

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

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

Ranjeet Minocha, M.D.

**Physician's and Surgeon's
Certificate No. A 156388**

Respondent.

Case No. 800-2024-110373

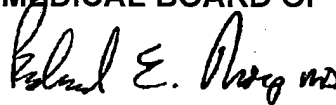
DECISION

The attached Proposed Decision 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 February 16, 2026.

IT IS SO ORDERED January 15, 2026.

MEDICAL BOARD OF CALIFORNIA



**Richard E. Thorp, M.D. , Chair
Panel B**

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

In the Matter of the Accusation Against:

RANJEET MINOCHA, M.D., Respondent

Physician's and Surgeon's Certificate No. A 156388

Agency Case No. 800-2024-110373

OAH No. 2025040830

PROPOSED DECISION

Debra D. Nye-Perkins, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter by videoconference and telephone on October 23, 2025.

Robert W. Lincoln, Deputy Attorney General, represented complainant, Reji Varghese, Executive Director of the Medical Board of California (board), Department of Consumer Affairs, State of California.

Seth Weinstein, Attorney at Law, Law Offices of Seth Weinstein, P.C., represented respondent, Ranjeet Minocha, M.D., who was present throughout the hearing.

Oral and documentary evidence was received. The record was closed, and the matter was submitted for decision on October 23, 2025.

FACTUAL FINDINGS

Jurisdictional Matters

1. On June 7, 2018, the board issued Physician's and Surgeon's Certificate Number A 156388 to respondent. The Certificate is set to expire on June 30, 2026, unless renewed.

2. On March 14, 2025, the board filed accusation number 800-2024-110373 seeking to discipline respondent's certificate based upon two causes for discipline, namely: (1) conviction of a substantially related crime for respondent's June 24, 2024, conviction for violating Vehicle Code section 23152, subdivision (a), driving a vehicle under the influence of alcohol (DUI), Vehicle Code section 23152, subdivision (b), driving with a blood alcohol concentration (BAC) of 0.08 percent or more, and Vehicle Code section 23538, an enhancement for having a BAC greater than 0.20 percent; and (2) dangerous use of alcohol based upon the underlying circumstances of his conviction. The accusation also seeks recovery of the costs of investigation and enforcement pursuant to Business and Professions Code section 125.3.

3. Respondent timely filed a notice of defense, and this hearing followed.

Respondent's Conviction

4. On October 4, 2019, a criminal complaint was filed in the Supreme Court of California, County of Riverside in Case No. INM1906205 charging respondent with

violating Vehicle Code sections 23152, subdivision (a), 23152, subdivision (b), both misdemeanors with 23578 and 23538 enhancements.

5. The Superior Court of California, County of Riverside, initially allowed respondent to participate in the court's Judicial Diversion Program beginning on April 16, 2021. However, the appellate court later determined this to be in error, and the matter was remanded back to the superior court for further proceedings in approximately May 2023.

6. On June 24, 2024, respondent was convicted by his guilty plea of both misdemeanor counts and the Vehicle Code section 23538 enhancement. Respondent was sentenced to summary probation for a term of 36 months with various conditions including payment of various fines and fees, and participation in a First Offender DUI program.

Testimony of Sergeant Bryan Whitley

7. Sergeant Bryan Whitley is currently employed by the Riverside County Sheriff's Department in the Palm Desert station. Sergeant Whitley has worked for the Riverside County Sheriff's Department for the past 19 years. Prior to his current position, and during the relevant time at issue on March 29, 2019, Sergeant Whitley worked as a deputy sheriff with the Riverside County Sheriff's Department on patrol on the graveyard shift. His responsibilities in that role included investigating crimes, making arrests, and testifying in court. Sergeant Whitley is the deputy who arrested respondent on March 29, 2019, and investigated the underlying events resulting in respondent's conviction described above. The following factual findings are based on Sergeant Whitley's testimony and related documents received in evidence, including

the Riverside County Sheriff's Department Incident Report drafted by Sergeant Whitley.

8. On March 29, 2019, at approximately 3:00 a.m., Sergeant Whitley received a radio call from dispatch regarding a vehicle collision in Rancho Mirage. Sergeant Whitley was the first person on the scene and he observed a single vehicle that had overturned several times, some of the wheels were missing, and the engine had shot out of the car. Sergeant Whitley observed one person in the driver's seat of the vehicle, namely respondent. When Sergeant Whitley first arrived on the scene and saw respondent, he observed a strong odor of alcohol emitting from the vehicle. Even though respondent was in and out of consciousness, Sergeant Whitley observed respondent to have red watery eyes, slurred speech, and a very strong odor of alcohol from his person. Sergeant Whitley concluded that respondent was most likely drunk. Respondent was "in and out of consciousness" and Sergeant Whitley did not remove him from the car because he waited for paramedics to arrive so as to not cause further injury to respondent. The paramedics arrived very soon thereafter to remove respondent, place him on a gurney, and take him to the hospital.

Sergeant Whitley was concerned that there may have been a passenger in the vehicle and searched the area around the wreckage while his partner went with respondent to the hospital. After obtaining a warrant from the court to obtain a blood sample from respondent, Sergeant Whitley went to the hospital, namely Desert Regional Medical Center, to obtain respondent's blood sample to test for drugs and alcohol. When Sergeant Whitley saw respondent at the hospital, he noticed that respondent had nystagmus in his eyes. A forensic nurse drew respondent's blood sample at 5:04 a.m., about two hours after the reported collision. The results of the test of respondent's blood sample showed a BAC of 0.252 percent. Sergeant Whitley

testified that respondent's injuries were significant, and he believes that respondent had a broken neck.

Testimony of Eric Berumen

9. Eric Berumen is currently employed as a special investigator with the board, a position he has held for almost 12 years. His responsibilities include conducting various investigations regarding medical malpractice, criminal convictions, physician malfeasance related to vaccine exemptions, and other matters. Mr. Berumen was assigned to investigate this matter after receiving a self-reporting document from the online complaint unit for the board. Mr. Berumen explained that typically the board is notified of criminal convictions from the Department of Justice, but that did not happen in this case. Instead, by letter dated July 24, 2024, from respondent's attorney, respondent reported his conviction and provided additional documents to the board, including a written statement, court documents, the underlying police report, respondent's curriculum vitae, a report from Matthew Torrington, M.D., and a report from Rory Goshorn, Psy.D.

10. After being assigned to this matter, Mr. Berumen requested a certified arrest report from the Riverside County Sheriff's Department for respondent's arrest, certified court documents related to respondent's conviction, and sent a request to respondent's attorney requesting an interview of respondent. Mr. Berumen received all documents requested, which were received in evidence. With regard to respondent's interview, Mr. Berumen conducted that interview by videoconference on October 22, 2024, and the interview was audio recorded. The audio recordation of that interview, as well as a transcript of the interview, were received in evidence.

11. Mr. Berumen testified that respondent was cooperative with the board during the investigation, and during his interview respondent appeared to acknowledge his misconduct, show remorse for his misconduct, and provided a description of the steps he has taken toward rehabilitation.

Respondent's Testimony

12. Respondent is 39 years of age and currently employed as a physician in private practice as an allergist with United Medical Doctors (UMD), which is a conglomerate of independent medical practices. Respondent is the only allergist in that conglomerate. Respondent received his undergraduate bachelor's degree in biology in 2008 from the Rensselaer Polytechnic Institute in Troy, New York, as part of a combined B.S./M.D. program. He received his M.D. degree in 2011 from Albany Medical College in Albany, New York. Thereafter he completed a residency program in internal medicine in 2014 from the University of Chicago, Northshore. In 2018 he completed a fellowship in allergy/immunology from Medical College of Wisconsin & Affiliated Hospitals in Milwaukee, Wisconsin. Respondent became board certified in allergy and immunology from the American Board of Allergy and Immunology in 2018. Respondent obtained his Physician's and Surgeon's Certification from the board on June 7, 2018. Thereafter, from 2018 to June 2023, respondent worked as an attending physician and Medical Director at Eisenhower Medical Associates (EMA), Eisenhower Health Allergy and Immunology Clinic in Rancho Mirage, California. Respondent testified that he started the Allergy and Immunology Clinic at EMA because EMA did not previously have such a clinic. After leaving EMA in June 2023, respondent began working in his current position with UMD.

13. Respondent was born in San Diego, California, and all of his immediate family resides in this area. He is currently single and lives with his parents. However, he

recently purchased a home in Encinitas, California, and intends to move into that home very soon. Respondent has one sibling, a brother, who is also a physician practicing in California. Respondent's mother is also a semi-retired physician practicing in California. His father is an engineer and investor.

14. Respondent testified that in 2019, prior to the March 29, 2019, incident, he described himself as a "social drinker" and would only drink a couple of drinks on the weekend and maybe have a drink with dinner. Prior to the March 29, 2019, incident, he had never had any issues with law enforcement and never had an event where he "blacked out" from drinking alcohol. On March 28, 2019, which was the day prior to the incident at 3:00 a.m. on March 29, 2019, respondent went out to dinner with friends. He stated he consumed alcohol, but did not recall how many drinks he consumed. Specifically, he recalls being at a sushi bar and ordering at least one and maybe two margaritas. However, the next thing he recalls is being in the emergency room of the hospital with a police officer next to him. Respondent has no memory of any events after being in the restaurant on that day. Respondent stated that he remained in the hospital for about two weeks, and his vehicle was totaled. He stated that he was the only person in the vehicle at the time of the accident, and he is grateful for that. Respondent admitted his misconduct resulting on his conviction, and he stated he is remorseful and grateful to have survived the experience and is a better person because of it.

15. Respondent testified that his criminal case was significantly delayed because of the COVID pandemic. However, on April 26, 2021, the court placed him on court initiated misdemeanor diversion pursuant to Penal Code section 1001.95, whereby respondent was required to comply with terms imposed by the judge, and if respondent complied with those terms, then after the end of the period of diversion,

the judge would dismiss the action against respondent. The judge in respondent's case had imposed terms that he complete an alcohol program and attend Alcoholics Anonymous (AA) meetings. Respondent testified that he completed those terms. However, an appellate court later overturned the court initiated misdemeanor diversion pursuant to Penal Code section 1001.95 based on the appellate court finding that Penal Code section 1001.95 cannot be applied to DUI cases.¹ Thereafter, respondent's criminal matter was remanded back to the Superior Court. As a result, on June 24, 2024, respondent was convicted and sentenced for his DUI as noted above. Respondent stated that he was sentenced to three years of summary probation with terms. However, on June 24, 2024, the judge also "immediately terminated [my] sentence" because respondent had already completed the same terms of his summary probation by the time he incurred his conviction, which was three years after respondent was placed on diversion in 2021.

16. Respondent testified that he voluntarily participated in an evaluation on October 29, 2020, from Dr. Torrington, an addiction medicine and substance abuse specialist. Respondent was again evaluated by Dr. Torrington on June 10, 2025. A declaration of Dr. Torrington regarding those evaluations was received in evidence pursuant to Government Code section 11514.

¹ The case at issue is *Grassi v. Superior Court of Orange County* (2021) 73 Cal.App.5th 283, wherein the court held that Penal Code section 1001.95 authorizes diversion for all misdemeanor defendants except those listed in subdivision (e) of that statute, and misdemeanor DUI defendants pursuant to Vehicle Code section 23640.

17. Respondent testified that after the March 29, 2019, incident he decided to remain sober because "this is not who I am, I am better than this." Respondent stated that he has decided to remain sober for himself and will do everything in his power to "show myself, my family, and my employer that a mistake like this will never happen again." Respondent stated that he has not consumed any alcohol since March 29, 2019, when the incident occurred. Respondent participated in the Physician Wellness Program (PWP) at EMA for two years, which consisted of a committee of volunteer physicians and an administrator. Respondent stated that the PWP was tasked with making sure respondent "was doing well both personally and professionally, and remaining sober."

18. Respondent stated that he also wanted his own evidence to demonstrate that he was remaining sober. As a result, he voluntarily enrolled in "CAMtech monitoring," which is voluntary breathalyzer testing using a portable breathalyzer. Respondent stated that he would blow into the breathalyzer three times per day to show that he is alcohol free. Respondent voluntarily participated in this CAMtech monitoring from October 29, 2020, to January 3, 2021, and provided CAMtech monitoring reports showing that during that time period respondent did not test positive for alcohol consumption. Additionally, respondent also voluntarily submitted to both blood testing and hair sample testing to demonstrate that he has remained sober. Respondent provided documents showing the results of two blood tests dated October 28, 2020, and December 24, 2020, showing that blood samples taken on those dates were negative for alcohol. Additionally, he provided a document showing the results of respondent's hair test on October 30, 2020, for the purpose of showing any metabolites for alcohol consumption in the prior six months, which was negative for any of those alcohol metabolites.

19. Respondent also completed the University of California San Diego Physician Assessment and Clinical Education Program (PACE) "Managing High Impact Emotions Program" from January 4 to 6, 2023, and the PACE three-day workshop on "Mindfulness, Managing Stress, and Wellness" from January 20 to 22, 2023. Respondent provided documentary evidence of the completion of those courses. In addition to these PACE programs, respondent also completed a court ordered nine-month alcohol program called Alert Program, Inc., in Palm Springs, California. Respondent provided a "Notice of Completion" document for the program, as well as a letter of support dated October 7, 2020, from Noe Gutierrez, M.S.W., a group facilitator for the Alert Program, Inc. attended by respondent, who wrote that respondent completed an 11-week program and has "insight and awareness into the uncertainties of alcohol use and how it has negatively impacted his life," and that respondent "is not likely to drink and drive again."

20. Respondent was also ordered by the court to attend AA meetings, which he did. Respondent stated that he voluntarily attended more AA meetings than was ordered by the court, attending about 120 AA meetings. Respondent stated that he has a support system "full of physicians and substance abuse experts who have kept a close eye on me to ensure I am truthful and not a risk."

21. Respondent also attended psychotherapy for three years from July 2019 to November 2022, with Dr. Goshorn, on a weekly and twice monthly basis. Dr. Goshorn specializes in addiction and substance abuse. Dr. Goshorn wrote a letter dated July 18, 2024, on behalf of respondent, which was received in evidence. In the letter Dr. Goshorn wrote that respondent has made tremendous progress and demonstrated a commitment to sobriety, and has been doing well for an extended period of time with no new concerns.

22. Respondent testified that he does not want to minimize the gravity of his actions causing the incident on March 29, 2019, and "it has been a long journey" during which he has grown personally and professionally. Respondent stated that he has done everything in his power over the last six and a half years to ensure he will never make a mistake like that again. Respondent took things into his own hands by voluntarily submitting to testing to ensure others that he was committed to remaining sober. During the time he worked at EMA and participated in the PWP, respondent met with the Betty Ford Center for Rehabilitation, which is affiliated with EMA. The representative from the Betty Ford Center told respondent that he did not believe that in-patient rehabilitation program was necessary for respondent.

23. Respondent additionally voluntarily installed an ignition interlock device in his vehicle, which he kept for many months. Respondent independently sought out substance abuse evaluations because "if there was a problem, I wanted to know about it and address it." Respondent stated, "there is not a day I don't think of this accident, and I am lucky to be here and that nobody else was hurt."

24. Respondent testified that he currently manages stress by using mindfulness and meditation, and fitness is a big part of his life. He also gets a lot of satisfaction from his work as a physician, and his family provides lots of support. Respondent stated that "not drinking makes you feel so much better." Respondent stopped monitoring himself with testing in 2021 after three years. He stated that EMA had discharged him from the PWP. Respondent did undergo some testing in 2024, but he is no longer testing because "at a certain point there needs to be a stopping point." Respondent stopped working at EMA when he decided to move from Palm Springs, California, back home to San Diego, California, where his family is located.

Testimony and Affidavit of Matthew Torrington, M.D.

25. Dr. Torrington is a physician licensed in California since December 21, 2001, specializing in family medicine and addiction medicine. Dr. Torrington evaluated respondent on two occasions and testified at the hearing regarding his assessment of respondent. Additionally, pursuant to Government Code Section 11514, the affidavit of Dr. Matthew Torrington, along with attached documents, was received in evidence. The following factual findings are made based on Dr. Torrington's affidavit and testimony at hearing.

26. Dr. Torrington is board certified in family medicine and addiction medicine. After obtaining his M.D. degree, Dr. Torrington completed his residency in family medicine. Thereafter, he was a clinical research fellow at the University of California Los Angeles School of Medicine's integrated substance abuse program. Since 2001, Dr. Torrington has worked as the Medical Director, primary addiction medicine physician, and consulting addiction medicine physician for various drug and alcohol treatment centers located primarily in Southern California. Dr. Torrington is a medical review officer and fellow of the American Society of Addiction Medicine. Dr. Torrington's private practice focuses on the longitudinal disease management of addiction medicine and pain.

27. Dr. Torrington evaluated and assessed respondent on two occasions, first on October 29, 2020, and again on June 10, 2025, both assessments were conducted through telemedicine. Dr. Torrington wrote that as a result of the March 29, 2019, accident, respondent suffered a neck fracture at C-7, a fibular fracture, an acetabular fracture, a rotator cuff injury, and multiple bruises and abrasions. Dr. Torrington further wrote that respondent has completely abstained from alcohol and intends to continue to do so in perpetuity. He wrote, "[i]t appears that Dr. Minocha is an example of an

individual who truly has been 'scared straight.'" Dr. Torrington noted that respondent told him that alcohol disgusts him because of what happened, and Dr. Torrington believes him. Dr. Torrington also wrote in his declaration a statement that respondent told him as follows:

I knew I was going to die or end up in jail or disabled . . .
there were no other options . . . there was nothing else . . . I
have an all in personality . . . I am all in to taking care of
myself and not letting alcohol interfere with my life
anymore . . . it didn't come from my family, not from the
therapy or the meetings . . . it came from inside me.

28. Dr. Torrington summarized in his declaration his conclusions regarding his assessment of respondent as follows:

Clinically, Dr. Minocha does not require any specific treatment for substance abuse disorder. Ranjeet should continue to work with his physician team and his psychologist and has the potential to continue to benefit from group support. In my informed clinical opinion, with over six years of sustained sobriety since this horrific incident no specific treatment is indicated. Dr. Minocha should continue to abstain from alcohol and I am very optimistic that he will. Dr. Minocha is clearly NOT a danger to himself and/or to the public as a practicing Physician at this time.

29. Dr. Torrington testified at hearing that he spent about 50 minutes evaluating respondent in 2020, and is unsure of how much time he spent evaluating respondent for his 2025 evaluation. He stated that the fact that respondent has been sober for six and a half years demonstrates that respondent is not a risk to the public. Dr. Torrington's testimony at hearing generally mirrored his affidavit in this matter.

Testimony and Letter of Respondent's Character Witnesses

30. Respondent provided testimony from three witnesses who testified regarding respondent's character. The following factual findings were made from the testimony of those three witnesses, as well as related documents received in evidence.

31. Aneet Ahluwalia, M.D., is a physician licensed to practice for the past 22 years. Dr. Ahluwalia currently resides in Chicago, Illinois, and specializes in internal medicine and psychiatry. Dr. Ahluwalia met respondent when they both were in an internal medicine residency program in 2012, and Dr. Ahluwalia was the supervising or senior resident. Dr. Ahluwalia testified that he was impressed by respondent's abilities as a physician. Dr. Ahluwalia is aware of respondent's DUI conviction and the incident underlying that conviction, and he has discussed these issues with respondent, who Dr. Ahluwalia testified is remorseful for what happened. Dr. Ahluwalia is impressed with respondent's commitment to sobriety and is aware that respondent has not had any alcohol since the accident. Dr. Ahluwalia testified that when he and respondent were in Chicago, they would drink alcohol socially "a lot back then." However, respondent is now devoted to sobriety. Dr. Ahluwalia last saw respondent in person in the summer of 2025 in Chicago when they had dinner together with friends. Dr. Ahluwalia stated that while Dr. Ahluwalia and others drank alcohol during that dinner, respondent did not consume any alcohol. Dr. Ahluwalia was impressed by respondent's commitment to sobriety even under circumstances when he is around friends who are drinking. Dr.

Ahluwalia has been around respondent in person at least 15 or 20 times since the 2019 incident, and respondent has never consumed alcohol in his presence during those times. Dr. Ahluwalia and respondent talk weekly by telephone. Dr. Ahluwalia also wrote a letter of support for respondent, which was received in evidence and generally mirrored his testimony.

32. Chitra Minocha, M.D., is a physician licensed to practice in California and is also respondent's mother. Dr. Chitra Minocha is a semi-retired family physician, but she continues to work as a family physician on a part-time basis. Dr. Chitra Minocha has never worked professionally with respondent. Dr. Chitra Minocha learned of respondent's March 29, 2019, incident when he called her from the hospital "the next morning." Dr. Chitra Minocha and her husband immediately traveled to the hospital where respondent was being treated. She was surprised by this incident. Dr. Chitra Minocha described respondent's alcohol drinking habits prior to the accident as "drinking socially, maybe one to two drinks with friends but nothing excessive." She testified that what surprised her the most about respondent's accident was that she "did not realize how lonely he was in Palm Springs." Dr. Chitra Minocha stated that after the accident, respondent has been completely abstinent from alcohol, and he has lived with her and respondent's father in San Diego for the past two years. However, respondent has purchased a home in Encinitas and will be living there soon. Dr. Chitra Minocha stated that respondent acknowledges that what he did was wrong and is very remorseful.

33. Jeet Minocha, M.D., is a physician specializing in interventional radiology and is licensed in California. Dr. Jeet Minocha is respondent's older brother, who lives in San Diego. Dr. Jeet Minocha has never worked professionally with respondent. Dr. Jeet Minocha first became aware of the March 29, 2019, incident when his parents

called him the morning after the incident. Dr. Jeet Minocha also went to the hospital where respondent was being treated after the accident. Dr. Jeet Minocha testified that he was surprised by the incident because respondent did not have a problem with alcohol prior to this event, so it was shocking. Dr. Jeet Minocha stated that prior to the 2019 incident respondent was a "social drinker." After the accident, respondent does not consume alcohol at all. Dr. Jeet Minocha is close to his brother and speaks to him several times per week. He trusts respondent and is comfortable having respondent treat his three children. Dr. Jeet Minocha and Dr. Chitra Minocha submitted a joint letter, signed by both of them, that generally mirrored their testimony at hearing.

34. Additionally, respondent also submitted a character reference letter from John Hong, M.D., M.B.A., the President and CEO of UMD, respondent's current employer for his private practice. Dr. Hong wrote that he is aware of respondent's DUI conviction, and that respondent was first hired by UMD in July 2023. Dr. Hong wrote that since joining UMD respondent "has provided outstanding medical care" to his patients, and is the primary allergist and immunologist at UMD. He further wrote that respondent demonstrates exceptional professionalism, dedication, and integrity. Dr. Hong also wrote that respondent has been candid regarding his DUI conviction and disclosed it to him in his initial interview in February 2023, and disclosed that he is committed to a lifetime of sobriety. Dr. Hong further wrote, "I can personally attest that at a number of different UMD company dinners and parties this past year, he very comfortably maintained sobriety, reinforcing my decision to hire Dr. Minocha."

Cost of Investigation and Enforcement

35. Complainant seeks recovery of enforcement costs of \$30,202.75 pursuant to Business and Professions Code section 125.3.

36. In support of the request for recovery of enforcement costs, the Deputy Attorney General who prosecuted the case signed a declaration on October 17, 2025, requesting total enforcement costs of \$30,202.75, which consisted of \$29,077.75 for costs of enforcement incurred up to October 17, 2025, related to this matter, and a "good faith estimate" of additional hours to be incurred up to the commencement of the hearing of \$1,125. Attached to the declaration is a document entitled "Master Time Activity by Professional Type." This document identifies the tasks performed, the dates legal services were provided, who provided the services, the time spent on each task, and the hourly rate of three Deputy Attorneys General, three paralegals, and one analyst from December 04, 2024, through October 17, 2025, for a total of \$29,077.75 in prosecution costs for 128.50 hours of work. The good faith estimate costs provided set forth that one Deputy Attorney General would spend an additional four hours, and one paralegal would spend an additional one hour of work on this matter for a total of \$1,125. The enforcement costs set forth in the document entitled "Master Time Activity by Professional Type" comply with the requirements of California Code of Regulations, title 1, section 1042, subdivision (b), and are reasonable. However, the good faith estimate of costs is speculative and does not comply with the requirements of California Code of Regulations, title 1, section 1042, subdivision (b), and is therefore not allowed. No evidence was provided regarding any costs of investigation.

37. Accordingly, the total reasonable costs of enforcement of this matter are \$29,077.75. This total is analyzed below with respect to whether complainant established the causes for discipline as alleged in the accusation. Respondent did not present any evidence regarding his ability to pay costs.

LEGAL CONCLUSIONS

Burden and Standard of Proof

1. Complainant bears the burden of proof of establishing that the charges in the accusation and petition to revoke probation are true. (Evid. Code, § 115; 500.)

2. The standard of proof required is "clear and convincing evidence." (*Ettinger v. Board of Medical Quality Assurance* (1982) 135 Cal.App.3d 853, 856.) The obligation to establish charges by clear and convincing evidence is a heavy burden. It requires a finding of high probability; it is evidence so clear as to leave no substantial doubt, or sufficiently strong evidence to command the unhesitating assent of every reasonable mind. (*Christian Research Institute v. Alnor* (2007) 148 Cal.App.4th 71, 84.)

Applicable Statutes and Regulations

3. Business and Professions Code section 490 provides:

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

(b) Notwithstanding any other provision of law, a board may exercise any authority to discipline a licensee for conviction of a crime that is independent of the authority granted under subdivision (a) only if the crime is

substantially related to the qualifications, functions, or duties of the business or profession for which the licensee's license was issued.

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

(d) The Legislature hereby finds and declares that the application of this section has been made unclear by the holding in *Petropoulos v. Department of Real Estate* (2006) 142 Cal.App.4th 554, and that the holding in that case has placed a significant number of statutes and regulations in question, resulting in potential harm to the consumers of California from licensees who have been convicted of crimes. Therefore, the Legislature finds and declares that this section establishes an independent basis for a board to impose discipline upon a licensee, and that the amendments to this section made by Chapter 33 of the Statutes of 2008 do not constitute a change to, but rather are declaratory of, existing law.

4. Business and Professions Code section 2227 provides:
- (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.
 - (5) Have any other action taken in relation to discipline as part of an order of probation, as the board or an administrative law judge may deem proper.
- (b) Any matter heard pursuant to subdivision (a), except for warning letters, medical review or advisory conferences, professional competency examinations, continuing

education activities, and cost reimbursement associated therewith that are agreed to with the board and successfully completed by the licensee, or other matters made confidential or privileged by existing law, is deemed public, and shall be made available to the public by the board pursuant to Section 803.1.

5. Business and Professions Code section 2234 provides in relevant part:

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

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

[1] . . . [1]

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

6. Business and Professions Code section 2236 provides:

(a) The conviction of any offense substantially related to the qualifications, functions, or duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this chapter. The record of conviction shall be

conclusive evidence only of the fact that the conviction occurred.

[¶] . . . [¶]

(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.

7. Business and Professions Code section 2239 provides:

(a) The use . . . 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.

(b) A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this section. The Division of Medical Quality may order discipline of the licensee in accordance with Section 2227 or the Division of Licensing may order

the denial of the license when the time for appeal has elapsed or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such person to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, complaint, information, or indictment.

8. The primary purpose of disciplinary action is to protect the public. (Bus. & Prof. Code, § 2229, subd. (a).) "Where rehabilitation and protection are inconsistent, protection shall be paramount." (Bus. & Prof. Code, § 2229, subd. (c).)

9. California Code of Regulations, title 16, section 1360, provides:

(a) For the purposes of denial, suspension or revocation of a license pursuant to Section 141 or Division 1.5 (commencing with Section 475) of the code, a crime, professional misconduct, or act shall be considered to be substantially related to the qualifications, functions or duties of a person holding a license if to a substantial degree it evidences present or potential unfitness of a person holding a license to perform the functions authorized by the license in a manner consistent with the public health, safety or welfare. Such crimes, professional misconduct, or acts shall include but not be limited to the following: Violating or attempting to violate, directly or

indirectly, or assisting in or abetting the violation of, or conspiring to violate any provision of state or federal law governing the applicant's or licensee's professional practice.

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

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

Applicable Case Law

10. There is a nexus between a physician's use of alcoholic beverages and his or her fitness to practice medicine, established by the Legislature in section 2239, "in all cases where a licensed physician used alcoholic beverages to the extent or in such a manner as to pose a danger to himself or others." (*Watson v. Superior Court* (2009) 176 Cal.App.4th 1407, 1411.)

Disciplinary Guidelines

11. California Code of Regulations, title 16, section 1361, provides that when reaching a decision on a disciplinary action, the board must consider and apply the "Manual of Model Disciplinary Orders and Disciplinary Guidelines" (12th Edition/2016). Under the Guidelines the board expects that, absent mitigating or other appropriate circumstances such as early acceptance of responsibility, demonstrated willingness to

undertake board-ordered rehabilitation, the age of the case, and evidentiary problems. Administrative Law Judges hearing cases on behalf of the board and proposed settlements submitted to the board will follow the guidelines, including those imposing suspensions. Any proposed decision or settlement that departs from the disciplinary guidelines shall identify the departures and the facts supporting the departure. California Code of Regulations, title 16, section 1361, further provides that the board shall use the Uniform Standards for Substance-Abusing Licensees as provided in section 1361.5, without deviation, for each individual determined to be a substance-abusing licensee.

12. California Code of Regulations, title 16, section 1361.5, provides that if the licensee is to be disciplined for unprofessional conduct involving the use of alcohol, the licensee shall be presumed to be a substance-abusing licensee for purposes of section 315 of the Business and Professions Code. In 2015, the board adopted the Uniform Standards for Substance Abusing Licensees under California Code of Regulations, title 16, sections 1361 and 1361.5. California Code of Regulations, title 16, section 1361.5, further provides specific probationary terms and conditions that must be used without deviation in the case of a substance-abusing licensee.

13. Under the Disciplinary Guidelines, the minimum discipline for a misdemeanor conviction substantially related to the functions of a physician and surgeon but not arising from or occurring during patient care, treatment, management or billing is a stayed revocation for five years. The maximum discipline is revocation. Among the conditions of probation, the guidelines recommend community service, professionalism program, psychiatric evaluation, medical evaluation and treatment, and victim restitution.

14. Under the Disciplinary Guidelines, the minimum discipline for the excessive use of alcohol in violation of Business and Professions Code section 2239 is stayed revocation for five years with terms and conditions including: suspension of 60 days or more, abstain from alcohol and controlled substances, biological fluid testing, ethics course, psychiatric evaluation, psychotherapy, medical evaluation and treatment, and a monitor of practice/billing. The maximum discipline is revocation.

Evaluation

15. Clear and convincing evidence established that respondent was convicted of DUI and had a BAC of 0.252 percent at 5:04 a.m. after being involved in a vehicle collision at about 3:00 a.m. on March 29, 2019. Respondent's behavior consuming this amount of alcohol to obtain a very high BAC of 0.252 is extremely dangerous and very serious in nature. The vehicle collision destroyed respondent's vehicle and caused very serious injuries to respondent, including a broken neck, and other broken bones. Respondent has no recollection of the events leading up to the accident.

16. Substantial evidence was presented to show that the events of March 29, 2019, were an aberration in respondent's life. As established by his own testimony, the testimony of his mother, brother, and friend, prior to the accident respondent did not regularly consume alcohol but did so only on a social basis generally without over-consuming. Respondent's testimony at the hearing that he has been sober since the incident was heartfelt and credible. He took responsibility for his actions that day and expressed a genuine remorse for his behavior. After his DUI arrest and release from the hospital, respondent has taken every step possible to rehabilitate himself, engage in self-reflection and introspection, engage in therapy, and take any step he can to demonstrate that he will never engage in the same behavior again. Respondent took

steps beyond what was required by the court to address any issues regarding his behavior underlying the March 29, 2019, incident and to show he does not have an alcohol use disorder and is safe to practice without restrictions. He complied with his criminal probation and completed all requirements. He is remorseful and has been deeply impacted by his poor decision to drive a vehicle under the influence of alcohol that day. He has taken full responsibility for his actions in that regard. Respondent has demonstrated that the self-reflection he has undergone as a result of that poor decision makes it highly unlikely he will ever repeat his poor decisions of that day. All evidence supports that the events of March 29, 2019, were an isolated incident of poor judgment and will not be repeated.

17. Rehabilitation is a state of mind, and the law looks with favor upon rewarding with the opportunity to serve, one who has achieved reformation and regeneration. (*Pacheco v. State Bar* (1987) 43 Cal.3d 1041, 1058.) Fully acknowledging the wrongfulness of past actions is an essential step towards rehabilitation. (*Seide v. Committee of Bar Examiners* (1989) 49 Cal.3d 933, 940.) The evidentiary significance of misconduct is greatly diminished by the passage of time and by the absence of similar, more recent misconduct. (*Kwasnik v. State Bar* (1990) 50 Cal.3d 1061, 1070.)

Cause Exists for Discipline

18. Cause exists under Business and Professions Code sections 2227, 2234, and 2236 to impose discipline. Complainant established by clear and convincing evidence that respondent was convicted on June 24, 2024, of violation of Vehicle Code section 23152, subdivision (a), driving a vehicle under the influence of alcohol, Vehicle Code section 23152, subdivision (b), driving with a blood alcohol concentration (BAC) of 0.08 percent or more, and Vehicle Code section 23538, an enhancement for having

a BAC greater than 0.20 percent. Respondent's conviction is substantially related to the qualifications, functions or duties of a physician and surgeon.

19. Cause exists under Business and Professions Code section 2227, 2234, and 2239 to impose discipline. Complainant established by clear and convincing evidence that respondent used alcohol to the extent or in such a manner as to be dangerous to himself and others.

Degree of Discipline

20. As cause for discipline of respondent's Physician's and Surgeon's Certificate has been established, determination of the appropriate action to impose on respondent's Physician's and Surgeon's Certificate in order to protect the public is necessary. California Code of Regulations, title 16, section 1361.5, and the Disciplinary Guidelines dictate that the minimum discipline for a substance abusing licensee, such as respondent, is revocation stayed for five years with specific terms and conditions related to substance abuse. The Substance Abusing Guidelines contain additional terms and conditions that are to be ordered for substance abusing physicians as authorized by California Code of Regulations, title 16, section 1361.5. Here, respondent established that he is not a substance abusing physician, rebutting the presumption set forth in California Code of Regulations, title 16, section 1361.5, subdivision (a). Dr. Torrington persuasively testified in this regard. Based on the totality of the evidence, it is determined that requiring respondent to be placed on a period of probation would serve no public purpose and would amount to impermissible punishment. (*Fahmy v. Medical Board*, 38 Cal.App.4th at p. 817.) Publicly reprimanding respondent will ensure sufficient public protection.

This determination represents a departure from the board's recommended guidelines of five years' probation with terms and conditions, this departure is made for the following reasons: Respondent established by expert testimony that he does not suffer from an alcohol use disorder or any substance use disorder and requires no restrictions on his license to practice medicine to protect the public. Respondent has taken full responsibility for his actions, taken appropriate and significant steps to address any issues related to his actions on March 29, 2019, and has gone above and beyond what the court has required and requested of him to demonstrate sobriety. He has undergone voluntary breath, blood, and hair testing to show his sobriety, has undergone voluntary therapy, additional AA meeting attendance beyond that ordered by the court, has undergone multiple voluntary psychological assessments for substance abuse resulting in findings that he does not have a substance use disorder, and has been sober for six and a half years. Respondent credibly testified and established that he is committed to sobriety and has no desire to ever consume alcohol again after the incident. He provided testimony from two family members, and a close friend, all of whom are most familiar with his life. Each of them reiterated that respondent is committed to staying sober and has done so even under circumstances when his friends were drinking alcohol around him. Respondent also provided a letter from his current employer, who praised his abilities as a physician, as well as his commitment to sobriety. The incident occurred about six and a half years ago, no further negative incidents have been reported, and respondent has presented significant evidence of rehabilitation. On this record, a public reprimand is the most appropriate action to take.

A public reprimand is not a "free pass." It constitutes the board's formal criticism and censure of respondent, who engaged in the conduct outlined above. It

warns him that engaging in the same or similar conduct in the future will likely result in more serious consequences.

Costs of Investigation and Enforcement

21. Business and Professions Code section 125.3, subdivision (a), authorizes an administrative law judge to direct a licensee who has violated the applicable licensing act to pay a sum not to exceed the reasonable costs of investigation and prosecution. The reasonable costs in this matter are \$29,077.75.

22. In *Zuckerman v. Board of Chiropractic Examiners* (2002) 29 Cal.4th 32, 45, the California Supreme Court set forth five factors to be considered in determining whether a particular licensee should be ordered to pay the reasonable costs of investigation and prosecution under statutes like Business and professions Code section 125.3. Those factors are: whether the licensee has been successful at hearing in getting charges dismissed or reduced, the licensee's subjective good faith belief in the merits of his or her position, whether the licensee has raised a colorable challenge to the proposed discipline, the financial ability of the licensee to pay, and whether the scope of the investigation was appropriate in light of the alleged misconduct. (*Ibid.*)

23. Applying the *Zuckerman* factors to this case leads to the following conclusions: respondent was successful in getting the charges reduced; respondent had a subjective good faith belief in the merits of his position; respondent raised a colorable defense to the allegations, and provided no evidence or argument to establish that he does not have the financial ability to pay costs; and the scope of the investigation was appropriate in light of the alleged misconduct.

24. After consideration of the *Zuckerman* factors in this case, a reduction of the costs of enforcement is appropriate. Accordingly, the reasonable costs in this matter in the amount of \$29,077.75 are reduced by a third to \$19,412.09.

ORDER

Ranjeet Minocha, M.D., is hereby publicly reprimanded for his substantially related conviction related to drunk driving in violation of Vehicle Code section 23152, subdivisions (a) and (b), as well as Vehicle Code section 23538, an enhancement for having a BAC greater than 0.20 percent, and his use of alcohol in a manner dangerous to himself and others. This Decision shall serve as Dr. Minocha's Public Reprimand in this matter, and it is conditioned upon Dr. Minocha paying the costs associated with the prosecution of this matter in the amount of \$19,412.09 within 90 days or via a payment plan as arranged with the board.

DATE: November 21, 2025

Debra D. Nye-Perkins

DEBRA D. NYE-PERKINS

Administrative Law Judge

Office of Administrative Hearings