

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

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

Paul Richard Francisco, M.D.

**Physician's and Surgeon's
Certificate No. A 82055**

Case No.: 800-2021-084333

Respondent.

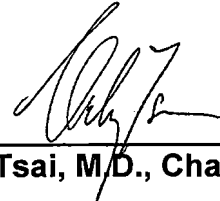
DECISION

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 29, 2026.

IT IS SO ORDERED: December 30, 2025.

MEDICAL BOARD OF CALIFORNIA

 **MD.**

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

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

11 In the Matter of the Accusation Against:

12 **PAUL RICHARD FRANCISCO, M.D.**
13 **9 Wimbledon Circle**
Salinas, CA 93906

14 **Physician's & Surgeon's Certificate No. A**
15 **82055**

16 Respondent.

Case No. 800-2021-084333

OAH No. 2025070021

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 C. Hay-Mie Cho, Deputy
24 Attorney General.

25 2. Respondent Paul Richard Francisco, M.D. (Respondent) is represented in this
26 proceeding by attorney Albert J. Garcia, Esq., whose address is: Physician Advocacy
27 2001 Addison Street, Ste. 300, Berkeley, CA 94704.

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3. On or about February 26, 2003, the Board issued Physician's & Surgeon's Certificate No. A 82055 to Paul Richard Francisco, M.D. (Respondent). The Physician's & Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2021-084333 and will expire on January 31, 2027, unless renewed.

JURISDICTION

4. Accusation No. 800-2021-084333 was filed before the Board and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on December 6, 2024. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2021-084333 is attached as Exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2021-084333. Respondent has also carefully read, fully discussed with his counsel, and 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. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

9. Respondent admits the truth of each and every charge and allegation in Accusation No. 800-2021-084333.

10. Respondent agrees that his Physician's & 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.

CONTINGENCY

11. 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.

12. 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.

13. 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. 800-2021-084333 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.

14. 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.

15. 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 & Surgeon's Certificate No. A 82055 issued to Respondent PAUL RICHARD FRANCISCO, M.D. is revoked. However, the revocation is stayed, and Respondent is placed on probation for four (4) 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 Medical Education (CME) requirements for renewal of licensure.

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

1 this Decision.

2 Respondent shall submit a certification of successful completion to the Board or its
3 designee not later than 15 calendar days after successfully completing the course, or not later than
4 15 calendar days after the effective date of the Decision, whichever is later.

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

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

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

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

28 If Respondent fails to establish a practice with another physician or secure employment in

1 an appropriate practice setting within 60 calendar days of the effective date of this Decision,
2 Respondent shall receive a notification from the Board or its designee to cease the practice of
3 medicine within three (3) calendar days after being so notified. The Respondent shall not resume
4 practice until an appropriate practice setting is established.

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

13 5. PROHIBITED PRACTICE. During probation, Respondent is prohibited from
14 providing derma fillers, Botox, Juvederm, threading, and laser hair and skin tag removals.
15 Furthermore, Respondent shall not serve as an off-site medical director. After the effective date
16 of this Decision, all patients being treated by Respondent shall be notified that Respondent is
17 prohibited from providing derma fillers, Botox, Juvederm, threading, and laser hair and skin tag
18 removals. Any new patients must be provided this notification at the time of their initial
19 appointment.

20 Respondent shall maintain a log of all patients to whom the required oral notification was
21 made. The log shall contain the: 1) patient's name, address and phone number; 2) patient's
22 medical record number, if available; 3) the full name of the person making the notification; 4) the
23 date the notification was made; and 5) a description of the notification given. Respondent shall
24 keep this log in a separate file or ledger, in chronological order, shall make the log available for
25 immediate inspection and copying on the premises at all times during business hours by the Board
26 or its designee, and shall retain the log for the entire term of probation.

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

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

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

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

16 9. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby
17 ordered to reimburse the Board its costs of investigation and enforcement, including, but not
18 limited to, expert review, amended accusations, legal reviews, investigation(s), and subpoena
19 enforcement, as applicable, in the amount of \$40,919.25 (forty thousand nine hundred nineteen
20 dollars and twenty-five cents). Costs shall be payable to the Medical Board of California. Failure
21 to pay such costs shall be considered a violation of probation.

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

26 The filing of bankruptcy by respondent shall not relieve Respondent of the responsibility to
27 repay investigation and enforcement costs, including expert review costs.

28 10. QUARTERLY DECLARATIONS. Respondent shall submit quarterly declarations

1 under penalty of perjury on forms provided by the Board, stating whether there has been
2 compliance with all the conditions of probation.

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

5 11. GENERAL PROBATION REQUIREMENTS.

6 Compliance with Probation Unit

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

8 Address Changes

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

14 Place of Practice

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

18 License Renewal

19 Respondent shall maintain a current and renewed California Physician's and Surgeon's
20 license.

21 Travel or Residence Outside California

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

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

28 12. INTERVIEW WITH THE BOARD OR ITS DESIGNEE. Respondent shall be

1 available in person upon request for interviews either at Respondent's place of business or at the
2 probation unit office, with or without prior notice throughout the term of probation.

3 13. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
4 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
5 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is
6 defined as any period of time Respondent is not practicing medicine as defined in Business and
7 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct
8 patient care, clinical activity or teaching, or other activity as approved by the Board. If
9 Respondent resides in California and is considered to be in non-practice, Respondent shall
10 comply with all terms and conditions of probation. All time spent in an intensive training
11 program which has been approved by the Board or its designee shall not be considered non-
12 practice and does not relieve Respondent from complying with all the terms and conditions of
13 probation. Practicing medicine in another state of the United States or Federal jurisdiction while
14 on probation with the medical licensing authority of that state or jurisdiction shall not be
15 considered non-practice. A Board-ordered suspension of practice shall not be considered as a
16 period of non-practice.

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

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

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

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

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

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

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

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

1 18. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for
2 a new license or certification, or petition for reinstatement of a license, by any other health care
3 licensing action agency in the State of California, all of the charges and allegations contained in
4 Accusation No. 800-2021-084333 shall be deemed to be true, correct, and admitted by
5 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or
6 restrict license.

7 ACCEPTANCE

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

13
14 DATED: 10/25/2025

Paul Richard Francisco

15 PAUL RICHARD FRANCISCO, M.D.
Respondent

16 I have read and fully discussed with Respondent Paul Richard Francisco, M.D. the terms
17 and conditions and other matters contained in the above Stipulated Settlement and Disciplinary
18 Order. I approve its form and content.

19
20 DATED: October 25 2025

Albert Garcia

21 ALBERT J. GARCIA, ESQ.
Attorney for Respondent

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DATED: October 27, 2025

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

C. HAY-MIE CHO
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2021-084333

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

12 In the Matter of the Accusation Against:

Case No. 800-2021-084333

13 **PAUL RICHARD FRANCISCO, M.D.**
14 **9 Wimbledon Circle**
Salinas, CA 93906

ACCUSATION

15 **Physician's & Surgeon's Certificate**
16 **No. A 82055,**

Respondent.

17
18
19 **PARTIES**

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

23 2. On or about February 26, 2003, the Medical Board issued Physician's & Surgeon's
24 Certificate Number A 82055 to Paul Richard Francisco, M.D. (Respondent). The Physician's &
25 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
26 herein and will expire on January 31, 2027, unless renewed.

27 **JURISDICTION**

28 3. This Accusation is brought before the Board, under the authority of the following

1 laws. All section references are to the Business and Professions Code (Code) unless otherwise
2 indicated.

3 4. Section 2004 of the Code provides that the Board shall have the responsibility for the
4 enforcement of the disciplinary and criminal provisions of the Medical Practice Act.

5 5. Section 2220 of the Code states:

6
7 Except as otherwise provided by law, the Board may take action against all
8 persons guilty of violating this chapter. The Board shall enforce and administer this
9 article as to physician and surgeon certificate holders, including those who hold
certificates that do not permit them to practice medicine, such as, but not limited to,
retired, inactive, or disabled status certificate holders, and the Board shall have all the
powers granted in this chapter for those purposes including, but not limited to:

10 (a) Investigating complaints from the public, from other licensees, from health
11 care facilities, or from the board that a physician and surgeon may be guilty of
unprofessional conduct. The board shall investigate the circumstances underlying a
12 report received pursuant to Section 805 or 805.1 within 30 days to determine if an
interim suspension order or temporary restraining order should be issued. The board
13 shall otherwise provide timely disposition of the reports received pursuant to Section
805 and Section 805.01.

14 (b) Investigating the circumstances of practice of any physician and surgeon
15 where there have been any judgments, settlements, or arbitration awards requiring the
physician and surgeon or his or her professional liability insurer to pay an amount in
16 damages in excess of a cumulative total of thirty thousand dollars (\$30,000) with
respect to any claim that injury or damage was proximately caused by the physician's
and surgeon's error, negligence, or omission.

17 (c) Investigating the nature and causes of injuries from cases which shall be
18 reported of a high number of judgments, settlements, or arbitration awards against a
physician and surgeon.

19
20 6. Section 2227 of the Code provides that a licensee who is found guilty under the
21 Medical Practice Act may have his or her license revoked, suspended for a period not to exceed
22 one year, placed on probation and required to pay the costs of probation monitoring, or such other
23 action taken in relation to discipline as the Board deems proper.

24 7. Section 2234 of the Code states:

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

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

(b) Gross negligence.

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

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

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

(d) Incompetence.

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

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

(g) The failure by a certificate holder, in the absence of good cause, to attend and participate in an interview by the board no later than 30 calendar days after being notified by the board. This subdivision shall only apply to a certificate holder who is the subject of an investigation by the board.

(h) Any action of the licensee, or another person acting on behalf of the licensee, intended to cause their patient or their patient's authorized representative to rescind consent to release the patient's medical records to the board or the Department of Consumer Affairs, Health Quality Investigation Unit.

(i) Dissuading, intimidating, or tampering with a patient, witness, or any person in an attempt to prevent them from reporting or testifying about a licensee.

COST RECOVERY

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

DEFINITIONS

9. Botox is a brand of botulinum toxin used to smooth facial wrinkles, prevent a muscle

1 from moving for a limited time, and treat neck spasms, sweating, overactive bladder, lazy eye,
2 and other conditions.

3 10. Dermal fillers are injections used to plump up wrinkles, smooth lines, and restore
4 volume in the face.

5 11. Juvederm is a type of dermal filler that is primarily used in the upper areas of the face
6 to restore facial contours and improve signs of aging.

7 12. Nova Threading is a facelift procedure in which absorbable sutures are placed under
8 the skin to tighten up the skin.

9 FACTUAL ALLEGATIONS

10 13. Respondent is a psychiatrist currently employed by Wellpath Care in Salinas,
11 California. Respondent's only training was in psychiatry, and he never obtained any additional
12 training in cosmetic procedures.

13 14. Respondent and his ex-wife, C.F., a registered nurse, jointly owned Iuvenis Clinic,
14 Inc. (Iuvenis) in Salinas, California. Respondent was also the Chief Executive Officer at Iuvenis,
15 but at all relevant times herein, he was employed off-site. Iuvenis was a medical practice
16 providing medical aesthetic services, including Botox injections, dermal filler injections, laser
17 hair removal, and Nova Threading. At Iuvenis, C.F. was the only person who provided services,
18 including medical treatments, cosmetic filler injections, threading, and hydrofacial treatments.
19 Respondent never saw patients, diagnosed them, or provided any medical consultations or
20 treatments at Iuvenis, and he acknowledged that C.F. was practicing medicine unsupervised there.

21 15. In September 2019, the Board received a complaint from Patient 1,¹ who alleged that
22 in November 2018, C.F. injected her and her friend with Botox, using the same needle on both
23 individuals. Patient 1 further alleged that she saw C.F. in January 2019, when C.F. injected
24 Botox into Patient 1's forehead. Patient 1 also alleged that in March 2019, she saw C.F. again for
25 threading and received a face lift. Approximately one week later, Patient 1 noticed scar tissue

26
27 ¹ Patients' actual names are not used in this Accusation to maintain patient
28 confidentiality. Patients' identities are known to Respondent or will be disclosed to him
upon a duly issued request for discovery and in accordance with Government Code section
11507.6.

1 near her lips. Patient 1 additionally alleged that C.F. practiced without an active nursing license
2 for over nine months and used products that were not what C.F. claimed to be.

3 16. During his December 12, 2023, interview with the Board, Respondent stated he
4 "never really thought about it" and had no response when asked what a medical director's duties
5 were. He was also asked about treatments provided at Iuvenis, including Botox, dermal fillers,
6 and threadlifting, and he said he had no knowledge about these treatments. He further stated that
7 he told C.F. to hire another physician to perform the physical exams and consultations. When
8 asked whether C.F. obtained another physician, Respondent stated, "I don't know if it was
9 done.... It's an error on my fault for trusting her to do the right thing, so -- and my
10 communication with her has been very limited."

11 17. C.F. continued practicing with an expired nursing license between August 2018 and
12 May 2019.

13 18. Between 2018 and 2021, Iuvenis maintained medical records for Patients 2 through 7,
14 who received Botox, Juvederm, facial fillers, threading, and laser hair removal. Iuvenis did not
15 locate any records for Patient 1 because they reported that they had misplaced them.

16 a. Patient 2 received hydrafacial treatments and Botox injections from C.F. between
17 February 2018 and June 2019. Respondent admitted that he did not know Patient
18 2 and had never provided services to her. Nor did Respondent perform a physical
19 examination or take Patient 2's medical history, even though his stamped
20 signature appeared on Patient 2's medical records for a consultation.

21 b. Patient 3 received Botox, hydrafacial, and Juvederm treatments from C.F.
22 between January 2018 and February 2019. Respondent admitted that he knew
23 Patient 3 as a nurse with whom he worked at Natividad Medical Center in
24 Salinas, he never saw Patient 3 as a patient, and his signature had been stamped
25 for the consultation on her records without his knowledge.

26 c. Patient 4 received Botox injections, threading, and facials from C.F. between
27 March 2018 and September 2021. Respondent admitted that he did not know
28 Patient 4 and that he was unaware C.F. had provided Patient 4 with Botox

1 injections and dermal fillers. Respondent also admitted that he did not know
2 Patient 4 had written 11 checks to C.F. while her nursing license was suspended.
3 d. Between March 2018 and February 2019, Patient 5 received threading from C.F.
4 Respondent admitted that he knew Patient 5 and that he had worked with her at
5 Natividad Hospital. Respondent did not treat Patient 5 as a patient and admitted
6 that his signature had been stamped on Patient 5's records without his knowledge.
7 e. Patient 6 received Botox and derma fillers from C.F. in August 2018.
8 Respondent's stamped signature appeared on Patient 6's medical records stating
9 that he had performed a consultation on her. Respondent stated that he had not
10 done this consultation.
11 f. Patient 7 received Botox and Juvederm injections and skin tag removal services
12 from C.F. between July 2018 and December 2018. Respondent's stamped
13 signature appeared on a consultation for threads and Botox for Patient 7.
14 Respondent stated that he did not know Patient 7 or write on her medical records.

15 19. Under the standard of care, a licensed registered nurse is legally authorized to
16 perform treatments with dermal fillers and neuromodulators and to operate laser treatments under
17 a physician's supervision. However, Respondent admitted that C.F. treated patients at their
18 jointly owned clinic, Iuvenis, without supervision and that he never examined any patient or
19 signed a chart, and his stamped signature was used despite this. Based on these facts, Respondent
20 committed an extreme departure from the standard of care.

21 20. Under the standard of care, Respondent, as the medical director, was responsible for
22 establishing policies and procedures for the clinic, but there were none. He was also responsible
23 for supervising the care and treatment of patients at the clinic and performing a good faith history
24 and physical exam on every patient, but he failed to do so. Additionally, he allowed his signature
25 stamp to be used on medical records of patients that he never examined or of whom he did not
26 have knowledge.

27 21. Under the standard of care, a physician cannot practice outside of his education,
28 training, experience, and competence. However, it is possible for any licensed physician to

1 obtain training and develop the expertise needed to own and operate a medical clinic providing
2 the treatments given at Iuvenis and to supervise a registered nurse performing such treatments.
3 Respondent admittedly did not possess the knowledge, education, training, or experience in any
4 of the treatments provided at Iuvenis, and accordingly, Respondent committed an extreme
5 departure from the standard of care.

6 **CAUSE FOR DISCIPLINE**

7 **(Unprofessional Conduct - Gross Negligence)**

8 22. The allegations set forth in Paragraphs 13 through 21 are incorporated by reference as
9 if fully set forth therein.

10 23. By reason of the facts stated in Paragraphs 13 through 21, Respondent is subject to
11 disciplinary action under sections 2234 (unprofessional conduct) and 2234(b) (gross negligence)
12 of the Code. The circumstances are as follows:

- 13 a. Though Respondent jointly owned Iuvenis with C.F., a registered nurse,
14 Respondent admittedly did not provide any services or treat any patients there.
15 b. Respondent allowed C.F. to treat patients while unlicensed and without
16 supervision at Iuvenis between 2018 and 2021.
17 c. Respondent allowed his stamped signature to be used on the medical records of
18 six patients that he never examined.
19 d. Respondent did not possess the knowledge, education, training, and experience
20 necessary to provide the treatments given at Iuvenis.

21 **PRAYER**

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

- 24 1. Revoking or suspending Physician's & Surgeon's Certificate Number A 82055,
25 issued to Respondent Paul Richard Francisco, M.D.;
26 2. Revoking, suspending or denying approval of Respondent Paul Richard Francisco,
27 M.D.'s authority to supervise physician assistants and advanced practice nurses;
28 3. Ordering Respondent Paul Richard Francisco, M.D., to pay the Board the costs of the

1 investigation and enforcement of this case, and if placed on probation, the costs of probation
2 monitoring; and

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

4
5 DATED: DEC 06 2024

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

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