

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

In the Matter of the Accusation Against:

David Ari Lapides, M.D.

**Physician's and Surgeon's
Certificate No. A 171070**

Respondent.

Case No. 800-2022-087457

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 20, 2026.

IT IS SO ORDERED January 21, 2026.

MEDICAL BOARD OF CALIFORNIA

 **M.D.**

**Veling Tsai, Chair
Panel A**

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

In the Matter of the Accusation Against:

**DAVID ARI LAPIDES, M.D.,
Physician's and Surgeon's Certificate No. A 171070
Respondent.**

Agency Case No. 800-2022-087457

OAH No. 2025070940

PROPOSED DECISION

Administrative Law Judge Juliet E. Cox, State of California, Office of
Administrative Hearings, heard this matter on December 15, 2025, by videoconference.

Deputy Attorney General Thomas Ostly appeared representing complainant Reji
Varghese, Executive Director of the Medical Board of California.

Respondent David Ari Lapides, M.D., appeared representing himself.

The matter was submitted for decision on December 15, 2025.

FACTUAL FINDINGS

1. Respondent David Ari Lapidès, M.D., holds Physician's and Surgeon's Certificate Number A 171070, issued to him by the Medical Board of California (MBOC) on December 16, 2020. As of October 7, 2022, the certificate was suspended (by order effective April 14, 2022) and was scheduled to expire on December 31, 2022. The evidence does not establish whether respondent renewed it.

2. Acting in his official capacity as Executive Director of the MBOC, complainant Reji Varghese filed an accusation against respondent on August 30, 2022. Complainant signed a first amended accusation on September 26, 2024. Respondent returned a notice of defense.

3. Complainant alleges that the MBOC should revoke respondent's certificate because two other states in which respondent holds medical licenses have suspended him from medical practice, and because respondent has been convicted of crimes relating to his fitness for medical practice.

Professional History

4. Respondent is an adult neurologist. Most recently, he practiced via telemedicine, and held medical licenses in more than 25 states in addition to the certificate described in Finding 1. Respondent lives in Virginia.

5. Effective February 23, 2022, the Arizona Medical Board (AMB) entered an interim order, on respondent's consent, suspending his authority to practice medicine in Arizona. The AMB took this action because of the convictions described below in Finding 9. Although this order states that respondent may apply for permission to resume medical practice in Arizona, he has not done so.

6. Effective March 15, 2022, the Virginia Board of Medicine (VBM) entered an order that suspended respondent's authority to practice medicine in Virginia. The VBM took this action because of the convictions described below in Finding 9. Although this order states that respondent may petition for reinstatement of his license to practice medicine in Virginia, he has not done so.

7. Aside from California, respondent has surrendered all of his other medical licenses, or has allowed them to expire without renewal.

8. Despite the matters summarized in Findings 5 through 7, respondent has kept his continuing medical education up to date. He also teaches medical licensing examination preparation courses to recent medical school graduates.

Criminal Convictions

9. On January 18, 2022, respondent was convicted in the Circuit Court for the City of Charlottesville, Commonwealth of Virginia, of two felony violations of Code of Virginia section 18.2-374.1:1(C) (distributing pornographic material depicting children). Several months later, the court sentenced respondent to 14 months in prison, followed by five years of supervised probation. Respondent had been in jail before conviction and sentencing, and the court permitted him to serve his remaining incarceration on electronic home detention. His probation is scheduled to end in September 2027.

10. Aside from the fact that respondent's offenses occurred on March 21 and March 29, 2021, the evidence does not establish any other factual details about respondent's crimes. Respondent testified, credibly although without corroboration, that his offenses involved imagery, but not in-person interactions between him and any victims of his crimes.

Additional Evidence

11. Since September 20, 2022, respondent's name, address, and photograph have appeared on the Virginia State Police registry of persons convicted of certain sexual crimes. Respondent understands that he may petition in the future for relief from the requirement that he appear on this registry.

12. Respondent considers himself to be in recovery from an addiction to pornography. He has undertaken mental health treatment to address his former behavior, which he characterizes as "morally and legally reprehensible." Respondent attended a six-week inpatient treatment program, and since completing that program has participated in weekly group psychotherapy, individual psychotherapy, and a 12-step peer support group. He has regained custody of his own children and believes that he no longer poses a risk to other persons. Respondent's insight into the harmful nature of his misconduct, and his efforts to avoid repeating it, are credible and significant.

Costs

13. The Board has incurred \$52,536.50 in costs for legal services provided to complainant by the California Department of Justice in this matter since January 1, 2022. Complainant's claim for reimbursement of these costs is supported by a declaration that complies with California Code of Regulations, title 1, section 1042, subdivision (b)(2).

14. These prosecution costs are unreasonably high. This matter is factually and legally simple, and respondent does not contest any of the factual allegations in the first amended accusation. A reasonable prosecution cost does not exceed \$5,000.

LEGAL CONCLUSIONS

1. The MBOC may discipline respondent only upon clear and convincing proof, to a reasonable certainty, of the facts establishing cause for discipline. Clear and convincing evidence supports the factual findings above.

First and Second Causes for Discipline: Discipline in Other States

2. Disciplinary action, including "revocation, suspension, or other discipline, restriction, or limitation imposed by" another state's medical licensing authority is grounds for discipline in California if the basis for the other state's action also would have been grounds for discipline under California law. (Bus. & Prof. Code, § 2305.) The out-of-state disciplinary order itself is "conclusive evidence" of the facts the order states. (*Id.*, § 141, subd. (a).)

3. The matters stated in Findings 5 and 6 constitute cause for discipline against respondent.

Third Cause for Discipline: Relevant Criminal Convictions

4. Conviction of a crime that relates substantially to a physician's qualifications or duties is unprofessional conduct, and is cause for discipline. (Bus. & Prof. Code, §§ 490, 2236.)

5. Crimes involving sexual misconduct are of special concern to the MBOC. Under the California Medical Practice Act, a person who must register in California in a manner similar to the manner in which respondent must register in Virginia (according to Finding 11) usually may not hold a medical license. (Bus. & Prof. Code, § 2232.) More generally, respondent's crimes involved vulnerable people, and reflected pursuit

of his own interests at their expense. The matters summarized in Findings 9 and 10 constitute cause for discipline against respondent.

Disciplinary Considerations

6. The matters summarized in Finding 12 suggest that respondent may recover his ability to practice medicine safely and prudently. While he remains on criminal probation, however (as stated in Finding 9), and until he shows an extended period of successful recovery, he remains a risk to patients and his community. Moreover, because respondent does not reside in California and is not licensed in any other state, the MBOC could not monitor his practice effectively if it were to allow him to retain his certificate while on probation. Public safety calls for the MBOC to revoke respondent's authority to practice medicine in California.

Costs

7. A physician found to have committed a violation of the laws governing medical practice in California may be required to pay the MBOC the reasonable costs of the investigation and enforcement of the case, but only as incurred on and after January 1, 2022. (Bus. & Prof. Code, § 125.3.) The matters stated in Findings 13 and 14 establish that these costs for this matter total \$5,000.

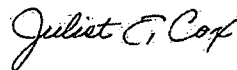
8. In *Zuckerman v. State Bd. of Chiropractic Examiners* (2002) 29 Cal.4th 32, the California Supreme Court set forth the standards by which a licensing board or bureau must exercise its discretion to reduce or eliminate cost awards to ensure that the board or bureau does not deter licensees with potentially meritorious claims from exercising their administrative hearing rights. The court held that a licensing board requesting reimbursement for costs relating to a hearing must consider the licensee's "subjective good faith belief" in the merits of his position and whether the licensee has

raised a "colorable challenge" to the proposed discipline. (*Id.*, at p. 45.) The board also must consider whether the licensee will be "financially able to make later payments." (*Ibid.*) Last, the board may not assess full costs of investigation and enforcement when it has conducted a "disproportionately large investigation." (*Ibid.*) All these matters have been considered, but do not justify any reduction in respondent's obligation to reimburse the MBOC for its reasonable costs in this matter.

ORDER

1. Physician's and Surgeon's Certificate Number A 171070, held by respondent David Ari Lapidès, M.D., is revoked,
2. Respondent Lapidès must pay the Medical Board of California \$5,000 as reimbursement for its reasonable costs to investigate and prosecute this matter.

DATE: 01/05/2026



JULIET E. COX

Administrative Law Judge

Office of Administrative Hearings