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

In the Matter of the Accusation Against: Jonathan Joseph Mayer, M.D. Physician's & Surgeon's Certificate No. A 88082 Respondent.	Case No. 800-2022-090698

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 March 27, 2026.

IT IS SO ORDERED: February 26, 2026.

MEDICAL BOARD OF CALIFORNIA

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

ROB BONTA
Attorney General of California
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Supervising Deputy Attorney General
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BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: **JONATHAN JOSEPH MAYER, M.D.** **Omni Family Health** **925 G Street** **Reedley, CA 93654** **Physician's and Surgeon's Certificate No. A 88082** Respondent.	Case No. 800-2022-090698 OAH No. 2025031153 **STIPULATED SETTLEMENT AND DISCIPLINARY ORDER**

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

PARTIES

1. Reji Varghese (Complainant) is the Executive Director of the Medical Board of California (Board). He brought this action solely in his official capacity and is represented in this matter by Rob Bonta, Attorney General of the State of California, by Ryan J. Yates, Deputy Attorney General.

2. Respondent Jonathan Joseph Mayer, M.D. (Respondent) is represented in this proceeding by attorney Ian A. Scharg, Esq., whose address is: 400 University Avenue Sacramento, CA 95825-6502.

3. On or about July 7, 2004, the Board issued Physician's and Surgeon's Certificate No. A 88082 to Jonathan Joseph Mayer, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2022-090698, and will expire on May 31, 2026, unless renewed.

JURISDICTION

4. Accusation No. 800-2022-090698 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 February 3, 2025. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2022-090698 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. 800-2022-090698. 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.

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CULPABILITY

9. Respondent understands and agrees that the charges and allegations in Accusation No. 800-2022-090698, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate.

10. Respondent agrees that, at a hearing, Complainant could establish a prima facie case or factual basis for the charges and allegations in Accusation No. 800-2022-090698, a true and correct copy of which is attached hereto as Exhibit A, that he has thereby subjected his Physician's and Surgeon's Certificate, No. A 88082 to disciplinary action, and that Respondent hereby gives up his right to contest those charges.

11. Respondent agrees that his Physician's and Surgeon's Certificate is subject to discipline, and he agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

12. 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.

13. 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.

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

1. PUBLIC REPRIMAND. IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 88082 issued to Respondent JONATHAN JOSEPH MAYER, M.D. shall be and is hereby Publicly Reprimanded pursuant to Business and Professions Code section sections 2234 subdivisions (b) and (c), and 2227. This Public Reprimand, which is issued in connection with Respondent's care and treatment and unprofessional conduct towards Patient 1, as set forth in Accusation No. 800-2022-090698, is as follows: In 2022, during a routine new obstetric visit with Patient 1, Respondent made inappropriate and unprofessional statements to Patient 1. Additionally, Respondent did not request permission from Patient 1 for a medical student to be present in the examination room or for the medical student to participate in the examination of Patient 1.

2. EDUCATION COURSE. Within 60 calendar days of the effective date of this Decision, 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. 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.

3. PROFESSIONALISM PROGRAM (ETHICS COURSE). Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in a professionalism program, that meets the requirements of Title 16, California Code of Regulations (CCR) section 1358.1. Respondent shall participate in and successfully complete that program. Respondent shall provide any information and documents that the program may deem pertinent. Respondent shall

successfully complete the classroom component of the program not later than six (6) months after Respondent's initial enrollment, and the longitudinal component of the program not later than the time specified by the program, but no later than one (1) year after attending the classroom component. The professionalism program shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

A professionalism program 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 program would have been approved by the Board or its designee had the program been taken after the effective date of this Decision.

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

4. PROFESSIONAL BOUNDARIES PROGRAM. Within 60 calendar days from the effective date of this Decision, Respondent shall enroll in a professional boundaries program approved in advance by the Board or its designee. Respondent, at the program's discretion, shall undergo and complete the program's assessment of Respondent's competency, mental health and/or neuropsychological performance, and at minimum, a 24-hour program of interactive education and training in the area of boundaries, which takes into account data obtained from the assessment and from the Decision(s), Accusation(s) and any other information that the Board or its designee deems relevant. The program shall evaluate Respondent at the end of the training and the program shall provide any data from the assessment and training as well as the results of the evaluation to the Board or its designee.

Failure to complete the entire program not later than six (6) months after Respondent's initial enrollment shall be considered a violation of the Stipulated Settlement and Disciplinary Order and may subject Respondent to disciplinary action by the Board, unless the Board or its designee agrees in writing to a later time for completion. Based on Respondent's performance in and evaluations from the assessment, education, and training, the program shall advise the Board

or its designee of its recommendation(s) for additional education, training, psychotherapy and other measures necessary to ensure that Respondent can practice medicine safely. Respondent shall comply with program recommendations. At the completion of the program, Respondent shall submit to a final evaluation. The program shall provide the results of the evaluation to the Board or its designee. The professional boundaries program shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

The program has the authority to determine whether or not Respondent successfully completed the program.

A professional boundaries 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 this Decision.

If Respondent fails to complete the program within the designated time period, Respondent shall cease the practice of medicine within three (3) calendar days after being notified by the Board or its designee that Respondent failed to complete the program.

5. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby ordered to reimburse the Board its costs of investigation and enforcement, including, but not limited to, expert review, amended accusations, legal reviews, investigation(s), and subpoena enforcement, as applicable, in the amount of $20,000 (twenty thousand dollars). Costs shall be payable to the Medical Board of California. Failure to pay such costs shall be considered a violation of the Stipulated Settlement and Disciplinary Order and may subject Respondent to disciplinary action by the Board.

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

Order and may subject Respondent to disciplinary action by the Board.

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

6. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing action agency in the State of California, all of the charges and allegations contained in Accusation No. 800-2022-090698 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict license.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Ian A. Scharg, Esq. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 06Oct25

JONATHAN JOSEPH MAYER, M.D.
Respondent

I have read and fully discussed with Respondent Jonathan Joseph Mayer, M.D. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: October 8, 2025

IAN A. SCHARG, ESQ.
Attorney for Respondent

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California.

DATED: 10/8/24

Respectfully submitted,

ROB BONTA
Attorney General of California
MICHAEL C. BRUMMEL
Supervising Deputy Attorney General

Ryan Yates

RYAN J. YATES
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2022-090698

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

In the Matter of the Accusation Against: **JONATHAN JOSEPH MAYER, M.D.** **Omni Family Health** **925 G Street** **Reedley, CA 93654** **Physician's and Surgeon's Certificate No. A 88082,** Respondent.	Case No. 800-2022-090698 **ACCUSATION**

PARTIES

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

2. On or about July 7, 2004, the Medical Board issued Physician's and Surgeon's Certificate Number A 88082 to Jonathan Joseph Mayer, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2026, unless renewed.

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JURISDICTION

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

4. Section 2229 of the Code states:

> (a) Protection of the public shall be the highest priority for the Division of Medical Quality, the California Board of Podiatric Medicine, and administrative law judges of the Medical Quality Hearing Panel in exercising their disciplinary authority.
>
> (b) In exercising his or her disciplinary authority an administrative law judge of the Medical Quality Hearing Panel, the division, or the California Board of Podiatric Medicine, shall, wherever possible, take action that is calculated to aid in the rehabilitation of the licensee, or where, due to a lack of continuing education or other reasons, restriction on scope of practice is indicated, to order restrictions as are indicated by the evidence.
>
> (c) It is the intent of the Legislature that the division, the California Board of Podiatric Medicine, and the enforcement program shall seek out those licensees who have demonstrated deficiencies in competency and then take those actions as are indicated, with priority given to those measures, including further education, restrictions from practice, or other means, that will remove those deficiencies. Where rehabilitation and protection are inconsistent, protection shall be paramount.

5. Section 2227 of the Code states:

> (a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary action with the board, may, in accordance with the provisions of this chapter:
>
> (1) Have his or her license revoked upon order of the board.
>
> (2) Have his or her right to practice suspended for a period not to exceed one year upon order of the board.
>
> (3) Be placed on probation and be required to pay the costs of probation monitoring upon order of the board.
>
> (4) Be publicly reprimanded by the board. The public reprimand may include a requirement that the licensee complete relevant educational courses approved by the board.
>
> (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.

6. Section 2234 of the Code states, in pertinent 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.
>
> "..."
>
> (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.
>
> "..."

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

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.

FACTUAL SUMMARY

9. On or about July 25, 2022, Patient 1[1] went to a medical clinic for the first time for a routine new obstetric visit to obtain pregnancy care. Patient 1 had not received treatment or met Respondent before this visit.

10. Respondent entered Patient 1's examination room and loudly stated, "Who wants a

[1] The patient in this Accusation is referred to as Patient 1 to protect her privacy.

party in the vagina, no wait, that already happened!"

11. Patient 1 was shocked and offended by Respondent's comment.

12. Respondent had a medical student with him in Patient 1's examination room to whom he spoke as though Patient 1 was not in the room. Respondent did not request permission from Patient 1 for the medical student to be in the room throughout the patient visit.

13. Respondent performed a breast examination of Patient 1. Respondent then instructed the medical student to perform a breast examination on Patient 1. Respondent did not request permission from Patient 1 for the medical student to participate in the examination of Patient 1 or to examine the patient.

14. Throughout the examination Respondent only spoke with the medical student, did not speak with Patient 1 to explain the examination process, nor ask the patient any questions, which insulted Patient 1.

15. After Respondent and the medical student finished their examinations, Respondent said to Patient 1, "Just wait until you get used to me and I will tell you my cow jokes." Respondent then left the examination room.

16. Patient 1 filed a complaint about Respondent's conduct during the appointment and never returned to the clinic.

17. The Division of Investigation Health Quality Investigation Unit asked Respondent to attend a telephonic interview about Patient 1's complaint. Respondent was accompanied by his attorney throughout his interview. During Respondent's interview he stated his remark "Who wants a party in the vagina, no wait, that already happened!" was a joke.

18. Regarding this remark Respondent stated "I think humor can be used appropriately to try and be sensitive to the awkwardness. That statement might offend some patients and others might be OK with it."

19. During Respondent's interview he stated that he did not recall obtaining consent from Patient 1 for the medical student to be present during the examination or to conduct a physical examination of the patient.

20. Respondent did not know if anyone had advised Patient 1 that if the patient consented

the medical student would be present during the examination or that if the patient consented the medical student would conduct a physical examination of the patient.

21. Respondent did not ensure that someone had obtained consent from Patient 1 to have a medical student present during the examination and/or obtain consent to have the medical student conduct a physical examination of the patient by corroborating this with the patient.

STANDARD OF CARE

22. The *American College of Obstetricians and Gynecologists* [ACOG] states "The relationship between obstetrician–gynecologists and their patients therefore requires a high level of trust and professional responsibility. The patient–physician relationship is damaged when there is either confusion regarding professional roles and behavior or clear lack of integrity that allows sexual exploitation and harm. Sexual misconduct by an obstetrician–gynecologist is an abuse of power and a violation of patients' trust." The ACOG Committee Opinion references the 2006 *Federation of State Medical Boards Guidelines* on Sexual Boundaries which states "Sexual impropriety may comprise behavior, gestures, or expressions that are seductive, sexually suggestive, disrespectful of patient privacy, or sexually demeaning to a patient. . . not limited to. . .inappropriate comments about or to the patient. . . including making sexual comments about a patient's body or underclothing, making sexualized or sexually demeaning comments to a patient. . ."

23. ACOG committee opinion 796 states, "Physical examinations should be explained appropriately, undertaken only with the patient's consent. . . Patients should be offered the opportunity to ask questions or raise concerns about any element of the examination."

24. The *Federation of State Medical Boards Guidelines* states that during a patient examination it is inappropriate when a physician is ". . . subjecting a patient to an intimate examination in the presence of medical students or other parties without the patient's informed consent or in the event such informed consent has been withdrawn. . ."

25. Respondent's statements to Patient 1, including but not limited to, "Who wants a party in the vagina, no wait, that already happened!" and "Just wait until you get used to me and I will tell you my cow jokes," constituted an inappropriate pattern of behavior towards a patient,

which was an extreme departure from the standard of care.

26. Respondent's failure to obtain informed consent from Patient 1 for the student to be present during Patient 1's examination as well as to conduct an examination of Patient 1 is a simple departure from the standard of care.

FIRST CAUSE FOR DISCIPLINE

(Gross Negligence)

27. Respondent has subjected his Physician's and Surgeon's Certificate No. A 88082 to disciplinary action under section 2234, subdivision (b), of the Code, in that Respondent engaged in gross negligence. Complainant refers to and by this reference, incorporates herein, paragraphs 9 through 26 above, as though fully set forth herein.

28. Respondent committed the following act of gross negligence during the care and treatment of Patient 1:

a.) Respondent made inappropriate statements to Patient 1, including but not limited to, "Who wants a party in the vagina, no wait, that already happened!" and "Just wait until you get used to me and I will tell you my cow jokes."

SECOND CAUSE FOR DISCIPLINE

(Repeated Negligent Acts)

29. Respondent is further subject to disciplinary action under section 2234, subdivision (c), of the Code, in that Respondent committed repeated negligent acts in his care and treatment of Patient 1, as more particularly alleged in paragraphs 9 through 28, which are incorporated by reference as though fully set forth herein.

30. Respondent committed the following repeated negligent acts during the care and treatment of Patient 1:

a.) Respondent made inappropriate statements to Patient 1, including but not limited to, "Who wants a party in the vagina, no wait, that already happened!" and "Just wait until you get used to me and I will tell you my cow jokes."

b.) Respondent did not know if anyone had advised Patient 1 that if the patient consented the medical student would be present during the examination or that if

the patient consented the medical student would conduct a physical examination of the patient, nor did Respondent ensure someone had advised and obtained consents from the patient by corroborating this with the patient.

THIRD CAUSE FOR DISCIPLINE

(General Unprofessional Conduct)

31. Respondent Jonathan Joseph Mayer, M.D. is further subject to disciplinary action under sections 2227 and 2234 of the Code, in that Respondent has engaged in conduct which breaches the rules or ethical code of the medical profession, or conduct which is unbecoming to a member in good standing of the medical profession, and which demonstrates an unfitness to practice medicine. The circumstances are set forth in paragraphs 9 through 26, which are incorporated herein as if fully set forth.

DISCIPLINARY CONSIDERATIONS

32. To determine the degree of discipline, if any, to be imposed on Respondent Jonathan Joseph Mayer, M.D., Complainant alleges that on or about July 15, 2019, a prior Board Decision entitled *In the Matter of the Accusation Against: Jonathan Joseph Mayer, M.D., Case No. 800-2015-014912* became effective which placed Respondent on thirty-five (35) months' probation with terms and conditions. The record of the prior discipline is incorporated by reference as if fully set forth.

PRAYER

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

1. Revoking or suspending Physician's and Surgeon's Certificate Number A 88082, issued to Respondent Jonathan Joseph Mayer, M.D.;

2. Revoking, suspending or denying approval of Respondent Jonathan Joseph Mayer, M.D.'s authority to supervise physician assistants and advanced practice nurses;

3. Ordering Respondent Jonathan Joseph Mayer, M.D., to pay the Board the costs of the investigation and enforcement of this case, and if placed on probation, the costs of probation monitoring; and

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

DATED: FEB 03 2025

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

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