and enforcement of this case in the amount of \$32,285.00 (thirty-two thousand two
6 hundred eighty-five dollars).

7 **Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a**
8 **written motion requesting that the Decision be vacated and stating the grounds relied on**
9 **within seven (7) days after service of the Decision on Respondent.** The Board in its discretion
10 may vacate the Decision and grant a hearing on a showing of good cause, as defined in the
11 statute.

12 This Decision shall become effective on October 28, 2025.

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14 It is so ORDERED October 16, 2025.

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17 REJI VARGHESE
18 EXECUTIVE DIRECTOR
19 FOR THE MEDICAL BOARD OF CALIFORNIA
20 DEPARTMENT OF CONSUMER AFFAIRS

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

13 In the Matter of the Accusation Against:

Case No. 800-2023-102706

14 **MARTI GUANTIC MENEZ, M.D.**
P.O. Box 4242
15 Lakewood, CA 90711

ACCUSATION

16 **Physician's and Surgeon's Certificate**
17 **No. A 48634,**

Respondent.

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20 **PARTIES**

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

24 2. On or about September 4, 1990, the Medical Board issued Physician's and Surgeon's
25 Certificate Number A 48634 to Marti Guantic Menez, M.D. (Respondent). The Physician's and
26 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
27 herein but expired on July 31, 2024, and has not been renewed.

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

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

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

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

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Except as otherwise provided by law, the board may take action against all persons guilty of violating this chapter. The board shall enforce and administer this article as to physician and surgeon certificate holders, including those who hold certificates that do not permit them to practice medicine ... and the board shall have all the powers granted in this chapter for these purposes ...

(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

1 into a stipulation for disciplinary action with the board, may, in accordance with the
2 provisions of this chapter:

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

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

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

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

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

13 (b) Any matter heard pursuant to subdivision (a), except for warning letters,
14 medical review or advisory conferences, professional competency examinations,
15 continuing education activities, and cost reimbursement associated therewith that are
16 agreed to with the board and successfully completed by the licensee, or other matters
17 made confidential or privileged by existing law, is deemed public, and shall be made
18 available to the public by the board pursuant to Section 803.1.

19 8. Section 2234 of the Code states, in pertinent part:

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

23 (a) Violating or attempting to violate, directly or indirectly, assisting in or
24 abetting the violation of, or conspiring to violate any provision of this chapter.

25 (b) Gross negligence.

26 (c) Repeated negligent acts. To be repeated, there must be two or more
27 negligent acts or omissions. An initial negligent act or omission followed by a
28 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.

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1 9. California Code of Regulations, title 16, section 1360, states, in pertinent part:

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

13 ...

14 COST RECOVERY

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

21 FIRST CAUSE FOR DISCIPLINE

22 (Gross Negligence)

23 11. Respondent is subject to disciplinary action under sections 2227 and 2234, as defined
24 by section 2234, subdivision (b), of the Code, in that Respondent committed gross negligence in
25 his care and treatment of Patient A¹, as more particularly alleged herein:

26 12. On or about June 12, 2020, Patient A, a then two-month-old male, was seen by
27 Respondent at High Desert Regional Health Center (HDRHC) for his first well-baby checkup.

28 13. On or about August 10, 2020, Patient A was seen by Respondent for his four-month
well-baby checkup. Respondent documented that Patient A's 14-year-old brother has Duchenne's
Muscular Dystrophy (DMD).² No labs or referrals were ordered.

¹ The patient herein is identified as Patient A to maintain patient confidentiality.

² Duchenne's Muscular Dystrophy is a genetic disorder characterized by progressive weakness and degeneration of the skeletal muscles that control movement. Most cases are inherited as an X-linked recessive trait (passed on through the mother, who is a carrier). The

(continued...)

1 14. On or about October 23, 2020, Patient A was seen by Respondent for his six-month
2 well-baby checkup. Family history of DMD was not documented as discussed at this visit and no
3 lab work or referrals were ordered.

4 15. On or about April 5, 2021, Patient A was seen by Respondent for his one-year well-
5 baby checkup. Family history of DMD was not documented as discussed at this visit. A blood
6 lead and complete blood count (CBC) with differential was ordered; however, no further lab work
7 or referrals were ordered.

8 16. On or about April 13, 2021, Respondent had a telephone conversation with Patient
9 A's mother regarding the results of the lead and CBC differential, which Respondent determined
10 to be acceptable. No further intervention was ordered.

11 17. On or about August 9, 2021, Patient A was seen by Respondent for his sixteen-month
12 well-baby checkup. Family history of DMD was not documented as discussed at this visit and no
13 lab work or referrals were ordered.

14 18. On or about January 12, 2022, Patient A was seen by Respondent for his twenty-one-
15 month well-baby checkup. Respondent ordered lab work to test Patient A's creatine kinase levels
16 and noted that Patient A's sibling has DMD. Patient A's blood was drawn the same day and
17 found to have an elevated creatine kinase level of 19,614 U/L (units (U) of enzyme activity per
18 liter (L) of serum).³

19 19. On or about January 20, 2022, Respondent contacted Patient A's mother via
20 telephone regarding Patient A's elevated creatine kinase level.

21 20. On or about April 26, 2022, Patient A was seen by Respondent for his two-year well-
22 baby checkup. Respondent documented that Patient A's mother requested a referral to Neurology
23 at Children's Hospital Los Angeles (CHLA), that Patient A's brother has DMD, and that two of
24 Patient A's mother's brothers passed away from DMD. Respondent listed a diagnosis of elevated

25
26 onset of DMD symptoms occurs in early childhood, with some of the most noticeable signs
27 including difficulty walking and delayed speech. Early intervention is vital for slowing down the
28 disease progression and preserving muscle function for as long as possible.

³ Creatine kinase is an enzyme found in muscles. The normal reference range for creatine
kinase is 20-200 U/L. An elevated creatine kinase level may indicate muscle degeneration and
aids in understanding the progression of DMD.

1 creatine kinase levels. On the same day, Respondent referred Patient A for an e-consult to
2 another physician in Pediatric Neurology.

3 21. On or about April 28, 2022, the referral physician replied and directed Respondent to
4 send the referral to adult neurology due to family history. The referral physician also informed
5 Respondent that she was unable to forward the referral herself.

6 22. Respondent did not forward the referral or make a subsequent referral. On or about
7 October 31, 2022, the original referral was formally closed due to a "six-month expiration."

8 23. On or about August 30, 2023, following a clinic visit by Patient A's brother to CHLA
9 and a note made in the brother's chart about Patient A's elevated creatine kinase levels, among
10 others, a provider at HDRHC placed another urgent out-of-network referral to CHLA Neuro-
11 muscular clinic for Patient A, now three years old.

12 24. On or about September 13, 2023, Patient A was evaluated at CHLA. By this time,
13 Patient A was experiencing issues with being unable to walk and falling while walking. Patient A
14 was referred to speech therapy and a treatment plan was put into place.

15 25. On or about October 11, 2023, CHLA confirmed Patient A's diagnosis of DMD.

16 26. Respondent committed gross negligence in his care and treatment of Patient A which
17 included, but was not limited to, the following:

- 18 (a) Respondent failed to perform a timely screening for DMD in Patient A.
- 19 (b) Respondent failed to timely react to Patient A's abnormal creatine kinase level.
- 20 (c) Respondent failed to properly manage Patient A's referral to the appropriate
21 neurology service.
- 22 (d) Respondent failed to accurately document Patient A's chart.

23 **SECOND CAUSE FOR DISCIPLINE**

24 **(Repeated Negligent Acts)**

25 27. Respondent is further subject to disciplinary action under sections 2227 and 2234, as
26 defined by section 2234, subdivision (c), of the Code, in that Respondent committed repeated
27 negligent acts in his care and treatment of Patient A, as more particularly alleged in paragraphs 11
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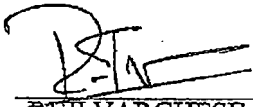
1 through 26 above, which are hereby incorporated by reference and realleged as if fully set forth
2 herein.

3 PRAYER

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

- 6 1. Revoking or suspending Physician's and Surgeon's Certificate Number A 48634,
7 issued to Respondent Marti Guantic Menez, M.D.;
- 8 2. Revoking, suspending or denying approval of Respondent Marti Guantic Menez,
9 M.D.'s authority to supervise physician assistants and advanced practice nurses;
- 10 3. Ordering Respondent Marti Guantic Menez, M.D., to pay the Board the costs of the
11 investigation and enforcement of this case, and if placed on probation, the costs of probation
12 monitoring; and
- 13 4. Taking such other and further action as deemed necessary and proper.

14
15 DATED: JUL 14 2025

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17 REJI VARGHESE
18 Executive Director
19 Medical Board of California
20 Department of Consumer Affairs
21 State of California
22 Complainant

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