

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

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

Nabil Morcos, M.D.

**Physician's and Surgeon's
Certificate No. G 72410**

Case No.: 800-2018-048375

Respondent.

DECISION

The attached Stipulated Settlement and Disciplinary Orders 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 December 5, 2025.

IT IS SO ORDERED: November 6, 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 GIOVANNI F. MEJIA
Deputy Attorney General
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7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

12 **NABIL MORCOS, M.D.**
13 **17602 17th Street, Suite 102-67**
Tustin, CA 92780-1961

14 **Physician's and Surgeon's Certificate**
15 **No. G 72410,**

16 Respondent.

Case No. 800-2018-048375

OAH No. 2025060607

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 **PARTIES**

21 1. Reji Varghese (Complainant) is the Executive Director of the Medical Board of
22 California (Board). He brought this action solely in his official capacity and is represented in this
23 matter by Rob Bonta, Attorney General of the State of California, by Giovanni F. Mejia, Deputy
24 Attorney General.

25 2. Respondent Nabil Morcos, M.D. (Respondent) is represented in this proceeding by
26 attorney Jerry R. Sparks, Esq., whose address is: Sparks Law Firm, 650 Town Center Drive, Suite
27 1200, Costa Mesa, CA 92626.

28 *////*

1 3. On or about September 3, 1991, the Board issued Physician's and Surgeon's
2 Certificate No. G 72410 to Nabil Morcos, M.D. (Respondent). The Physician's and Surgeon's
3 Certificate was in full force and effect at all times relevant to the charges brought in Accusation
4 No. 800-2018-048375, and will expire on October 31, 2026, unless renewed.

5 **JURISDICTION**

6 4. Accusation No. 800-2018-048375 was filed before the Board, and is currently
7 pending against Respondent. The Accusation and all other statutorily required documents were
8 properly served on Respondent on May 16, 2025. Respondent timely filed his Notice of Defense
9 contesting the Accusation.

10 5. A copy of Accusation No. 800-2018-048375 is attached as exhibit A and incorporated
11 herein by reference.

12 **ADVISEMENT AND WAIVERS**

13 6. Respondent has carefully read, fully discussed with counsel, and understands the
14 charges and allegations in Accusation No. 800-2018-048375. Respondent has also carefully read,
15 fully discussed with his counsel, and understands the effects of this Stipulated Settlement and
16 Disciplinary Order.

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

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

25 **CULPABILITY**

26 9. Respondent understands and agrees that each of the charges and allegations in
27 Accusation No. 800-2018-048375, if proven at a hearing, constitute cause for imposing discipline
28 upon his Physician's and Surgeon's Certificate.

10. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation, and that Respondent hereby gives up his right to contest that cause for discipline exists based on those charges.

11. 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.

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. 800-2018-048375 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.

CONTINGENCY

13. 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.

ADDITIONAL PROVISIONS

14. 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.

///

15. 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.

16. 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 72410 issued to Respondent Nabil Morcos, M.D. is revoked. However, the revocation is stayed and Respondent is placed on probation for two (2) years on the following terms and conditions:

1. 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.

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

1 Medical Education (CME) requirements for renewal of licensure.

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

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

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

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

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

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1 4. MONITORING - PRACTICE/BILLING. Within 30 calendar days of the effective
2 date of this Decision, Respondent shall submit to the Board or its designee for prior approval as
3 practice and billing monitor(s), the name and qualifications of one or more licensed physicians
4 and surgeons whose licenses are valid and in good standing, and who are preferably American
5 Board of Medical Specialties (ABMS) certified. A monitor shall have no prior or current business
6 or personal relationship with Respondent, or other relationship that could reasonably be expected
7 to compromise the ability of the monitor to render fair and unbiased reports to the Board,
8 including but not limited to any form of bartering, shall be in Respondent's field of practice, and
9 must agree to serve as Respondent's monitor. Respondent shall pay all monitoring costs.

10 The Board or its designee shall provide the approved monitor with copies of the Decision(s)
11 and Accusation(s), and a proposed monitoring plan. Within 15 calendar days of receipt of the
12 Decision(s), Accusation(s), and proposed monitoring plan, the monitor shall submit a signed
13 statement that the monitor has read the Decision(s) and Accusation(s), fully understands the role
14 of a monitor, and agrees or disagrees with the proposed monitoring plan. If the monitor disagrees
15 with the proposed monitoring plan, the monitor shall submit a revised monitoring plan with the
16 signed statement for approval by the Board or its designee.

17 Within 60 calendar days of the effective date of this Decision, and continuing throughout
18 probation, Respondent's practice and billing shall be monitored by the approved monitor(s).
19 Respondent shall make all records available for immediate inspection and copying on the
20 premises by the monitor at all times during business hours and shall retain the records for the
21 entire term of probation.

22 If Respondent fails to obtain approval of a monitor within 60 calendar days of the effective
23 date of this Decision, Respondent shall receive a notification from the Board or its designee to
24 cease the practice of medicine within three (3) calendar days after being so notified. Respondent
25 shall cease the practice of medicine until a monitor is approved to provide monitoring
26 responsibility.

27 The monitor(s) shall submit a quarterly written report to the Board or its designee which
28 includes an evaluation of Respondent's performance, indicating whether Respondent's practices

1 are within the standards of practice of medicine or billing, or both, and whether Respondent is
2 practicing medicine safely, billing appropriately or both. It shall be the sole responsibility of
3 Respondent to ensure that the monitor submits the quarterly written reports to the Board or its
4 designee within 10 calendar days after the end of the preceding quarter.

5 If the monitor resigns or is no longer available, Respondent shall, within 5 calendar days of
6 such resignation or unavailability, submit to the Board or its designee, for prior approval, the
7 name and qualifications of a replacement monitor who will be assuming that responsibility within
8 15 calendar days. If Respondent fails to obtain approval of a replacement monitor within 60
9 calendar days of the resignation or unavailability of the monitor, Respondent shall receive a
10 notification from the Board or its designee to cease the practice of medicine within three (3)
11 calendar days after being so notified. Respondent shall cease the practice of medicine until a
12 replacement monitor is approved and assumes monitoring responsibility.

13 In lieu of a monitor, Respondent may participate in a professional enhancement program
14 approved in advance by the Board or its designee that includes, at minimum, quarterly chart
15 review, semi-annual practice assessment, and semi-annual review of professional growth and
16 education. Respondent shall participate in the professional enhancement program at Respondent's
17 expense during the term of probation.

18 5. NOTIFICATION. Within seven (7) days of the effective date of this Decision, the
19 Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the
20 Chief Executive Officer at every hospital where privileges or membership are extended to
21 Respondent, at any other facility where Respondent engages in the practice of medicine,
22 including all physician and locum tenens registries or other similar agencies, and to the Chief
23 Executive Officer at every insurance carrier which extends malpractice insurance coverage to
24 Respondent. Respondent shall submit proof of compliance to the Board or its designee within 15
25 calendar days.

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

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1 6. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE
2 NURSES. During probation, Respondent is prohibited from supervising physician assistants and
3 advanced practice nurses.

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

7 8. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby
8 ordered to reimburse the Board its costs of investigation and enforcement, including, but not
9 limited to, expert review, amended accusations, legal reviews, investigation(s), and subpoena
10 enforcement, as applicable, in the amount of \$10,139.50. Costs shall be payable to the Medical
11 Board of California. Failure to pay such costs shall be considered a violation of probation.

12 Payment must be made in full within 30 calendar days of the effective date of the Order, or
13 by a payment plan approved by the Medical Board of California. Any and all requests for a
14 payment plan shall be submitted in writing by respondent to the Board. Failure to comply with the
15 payment plan shall be considered a violation of probation.

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

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

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

23 10. GENERAL PROBATION REQUIREMENTS.

24 Compliance with Probation Unit

25 Respondent shall comply with the Board's probation unit.

26 Address Changes

27 Respondent shall, at all times, keep the Board informed of Respondent's business and
28 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.

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.

11. 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.

12. 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

1 which has been approved by the Board or its designee shall not be considered non-practice and
2 does not relieve Respondent from complying with all the terms and conditions of probation.
3 Practicing medicine in another state of the United States or Federal jurisdiction while on
4 probation with the medical licensing authority of that state or jurisdiction shall not be considered
5 non-practice. A Board-ordered suspension of practice shall not be considered as a period of non-
6 practice.

7 In the event Respondent's period of non-practice while on probation exceeds 18 calendar
8 months, Respondent shall successfully complete the Federation of State Medical Boards's Special
9 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program
10 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model
11 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

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

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

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

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

25 14. VIOLATION OF PROBATION. Failure to fully comply with any term or condition
26 of probation is a violation of probation. If Respondent violates probation in any respect, the
27 Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and
28 carry out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke Probation,

1 or an Interim Suspension Order is filed against Respondent during probation, the Board shall have
2 continuing jurisdiction until the matter is final, and the period of probation shall be extended until
3 the matter is final.

4 15. LICENSE SURRENDER. Following the effective date of this Decision, if
5 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy
6 the terms and conditions of probation, Respondent may request to surrender his or her license.
7 The Board reserves the right to evaluate Respondent's request and to exercise its discretion in
8 determining whether or not to grant the request, or to take any other action deemed appropriate
9 and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent
10 shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its
11 designee and Respondent shall no longer practice medicine. Respondent will no longer be subject
12 to the terms and conditions of probation. If Respondent re-applies for a medical license, the
13 application shall be treated as a petition for reinstatement of a revoked certificate.

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

19 17. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for a
20 new license or certification, or petition for reinstatement of a license, by any other health care
21 licensing action agency in the State of California, all of the charges and allegations contained in
22 Accusation No. 800-2018-048375 shall be deemed to be true, correct, and admitted by
23 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or
24 restrict license.

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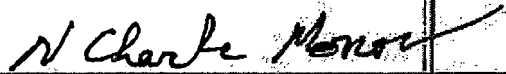
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ACCEPTANCE

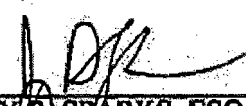
I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Jerry R. Sparks, Esq. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and Disciplinary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

DATED: 09-08-2025


NABIL MORCOS, M.D.
Respondent

I have read and fully discussed with Respondent Nabil Morcos, 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: 9-08-2025


JERRY R. SPARKS, ESQ.
Attorney for Respondent

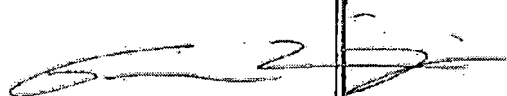
ENDORSEMENT

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

DATED: September 9, 2025

Respectfully submitted,

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


GIOVANNI F. MELA
Deputy Attorney General
Attorneys for Complainant

SD2024802671
85270247

Exhibit A

Accusation No. 800-2018-048375

1 ROB BONTA
Attorney General of California
2 MATTHEW M. DAVIS
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8 *Attorneys for Complainant*

9
10 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
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12 In the Matter of the Accusation Against:

Case No. 800-2018-048375

13 **Nabil Morcos, M.D.**
17602 17th St., Ste. 102-67
14 Tustin, CA 92780-1961

A C C U S A T I O N

15 **Physician's and Surgeon's Certificate**
16 **No. G 72410,**

Respondent.

17
18 **PARTIES**

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

22 2. On or about September 3, 1991, the Medical Board issued Physician's and Surgeon's
23 Certificate No. G 72410 to Nabil Morcos, M.D. (Respondent). The Physician's and Surgeon's
24 Certificate was in full force and effect at all times relevant to the charges brought herein and will
25 expire on October 31, 2026, unless renewed.

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4. Section 2227, subdivision (a) of the Code states:

(1) Have his or her license revoked 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.

(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.

The board shall take action against any licensee who is charged with unprofessional conduct....

(a) The conviction of any offense substantially related to the qualifications, functions, or duties of a physician and surgeon constitutes unprofessional conduct 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.

...

(c) The clerk of the court in which a licensee is convicted of a crime shall, within 48 hours after the conviction, transmit a certified copy of the record of conviction to the board. The division may inquire into the circumstances surrounding the commission of a crime in order to fix the degree of discipline or to determine if the conviction is of an offense substantially related to the qualifications, functions, or duties of a physician and surgeon.

1 (d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is
2 deemed to be a conviction within the meaning of this section and Section 2236.1. The
3 record of conviction shall be conclusive evidence of the fact that the conviction
4 occurred.

5
6 7. Section 2236.1 of the Code states, in pertinent part:

7 ...
8 (d) (1) Discipline may be ordered in accordance with Section 2227, or the
9 Medical Board may order the denial of the license when the time for appeal has
10 elapsed, the judgment of conviction has been affirmed on appeal, or an order granting
11 probation is made suspending the imposition of sentence, irrespective of a subsequent
12 order under Section 1203.4 of the Penal Code allowing the person to withdraw the
13 plea of guilty and to enter a plea of not guilty, setting aside the verdict of guilty, or
14 dismissing the accusation, complaint, information, or indictment.

15 ...
16 (e) The record of the proceedings resulting in the conviction, including a
17 transcript of the testimony therein, may be received in evidence.

18
19 8. Section 490 of the Code states, in pertinent part:

20 (a) In addition to any other action that a board is permitted to take against a
21 licensee, a board may suspend or revoke a license on the ground that the licensee has
22 been convicted of a crime, if the crime is substantially related to the qualifications,
23 functions, or duties of the business or profession for which the license was issued.

24 ...
25 (c) A conviction within the meaning of this section means a plea or verdict of
26 guilty or a conviction following a plea of nolo contendere. Any action that a board is
27 permitted to take following the establishment of a conviction may be taken when the
28 time for appeal has elapsed, or the judgment of conviction has been affirmed on
29 appeal, or when an order granting probation is made suspending the imposition of
30 sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of
31 the Penal Code.

32
33 9. Section 550 of the Penal Code states, in pertinent part:

34 (a) It is unlawful to do any of the following, or to aid, abet, solicit, or conspire
35 with any person to do any of the following:

36 ...
37 (6) Knowingly make or cause to be made any false or fraudulent claim for
38 payment of a health care benefit.

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

4 11. Section 1360 of title 16, division 13 of the California Code of Regulations (the
5 Medical Practice Regulations) states:

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

12 (b) In making the substantial relationship determination required under
13 subdivision (a) for a crime, the board shall consider the following criteria:

- 14 (1) The nature and gravity of the crime;
15 (2) The number of years elapsed since the date of the crime; and
16 (3) The nature and duties of the profession.

17 12. Section 1360.1 of the Medical Practice Regulations states:

18 (a) When considering the suspension or revocation of a license under Section
19 490 of the code on the ground that a person holding a license has been convicted of a
20 crime, the board shall consider whether the licensee made a showing of rehabilitation
21 if the licensee completed the criminal sentence at issue without a violation of parole
or probation. In making this determination, the board shall consider the following
criteria:

- 22 (1) The nature and gravity of the crime(s).
23 (2) The length(s) of the applicable parole or probation period(s).
24 (3) The extent to which the applicable parole or probation period was shortened
or lengthened, and the reason(s) the period was modified.
25 (4) The terms or conditions of parole or probation and the extent to which they
26 bear on the licensee's rehabilitation.
27 (5) The extent to which the terms or conditions of parole or probation were
28 modified, and the reason(s) for the modification.

1 (b) If the licensee has not completed the criminal sentence at issue without a
2 violation of parole or probation, the board determines that the licensee did not make
3 the showing of rehabilitation based on the criteria in subdivision (a), or the
4 suspension or revocation is based on disciplinary action as described in Section 141
5 of the Code, the board shall apply the following criteria in evaluating the licensee's
6 rehabilitation:

7 (1) The nature and gravity of the act(s), professional misconduct, or crime(s).

8 (2) The total criminal record, or record of professional misconduct.

9 (3) The time that has elapsed since commission of the act(s), professional
10 misconduct, or crime(s).

11 (4) Whether the licensee has complied with any terms of parole, probation,
12 restitution or any other sanctions lawfully imposed against such person.

13 (5) The criteria in subdivisions (a)(1)-(5), as applicable.

14 (6) If applicable, evidence of dismissal proceedings pursuant to Section 1203.4
15 of the Penal Code.

16 (7) Evidence, if any, of rehabilitation submitted by the licensee.

17 COST RECOVERY

18 13. Business and Professions Code section 125.3 states that:

19 (a) Except as otherwise provided by law, in any order issued in resolution of a
20 disciplinary proceeding before any board within the department or before the
21 Osteopathic Medical Board upon request of the entity bringing the proceeding, the
22 administrative law judge may direct a licensee found to have committed a violation or
23 violations of the licensing act to pay a sum not to exceed the reasonable costs of the
24 investigation and enforcement of the case.

25 (b) In the case of a disciplined licentiate that is a corporation or a partnership,
26 the order may be made against the licensed corporate entity or licensed partnership.

27 (c) A certified copy of the actual costs, or a good faith estimate of costs where
28 actual costs are not available, signed by the entity bringing the proceeding or its
designated representative shall be prima facie evidence of reasonable costs of
investigation and prosecution of the case. The costs shall include the amount of
investigative and enforcement costs up to the date of the hearing, including, but not
limited to, charges imposed by the Attorney General.

(d) The administrative law judge shall make a proposed finding of the amount
of reasonable costs of investigation and prosecution of the case when requested
pursuant to subdivision (a). The finding of the administrative law judge with regard to
costs shall not be reviewable by the board to increase the cost award. The board may
reduce or eliminate the cost award, or remand to the administrative law judge if the
proposed decision fails to make a finding on costs requested pursuant to subdivision
(a).

(e) If an order for recovery of costs is made and timely payment is not made as
directed in the board's decision, the board may enforce the order for repayment in any

1 appropriate court. This right of enforcement shall be in addition to any other rights
2 the board may have as to any licensee to pay costs.

3 (f) In any action for recovery of costs, proof of the board's decision shall be
4 conclusive proof of the validity of the order of payment and the terms for payment.

5 (g)(1) Except as provided in paragraph (2), the board shall not renew or
6 reinstate the license of any licensee who has failed to pay all of the costs ordered
7 under this section.

8 (2) Notwithstanding paragraph (1), the board may, in its discretion,
9 conditionally renew or reinstate for a maximum of one year the license of any
10 licensee who demonstrates financial hardship and who enters into a formal agreement
11 with the board to reimburse the board within that one-year period for the unpaid
12 costs.

13 (h) All costs recovered under this section shall be considered a reimbursement
14 for costs incurred and shall be deposited in the fund of the board recovering the costs
15 to be available upon appropriation by the Legislature.

16 (i) Nothing in this section shall preclude a board from including the recovery of
17 the costs of investigation and enforcement of a case in any stipulated settlement.

18 (j) This section does not apply to any board if a specific statutory provision in
19 that board's licensing act provides for recovery of costs in an administrative
20 disciplinary proceeding.

21 CAUSE FOR DISCIPLINE

22 **(Conviction of One or More Crimes Substantially Related to the Qualifications, Functions, 23 or Duties of a Physician and Surgeon)**

24 14. Respondent Nabil Morcos, M.D. has subjected his Physician's and Surgeon's
25 Certificate No. G 72410 to disciplinary action under sections 2227, 2234, 2236, 2236.1 and 490
26 of the Code, and sections 1360 and 1360.1 of the Medical Practice Regulations, in that he was
27 convicted of one or more crimes substantially related to the qualifications, functions, or duties of
28 a physician and surgeon. The circumstances are as follows:

15. On or about April 26, 2024, in the case entitled *The People of the State of California*
v. Nabil Charle Morcos, case No. 18CF2707, Superior Court of California, County of Orange,
Respondent was convicted, upon his plea of guilty, of one misdemeanor violation of Penal Code
section 550, subdivision (a), paragraph (6) (medical insurance fraud) and one misdemeanor
violation of Business and Professions Code section 2266 (failure to maintain adequate medical
records).

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 No. G 72410, issued to Respondent Nabil Morcos, M.D.;

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

3. Ordering Respondent Nabil Morcos, 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: MAY 16 2025



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

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