

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

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

Brian Paul Boynton, M.D.

**Physician's and Surgeon's
Certificate No. A 88884**

Case No.: 800-2023-097338

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 January 16, 2026.

IT IS SO ORDERED: December 18, 2025.

MEDICAL BOARD OF CALIFORNIA

**Tsai Veling, Chair
Panel A**

 **MD.**

1 ROB BONTA
Attorney General of California
2 TESSA L. HEUNIS
Supervising Deputy Attorney General
3 MONICA L. DOBSON
Deputy Attorney General
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7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 800-2023-097338

13 **BRIAN PAUL BOYNTON, M.D.**
14 **7117 Brockton Avenue**
Riverside, CA 92506-2658

OAH No. 2025060297

15 **Physician's and Surgeon's Certificate No. A**
16 **88884,**

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

17 Respondent.

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

21 **PARTIES**

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

26 2. Respondent Brian Paul Boynton, M.D. (Respondent) is represented in this proceeding
27 by attorney Scott J. Harris, Esq., whose address is: 280 S. Beverly Drive, Suite 209,
28 Beverly Hills, CA 90212.

3. On or about September 17, 2004, the Board issued Physician's and Surgeon's Certificate No. A 88884 to 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. 800-2023-097338, and will expire on July 31, 2026, unless renewed.

JURISDICTION

4. On May 8, 2025, Accusation No. 800-2023-097338 was filed before the Board and is currently pending against Respondent. On or about May 8, 2025, a true and correct copy of Accusation No. 800-2023-097338 and all other statutorily required documents were properly served on Respondent. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A true and correct copy of Accusation No. 800-2023-097338 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and fully understands the charges and allegations in Accusation No. 800-2023-097338. Respondent has also carefully read, fully discussed with his counsel, and fully understands the effects of this Stipulated Settlement and Disciplinary Order.

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

8. Having the benefit of counsel, Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

9. Respondent acknowledges the fact that, if adopted by the Board, the Board will report this Stipulated Settlement and Disciplinary Order to the National Practitioner Data Bank (NPDB) and Federation of State Medical Boards (FSMB) and publicly post such enforcement action, and Respondent hereby waives any and all objections thereto.

CULPABILITY

10. Respondent admits the truth of each and every charge and allegation in Accusation No. 800-2023-097338.

11. 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. 800-2023-097338 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.

12. Respondent agrees that his Physician's and Surgeon's Certificate No. A 88884 is subject to discipline and agrees to be bound by the Board's proposed discipline as set forth in the Disciplinary Order below.

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.

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. A 88884 issued to Respondent Brian Paul Boynton, M.D. is revoked. However, the revocation is stayed and Respondent is placed on probation for five (5) years from the effective date of the Decision on the following terms and conditions:

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

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

If Respondent has a confirmed positive biological fluid test for any substance (whether or not legally prescribed) and has not reported the use to the Board or its designee, Respondent shall receive a notification from the Board or its designee to immediately cease the practice of medicine. The Respondent shall not resume the practice of medicine until the final decision on an accusation and/or a petition to revoke probation is effective. An accusation and/or petition to revoke probation shall be filed by the Board within 30 days of the notification to cease practice. If the Respondent requests a hearing on the accusation and/or petition to revoke probation, the Board shall provide the Respondent with a hearing within 30 days of the request, unless the Respondent stipulates to a later hearing. If the case is heard by an Administrative Law Judge, alone, he or she shall forward a Proposed Decision to the Board within 15 days of submission of

1 the matter. Within 15 days of receipt by the Board of the Administrative Law Judge's proposed
2 decision, the Board shall issue its Decision, unless good cause can be shown for the delay. If the
3 case is heard by the Board, the Board shall issue its decision within 15 days of submission of the
4 case, unless good cause can be shown for the delay. Good cause includes, but is not limited to,
5 non-adoption of the proposed decision, requests for reconsideration, remands and other
6 interlocutory orders issued by the Board. The cessation of practice shall not apply to the
7 reduction of the probationary time period.

8 If the Board does not file an accusation or petition to revoke probation within 30 days of the
9 issuance of the notification to cease practice or does not provide Respondent with a hearing
10 within 30 days of a such a request, the notification of cease practice shall be dissolved.

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

13 If Respondent has a confirmed positive biological fluid test for alcohol, Respondent shall
14 receive a notification from the Board or its designee to immediately cease the practice of
15 medicine. The Respondent shall not resume the practice of medicine until the final decision on an
16 accusation and/or a petition to revoke probation is effective. An accusation and/or petition to
17 revoke probation shall be filed by the Board within 30 days of the notification to cease practice.
18 If the Respondent requests a hearing on the accusation and/or petition to revoke probation, the
19 Board shall provide the Respondent with a hearing within 30 days of the request, unless the
20 Respondent stipulates to a later hearing. the case is heard by an Administrative Law Judge alone,
21 he or she shall forward a Proposed Decision to the Board within 15 days of submission of the
22 matter. Within 15 days of receipt by the Board of the Administrative Law Judge's proposed
23 decision, the Board shall issues its Decision, unless good cause can be shown for the delay. If the
24 case is heard by the Board, the Board shall issue its decision within 15 days of submission of the
25 case, unless good cause can be shown for the delay. Good cause includes, but is not limited to,
26 non-adoption of the proposed decision, requests for reconsideration, remands and other
27 interlocutory orders issued by the Board. The cessation of practice shall not apply to the
28 reduction of the probationary time period.

If the Board does not file an accusation or petition to revoke probation within 30 days of the issuance of the notification to cease practice or does not provide Respondent with a hearing within 30 days of such a request, the notification of cease practice shall be dissolved.

3. BIOLOGICAL FLUID TESTING. Respondent shall immediately submit to biological fluid testing, at Respondent's expense, upon request of the Board or its designee. "Biological fluid testing" may include, but is not limited to, urine, blood, breathalyzer, hair follicle testing, or similar drug screening approved by the Board or its designee. Prior to practicing medicine, Respondent shall contract with a laboratory or service approved in advance by the Board or its designee that will conduct random, unannounced, observed, biological fluid testing. The contract shall require results of the tests to be transmitted by the laboratory or service directly to the Board or its designee within four hours of the results becoming available. Respondent shall maintain this laboratory or service contract during the period of probation.

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

If Respondent fails to cooperate in a random biological fluid testing program within the specified time frame, Respondent shall receive a notification from the Board or its designee to immediately cease the practice of medicine. The Respondent shall not resume the practice of medicine until the final decision on an accusation and/or a petition to revoke probation is effective. An accusation and/or petition to revoke probation shall be filed by the Board within 30 days of the notification to cease practice. If the Respondent requests a hearing on the accusation and/or petition to revoke probation, the Board shall provide the Respondent with a hearing within 30 days of the request, unless the Respondent stipulates to a later hearing. If the case is heard by an Administrative Law Judge alone, he or she shall forward a Proposed Decision to the Board within 15 days of submission of the matter. Within 15 days of receipt by the Board of the Administrative Law Judge's proposed decision, the Board shall issue its Decision, unless good cause can be shown for the delay. If the case is heard by the Board, the Board shall issue its decision within 15 days of submission of the case, unless good cause can be shown for the delay. Good cause includes, but is not limited to, non-adoption of the proposed decision, requests for

1 reconsideration, remands and other interlocutory orders issued by the Board. The cessation of
2 practice shall not apply to the reduction of the probationary time period.

3 If the Board does not file an accusation or petition to revoke probation within 15 days of the
4 issuance of the notification to cease practice or does not provide Respondent with a hearing
5 within 30 days of such a request, the notification of cease practice shall be dissolved.

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

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

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

24 5. PSYCHIATRIC EVALUATION. Within 30 calendar days of the effective date of
25 this Decision, and on whatever periodic basis thereafter may be required by the Board or its
26 designee, Respondent shall undergo and complete a psychiatric evaluation (and psychological
27 testing, if deemed necessary) by a Board-appointed board certified psychiatrist, who shall
28 consider any information provided by the Board or designee and any other information the

psychiatrist deems relevant, and shall furnish a written evaluation report to the Board or its designee. Psychiatric evaluations conducted prior to the effective date of the Decision shall not be accepted towards the fulfillment of this requirement. Respondent shall pay the cost of all psychiatric evaluations and psychological testing.

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

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

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

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

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

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

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

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

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

10. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby ordered to reimburse the Board its costs of investigation and enforcement, including, but not limited to, legal reviews and investigation(s), as applicable, in the amount of \$22,198.60 (twenty-two thousand one hundred ninety-eight dollars and sixty 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.

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11. 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.

12. GENERAL PROBATION REQUIREMENTS.

Compliance with Probation Unit

Respondent shall comply with the Board's probation unit.

Address Changes

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

Place of Practice

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

License Renewal

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

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.

13. 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.

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

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

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

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

Periods of non-practice for a Respondent residing outside of California will relieve Respondent of the responsibility to comply with the probationary terms and conditions with the exception of this condition and the following terms and conditions of probation: Obey All Laws;

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General Probation Requirements; Quarterly Declarations; Abstain from the Use of Alcohol and/or Controlled Substances; and Biological Fluid Testing.

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

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

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

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

19. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing action agency in the State of California, all of the charges and allegations contained in Accusation No. 800-2023-097338 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict license.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Scott J. Harris, Esq. I fully understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate NO. A 88884. Having the benefit of counsel, 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: 12/1/2025

DocuSigned by:
Brian P. Boynton, MD
8953FCA22FD6441...

BRIAN PAUL BOYNTON, M.D.
Respondent

I have read and fully discussed with Respondent Brian Paul Boynton, 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: 12/1/2025

SCOTT J. HARRIS, 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: 12/01/2025

Respectfully submitted,

ROB BONTA
Attorney General of California
TESSA L. HEUNIS
Supervising Deputy Attorney General



MONICA L. DOBSON
Deputy Attorney General
Attorneys for Complainant

LA2025601234
68039845

Exhibit A

Accusation No. 800-2023-097338

1 ROB BONTA
Attorney General of California
2 MATTHEW M. DAVIS
Supervising Deputy Attorney General
3 MONICA L. DOBSON
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7 *Attorneys for Complainant*

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14 In the Matter of the Accusation Against:

Case No. 800-2023-097338

15 **BRIAN PAUL BOYNTON, M.D.**
7117 Brockton Avenue
16 Riverside, CA 92506-2658

A C C U S A T I O N

17 **Physician's and Surgeon's Certificate**
No. A 88884,

Respondent.

18
19
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 17, 2004, the Board issued Physician's and Surgeon's
25 Certificate No. A 88884 to Brian Paul Boynton, 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 and will expire on July 31, 2026, unless renewed.

28 ///

JURISDICTION

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

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

The board shall have the responsibility for the following:

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

(b) The administration and hearing of disciplinary actions.

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

(d) Suspending, revoking, or otherwise limiting certificates after the conclusion of disciplinary actions.

...

5. Section 2220 of the Code states, in pertinent part:

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 ...

6. Section 2227 of the Code states:

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

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

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

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

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

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

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

9 7. Section 2234 of the Code states, in pertinent part:

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

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

15 ...

16 8. Section 2236 of the Code states, in pertinent part:

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

22 ...

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

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

9. 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.

1 10. 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
8 public health, safety or welfare. Such crimes, professional misconduct, or acts shall
9 include but not be limited to the following: Violating or attempting to violate,
10 directly or indirectly, or assisting in or abetting the violation of, or conspiring to
11 violate any provision of state or federal law governing the applicant's or licensee's
12 professional practice.

13 ...

14 11. Unprofessional conduct under California Business and Professions Code section 2234
15 is conduct which breaches the rules or ethical code of the medical profession, or conduct which is
16 unbecoming a member in good standing of the medical profession, and which demonstrates an
17 unfitness to practice medicine. (*Shea v. Board of Medical Examiners* (1978) 81 Cal. App.3d 564,
18 575.)

19 COST RECOVERY

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

26 FIRST CAUSE FOR DISCIPLINE

27 (Conviction of a Crime Substantially related to the Qualifications, Functions,
28 or Duties of a Physician and Surgeon)

13 13. Respondent has subjected his Physician's and Surgeon's Certificate No. A 88884 to
14 disciplinary action under sections 2227 and 2234, as defined by section 2236, of the Code, and
15 title 16 of the California Code of Regulations, section 1360, in that he has been convicted of a
16 crime substantially related to the qualifications, functions, or duties of a physician and surgeon, as
17 more particularly alleged hereinafter:

1 14. On or about April 7, 2023, at approximately 5:46 p.m., officers with the Riverside
2 Police Department responded to a call for service regarding a domestic dispute. A neighbor
3 contacted police stating that a male was holding a female under water in a pool and she was
4 screaming that she could not breathe. At the scene, police located Respondent, who was wet and
5 nude with a pair of women's underwear around his neck.

6 15. Police spoke to the named victim, who indicated she was Respondent's wife. The
7 victim was also wet and unclothed but for a towel and appeared to be shaken up. The victim told
8 police that she and Respondent were on the back porch and decided to go into the spa together.
9 When the victim attempted to go inside the residence to change into her swimwear, Respondent
10 stopped her and told her they were going to get in the spa nude. When the victim refused,
11 Respondent began to assault her.

12 16. Respondent pushed the victim several times, pulled the victim toward the pool, and
13 threw the victim into the deep end. Respondent jumped into the pool and repeatedly forced the
14 victim's head under water. The victim could not catch her breath and swallowed a lot of water.
15 Respondent grabbed the victim's head, neck, and shoulders multiple times and flipped her around
16 in the water.

17 17. Respondent removed his clothing and yelled at the victim that this was the way she
18 liked it. The victim was eventually able to get out of the pool and went inside the residence,
19 locking the doors until police arrived.

20 18. On or about May 22, 2023, a criminal complaint was filed against Respondent in the
21 matter entitled, *The People of the State of California v. Brian Paul Boynton*, Superior Court of
22 California, County of Riverside, Riverside Division, Case No. RIM2303647. The criminal
23 complaint alleged one count, a violation of Penal Code section 243, subdivision (e), paragraph
24 (1), misdemeanor domestic battery.

25 19. On or about October 5, 2023, Respondent signed a change of plea form wherein
26 Respondent pled guilty to domestic battery, in violation of Penal Code section 243, subdivision
27 (e), paragraph (1) and admitted to the conduct stated in the charges.

28 ///

1 20. On or about October 5, 2023, Respondent was sentenced on his guilty plea to three
2 years of summary probation, with terms and conditions imposed, including, but not limited to,
3 standard domestic violence terms, completion of a 52-week domestic violence program, four (4)
4 days of custody, and no negative contact with the named victim.

5 21. On or about July 18, 2024, Respondent was interviewed by a Board investigator
6 about the incident with his wife. Respondent admitted to smoking cannabis from a vape pen and
7 that the incident was "really blurry" after that. Respondent further stated in the interview that "the
8 vape pen was probably a secondary cause but quite significant."

9 **SECOND CAUSE FOR DISCIPLINE**

10 **(Use of a Controlled Substance to an Extent, or in a Manner, as to be**

11 **Dangerous or Injurious to Self, Others, or the Public)**

12 22. Respondent has further subjected his Physician's and Surgeon's Certificate No. A
13 88884 to disciplinary action under sections 2227 and 2234, as defined by section 2239,
14 subdivision (a), of the Code, in that he has used, or administered to himself, a controlled
15 substance, to the extent, or in a manner, as to be dangerous or injurious to himself, others, or the
16 public, as more particularly alleged in paragraphs 14 through 21, above, which are hereby
17 incorporated by reference and realleged as if fully set forth herein.

18 **THIRD CAUSE FOR DISCIPLINE**

19 **(Violation of a Provision and/or Provisions of the Medical Practice Act)**

20 23. Respondent has further subjected his Physician's and Surgeon's Certificate No. A
21 88884 to disciplinary action under sections 2227 and 2234, as defined by section 2234,
22 subdivision (a), of the Code, in that he has violated a provision and/or provisions of the Medical
23 Practice Act, as more particularly alleged in paragraphs 14 through 22, above, which are hereby
24 incorporated by reference and realleged as if fully set forth herein.

25 **FOURTH CAUSE FOR DISCIPLINE**

26 **(General Unprofessional Conduct)**

27 24. Respondent has further subjected his Physician's and Surgeon's Certificate No. A
28 88884 to disciplinary action under sections 2227 and 2234, of the Code, in that Respondent

1 engaged in conduct which breached the rules or ethical code of the medical profession or which
2 was unbecoming of a member in good standing of the medical profession, and which
3 demonstrates an unfitness to practice medicine, as more particularly alleged in paragraphs 14
4 through 23, above, which are hereby incorporated by reference and realleged as if fully set forth
5 herein.

6 **PRAYER**

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

- 9 1. Revoking or suspending Physician's and Surgeon's Certificate No. A 88884, issued to
10 Respondent Brian Paul Boynton, M.D.;
- 11 2. Revoking, suspending or denying approval of Respondent Brian Paul Boynton, M.D.'s
12 authority to supervise physician assistants and advanced practice nurses;
- 13 3. Ordering Respondent Brian Paul Boynton, M.D., to pay the Board the costs of the
14 investigation and enforcement of this case, and if placed on probation, the costs of
15 probation monitoring; and
- 16 4. Taking such other and further action as deemed necessary and proper.

17
18
19 DATED: MAY 08 2025



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

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