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8 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 500-2024-001521

13 **THOMAS HENRY JORDAN, DPM**
14 **4820 Burlington St**
Santa Rosa, CA 95405
15 **Doctor Podiatric Medicine License No. 4824**

OAH No.

ACCUSATION

16 Respondent.

17 **PARTIES**

18 1. Brian Naslund (Complainant) brings this Accusation solely in his official capacity as
19 the Executive Officer of the Podiatric Medical Board (Board), Department of Consumer Affairs.

20 2. On or about March 27, 2009, Board issued Doctor Podiatric Medicine License
21 No. 4824 to Thomas Henry Jordan, DPM (Respondent). The Doctor Podiatric Medicine License
22 was in full force and effect at all times relevant to the charges brought herein and will expire on
23 January 31, 2027, unless renewed.

24 **JURISDICTION**

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

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4. Section 2222 of the Code states:

The California Board of Podiatric Medicine shall enforce and administer this article as to doctors of podiatric medicine. Any acts of unprofessional conduct or other violations proscribed by this chapter are applicable to licensed doctors of podiatric medicine and wherever the Medical Quality Hearing Panel established under Section 11371 of the Government Code is vested with the authority to enforce and carry out this chapter as to licensed physicians and surgeons, the Medical Quality Hearing Panel also possesses that same authority as to licensed doctors of podiatric medicine.

The California Board of Podiatric Medicine may order the denial of an application or issue a certificate subject to conditions as set forth in Section 2221, or order the revocation, suspension, or other restriction of, or the modification of that penalty, and the reinstatement of any certificate of a doctor of podiatric medicine within its authority as granted by this chapter and in conjunction with the administrative hearing procedures established pursuant to Sections 11371, 11372, 11373, and 11529 of the Government Code. For these purposes, the California Board of Podiatric Medicine shall exercise the powers granted and be governed by the procedures set forth in this chapter.

5. Section 2497 of the Code states:

(a) The board may order the denial of an application for, or the suspension of, or the revocation of, or the imposition of probationary conditions upon, a certificate to practice podiatric medicine for any of the causes set forth in Article 12 (commencing with Section 2220) in accordance with Section 2222.

(b) The board may hear all matters, including but not limited to, any contested case or may assign any such matters to an administrative law judge. The proceedings shall be held in accordance with Section 2230. If a contested case is heard by the board itself: the administrative law judge who presided at the hearing shall be present during the board's consideration of the case and shall assist and advise the board.

STATUTORY PROVISIONS

6. Section 822 of the Code states:

If a licensing agency determines that its licensee's ability to practice his or her profession safely is impaired because the licensee is mentally ill, or physically ill affecting competency, the licensing agency may take action by any one of the following methods:

(a) Revoking the licentiate's certificate or license.

(b) Suspending the licentiate's right to practice.

(c) Placing the licentiate on probation.

(d) Taking such other action in relation to the licensee as the licensing agency in its discretion deems proper.

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The licensing section shall not reinstate a revoked or suspended certificate or license until it has received competent evidence of the absence or control of the condition which caused its action and until it is satisfied that with due regard for the public health and safety the person's right to practice his or her profession may be safely reinstated.

7. Section 2239 of the Code states, in pertinent part:

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

REGULATORY PROVISIONS

8. Section 1399.659.1 of the California Code of Regulations states:

(a) For the purposes of denial, suspension, or revocation of a certificate pursuant to Section 141 or Division 1.5 (commencing with Section 475) or subdivision (e) of Section 2234 of the code, a crime, unprofessional conduct, or act shall be considered to be substantially related to the qualifications, functions, or duties of a person holding a certificate under Article 22 of Chapter 5 of Division 2 of the code if to a substantial degree it evidences present or potential unfitness of a person holding a certificate to perform the functions authorized by the certificate in a manner consistent with the public health, safety, or welfare.

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

(1) The nature and gravity of the offense;

(2) The number of years elapsed since the date of the offense;

(3) The nature and duties of the profession in which the applicant seeks licensure or in which the licensee is licensed.

(c) For purposes of subdivision (a), substantially related crimes, unprofessional conduct, or acts shall include, but are not limited to, the following:

(1) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate any provision or term of Articles 12, 22, and 25 of Chapter 5 of Division 2 of the code or other state or federal laws governing the practice of podiatric medicine.

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COST RECOVERY

9. Section 2497.5 of the Code states:

(a) The board may request the administrative law judge, under his or her proposed decision in resolution of a disciplinary proceeding before the board, to direct any licensee found guilty of unprofessional conduct to pay to the board a sum not to exceed the actual and reasonable costs of the investigation and prosecution of the case.

(b) The costs to be assessed shall be fixed by the administrative law judge and shall not be increased by the board unless the board does not adopt a proposed decision and in making its own decision finds grounds for increasing the costs to be assessed, not to exceed the actual and reasonable costs of the investigation and prosecution of the case.

(c) When the payment directed in the board's order for payment of costs is not made by the licensee, the board may enforce the order for payment by bringing an action in any appropriate court. This right of enforcement shall be in addition to any other rights the board may have as to any licensee directed to pay costs.

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

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

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

(f) All costs recovered under this section shall be deposited in the Board of Podiatric Medicine Fund as a reimbursement in either the fiscal year in which the costs are actually recovered or the previous fiscal year, as the board may direct.

FACTUAL ALLEGATIONS

10. On or about December 26, 2023, Respondent tested positive for alcohol while at work at The Permanente Medical Group, Inc. (TPMG), in Santa Rosa, California. He was placed on summary suspension.

11. On or about January 4, 2024, Respondent took a leave of absence from his employment and the summary suspension was lifted. Respondent agreed to comply with conditions TPMG provided so that he could remain employed. The conditions included

1 undergoing substance use evaluations and complying with the recommendations made by the
2 evaluator.

3 12. On or about May 4, 2024, Respondent resigned from The Permanente Medical
4 Group, Inc., after receiving notice of an investigation being initiated into potential violations of
5 his Substance Abuse Monitoring and Return to Work Agreement.

6 13. On or about September 16, 2024, Respondent participated in a psychiatric mental
7 examination via telehealth with Dr. A.S., who diagnosed Respondent as having Alcohol Use
8 Disorder, severe, in early remission. Dr. A.S. further opined that Respondent was safe to practice
9 medicine with appropriate monitoring for alcohol/drug use for a period of 10 years.

10 **CAUSE FOR ACTION**

11 **(Mental Illness/Impairment)**

12 14. Respondent's Doctor Podiatric Medicine License No. 4824 is subject to action under
13 Code section 822, of the Code, in that Respondent's ability to practice medicine safely is
14 impaired because he is mentally ill and/or physically ill which is affecting his competency. The
15 circumstance are detailed in paragraphs 10 to 13, above, and incorporated herein by reference as
16 if fully set forth.

17 **CAUSE FOR DISCIPLINE**

18 **(Use of Alcohol in Manner Dangerous to Self or Others)**

19 15. Respondent has subjected his Doctor Podiatric Medicine License No. 4824 to
20 disciplinary action under Code sections 2280 and 2234 (a), of the Code, in that Respondent has
21 used alcoholic beverages, to the extent, or in such a manner as to be dangerous or injurious to the
22 licensee, or to any other person or to the public, or to the extent that such use impairs the ability
23 of the licensee to practice medicine safely. The circumstances are detailed in paragraphs 10 to
24 14, above, and incorporated herein by reference as if fully set forth. Additional circumstances to
25 considered are below:

26 16. On or about December 26, 2023, Respondent reported for work at TPMG in Santa
27 Rosa, California. Specifically, while on duty, Respondent treated a female patient. When an
28 orthopedic technician performed his duties with the patient and retrieved Respondent to treat the


1 patient, the orthopedic technician noticed an "off" smell around Respondent. Further, when
2 Respondent was treating the patient, the orthopedic technician noticed that Respondent's
3 conversation with the patient was unusual and strayed from the professional demeanor
4 Respondent normally presented. After treatment of the patient, Respondent's behavior was
5 reported to TPMG management for alleged impairment. Respondent admitted to drinking the
6 night before. A contracted breathalyzer Technician was summoned, and Respondent submitted to
7 two breathalyzer tests, which revealed Respondent had a Blood Alcohol Content (BAC) of at
8 least .16%. Respondent was placed on administrative leave pending further administrative action.

9 **PRAYER**

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

- 12 1. Revoking or suspending Doctor Podiatric Medicine License No. 4824, issued to
13 Respondent Thomas Henry Jordan, DPM;
- 14 2. Ordering Respondent Thomas Henry Jordan, DPM, to pay the Podiatric Medical
15 Board the reasonable costs of the investigation and enforcement of this case, pursuant to Business
16 and Professions Code section 2497.5 and if placed on probation, the costs of probation
17 monitoring;
- 18 3. Taking action as authorized by section 822 of the Code as the Board, in its discretion,
19 deems necessary and proper; and
- 20 4. Taking such other and further action as deemed necessary and proper.

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22 DATED: NOV 24 2025

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24 BRIAN NASLUND
25 Executive Officer
26 Podiatric Medical Board
27 Department of Consumer Affairs
28 State of California
Complainant

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