

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

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

Paul J. Brody, D.P.M

**Doctor of Podiatric Medicine
Certificate No. 2963**

Case No. 500-2018-000751

Respondent.

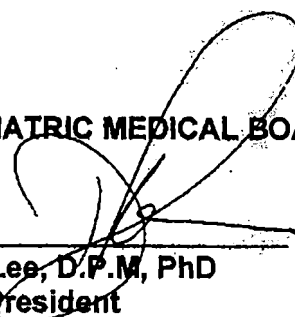
DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Podiatric Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on July 24, 2026.

IT IS SO ORDERED June 26, 2026.

PODIATRIC MEDICAL BOARD



**Daniel Lee, D.P.M., PhD
Board President**

1 ROB BONTA
Attorney General of California
2 JUDITH T. ALVARADO
Supervising Deputy Attorney General
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7 **BEFORE THE**
8 **PODIATRIC MEDICAL BOARD**

9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the First Amended Accusation
Against:

12 **PAUL J. BRODY, D.P.M.**
13 **3831 Hughes Avenue, Suite 700**
Culver City, CA 90232

14 **Podiatrist License No. DPM 2963,**

15 Respondent.

Case No. 500-2018-000751

OAH No. 2025110089

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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

19 **PARTIES**

20 1. Brian Naslund (Complainant) is the Executive Officer of the Podiatric Medical Board
21 (Board). He brought this action solely in his official capacity and is represented in this matter by
22 Rob Bonta, Attorney General of the State of California, by Judith T. Alvarado, Supervising
23 Deputy Attorney General.

24 2. Respondent Paul J. Brody, D.P.M. (Respondent) is represented in this proceeding by
25 attorney C. Keith Greer, Esq., whose address is: 16855 W. Bernardo Drive, Suite 255, San
26 Diego, CA 92127-1626.

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1 3. On or about June 11, 1982, the Board issued Podiatrist License No. DPM 2963 to
2 Respondent. The Podiatrist License was in full force and effect at all times relevant to the
3 charges brought in First Amended Accusation No. 500-2018-000751, and will expire on
4 December 31, 2019, unless renewed.

5 **JURISDICTION**

6 First Amended Accusation No. 500-2018-000751 was filed before the Board, and is
7 currently pending against Respondent. The Accusation and all other statutorily required
8 documents were properly served on Respondent on September 10, 2021. A First Amended
9 Accusation was filed on May 29, 2025. Respondent timely filed his Notice of Defense contesting
10 the Accusation.

11 4. A copy of First Amended Accusation No. 500-2018-000751 is attached as Exhibit A
12 and incorporated herein by reference.

13 **ADVISEMENT AND WAIVERS**

14 5. Respondent has carefully read, discussed with counsel, and fully understands the
15 charges and allegations in First Amended Accusation No. 500-2018-000751. Respondent has
16 also carefully read, fully discussed with counsel, and understands the effects of this Stipulated
17 Settlement and Disciplinary Order.

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

25 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
26 every right set forth above.

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1 CULPABILITY

2 8. Respondent understands and agrees that the charges and allegations in First Amended
3 Accusation No. 500-2018-000751, if proven at a hearing, constitute cause for imposing discipline
4 upon his Podiatrist License.

5 9. For the purpose of resolving the First Amended Accusation No. 500-2018-000751
6 without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing,
7 Complainant could establish a factual basis for the charges in the First Amend Accusation No.
8 500-2018-00751, and that Respondent hereby gives up his right to contest those charges.

9 10. Respondent agrees that Podiatrist License No. DPM 2963 is subject to discipline and
10 he agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order
11 below.

12 CONTINGENCY

13 11. This stipulation shall be subject to approval by the Podiatric Medical Board.
14 Respondent understands and agrees that counsel for Complainant and the staff of the Podiatric
15 Medical Board may communicate directly with the Board regarding this stipulation and
16 settlement, without notice to or participation by Respondent or Respondent's counsel. By signing
17 the stipulation, Respondent understands and agrees that he may not withdraw Respondent's
18 agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it.
19 If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and
20 Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible
21 in any legal action between the parties, and the Board shall not be disqualified from further action
22 by having considered this matter.

23 12. Respondent agrees that if he ever petitions for early termination or modification of
24 probation, or if an accusation and/or petition to revoke probation is filed against him before the
25 Board, all of the charges and allegations contained in First Amended Accusation No. 500-2018-
26 000751 shall be deemed true, correct and fully admitted by Respondent for purposes of any such
27 proceeding or any other licensing proceeding involving Respondent in the State of California.

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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 formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Podiatrist License No. DPM 2963 issued to Respondent PAUL J. BRODY, D.P.M. is revoked. However, the revocation is stayed and Respondent is placed on probation for three (3) years on the following terms and conditions:

1. EDUCATION COURSE Within 60 days of the effective date of this Decision, and on an annual basis thereafter, Respondent shall submit to the Board or its designee for its prior approval educational program(s) or course(s) which shall not be less than 40 hours per year, for each year of probation. The educational program(s) or course(s) shall be aimed at correcting any areas of deficient practice or knowledge and shall be Category I certified or Board approved and limited to classroom, conference, or seminar settings. 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, which must be scientific in nature, for renewal of licensure. Following the completion of each course, the Board or its designee may administer an examination to test Respondent's knowledge of the course. Respondent shall provide proof of attendance for 65 hours of CME of which 40 hours were in satisfaction of this condition.

2. ETHICS COURSE Within 60 days of the effective date of this Decision, Respondent shall enroll in a course in ethics, at Respondent's expense, approved in advance by the Board or its designee. Failure to successfully complete the course during the first year is a violation of probation.

1 An ethics course taken after the acts that gave rise to the charges in the Accusation, but
2 prior to the effective date of the Decision may, in the sole discretion of the Board or its designee,
3 be accepted towards the fulfillment of this condition if the course would have been approved by
4 the Board or its designee had the course been taken after the effective date of this Decision.

5 Respondent shall submit a certification of successful completion to the Board or its
6 designee not later than 15 calendar days after the effective date of the Decision.

7 3. MONITORING - BILLING Within 30 days of the effective date of this Decision,
8 the entire practice shall be monitored, limited to the following: billing records.

9 The Board shall immediately, within the exercise of reasonable discretion, appoint a doctor
10 of podiatric medicine from its panel of medical consultants or panel of expert reviewers as the
11 monitor.

12 The monitor shall provide quarterly reports to the Board or its designee which include an
13 evaluation of Respondent's billing practices, indicating whether Respondent's billing practices
14 are within the standards of practice of podiatric medicine and whether Respondent is billing
15 appropriately.

16 The Board or its designee shall determine the frequency that Respondent's billing practices
17 are to be monitored. Such monitoring shall be required during the entire period of probation.
18 However, after the first year of probation and at the discretion of the monitor, if the monitor
19 determines that Respondent's billing practices require no further monitoring, the monitor may
20 make a recommendation to the Board to end this term of probation. The Board reserves the right
21 to evaluate the monitor's recommendation and to exercise its discretion whether to grant the
22 request or to take any other action deemed appropriate and reasonable under the circumstances.

23 Respondent shall pay all costs of such monitoring and shall otherwise comply with all
24 requirements of his or her contract with the monitor. The Podiatry Billing Monitoring Contract
25 will be provided by the Board. If the monitor terminates the contract, or is no longer available,
26 the Board or its designee shall appoint a new monitor immediately. Respondent shall not practice
27 at any time during probation until Respondent provides a copy of the contract with the current
28 monitor to the probation investigator and such contract is approved by the Board.

1 Respondent shall make all records available for immediate inspection and copying on the
2 premises by the monitor at all times during business hours and shall retain the records for the
3 entire term of probation. Failure to maintain all records, or to make all appropriate records
4 available for immediate inspection and copying on the premises, or to comply with this condition
5 as outlined above, is a violation of probation.

6 In lieu of a billing monitor, Respondent may participate in the professional enhancement
7 program offered by the Physician Assessment and Clinical Education Program at the University
8 of California, San Diego School of Medicine, that includes, at minimum, quarterly billing review
9 and semi-annual review of professional growth and education. Respondent shall participate in the
10 professional enhancement program at Respondent's expense during the term of probation.

11 4. NOTIFICATION Prior to engaging in the practice of medicine, the Respondent shall
12 provide a true copy of the Decision(s) and Accusation(s) to the Chief of Staff or the Chief
13 Executive Officer at every hospital where privileges or membership are extended to Respondent,
14 at any other facility where Respondent engages in the practice of podiatric medicine, including all
15 physician and locum tenens registries or other similar agencies, and to the Chief Executive
16 Officer at every insurance carrier which extends malpractice insurance coverage to Respondent.
17 Respondent shall submit proof of compliance to the Division or its designee within 15 calendar
18 days.

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

20 5. PHYSICIAN ASSISTANTS Prior to receiving assistance from a physician assistant,
21 Respondent must notify the supervising physician of the terms and conditions of his probation.

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

25 7. QUARTERLY DECLARATIONS Respondent shall submit quarterly declarations
26 under penalty of perjury on forms provided by the Board, stating whether there has been
27 compliance with all the conditions of probation. Respondent shall submit quarterly declarations
28 not later than 10 calendar days after the end of the preceding quarter.

1 8. PROBATION COMPLIANCE UNIT Respondent shall comply with the Board's
2 probation unit. Respondent shall, at all times, keep the Board informed of Respondent's business
3 and residence addresses. Changes of such addresses shall be immediately communicated in
4 writing to the Board or its designee. Under no circumstances shall a post office box serve as an
5 address of record, except as allowed by Business and Professions Code section 2021(b).

6 Respondent shall not engage in the practice of podiatric medicine in Respondent's place of
7 residence. Respondent shall maintain a current and renewed California doctor of podiatric
8 medicine's license.

9 Respondent shall immediately inform the Board or its designee, in writing, of travel to any
10 areas outside the jurisdiction of California which lasts, or is contemplated to last, more than 30
11 calendar days.

12 9. INTERVIEW WITH THE BOARD OR ITS DESIGNEE Respondent shall be
13 available in person for interviews either at Respondent's place of business or at the probation unit
14 office with the Board or its designee, upon request, at various intervals and either with or without
15 notice throughout the term of probation.

16 10. RESIDING OR PRACTICING OUT-OF-STATE In the event Respondent should
17 leave the State of California to reside or to practice, Respondent shall notify the Board or its
18 designee in writing 30 calendar days prior to the dates of departure and return. Non-practice is
19 defined as any period of time exceeding 30 calendar days in which Respondent is not engaging in
20 any activities defined in section 2472 of the Business and Professions Code.

21 All time spent in an intensive training program outside the State of California which has
22 been approved by the Board or its designee shall be considered as time spent in the practice of
23 medicine within the State. A Board-ordered suspension of practice shall not be considered as a
24 period of non-practice. Periods of temporary or permanent residence or practice outside
25 California will not apply to the reduction of the probationary term. Periods of temporary or
26 permanent residence or practice outside California will relieve Respondent of the responsibility to
27 comply with the probationary terms and conditions, with the exception of this condition, and the
28 following terms and conditions of probation: Obey All Law; Probation Unit Compliance; and

1 Cost Recovery.

2 Respondent's license shall be automatically cancelled if Respondent's periods of temporary
3 or permanent residence or practice outside California totals two years. However, Respondent's
4 license shall not be cancelled as long as Respondent is residing and practicing podiatric medicine
5 in another state of the United States and is on active probation with the medical licensing
6 authority of that state, in which case the two year period shall begin on the date probation is
7 completed or terminated in that state.

8 11. FAILURE TO PRACTICE PODIATRIC MEDICINE - CALIFORNIA RESIDENT

9 In the event the Respondent resides in the State of California and for any reason Respondent stops
10 practicing podiatric medicine in California, Respondent shall notify the Board or its designee in
11 writing within 30 calendar days prior to the dates of non-practice and return to practice. Any
12 period of non-practice within California as defined in this condition will not apply to the
13 reduction of the probationary term and does not relieve Respondent of the responsibility to
14 comply with the terms and conditions of probation. Non-practice is defined as any period of time
15 exceeding thirty calendar days in which Respondent is not engaging in any activities defined in
16 section 2472 of the Business and Professions Code.

17 All time spent in an intensive training program which has been approved by the Board or its
18 designee shall be considered time spent in the practice of medicine. For purposes of this
19 condition, non-practice due to a Board-ordered suspension or in compliance with any other
20 condition of probation shall not be considered a period of non-practice.

21 Respondent's license shall be automatically cancelled if Respondent resides in California
22 and for a total of two years, fails to engage in California in any of the activities described in
23 Business and Professions Code section 2472.

24 12. COMPLETION OF PROBATION Respondent shall comply with all financial
25 obligations (e.g., cost recovery, restitution, probation costs) not later than 120 calendar days prior
26 to the completion of probation. Upon successful completion of probation, Respondent's
27 certificate will be fully restored.

28 13. VIOLATION OF PROBATION If Respondent violates probation in any respect, the

1 Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and
2 carry out the disciplinary order that was stayed. If an accusation or petition to revoke probation is
3 filed against Respondent during probation, the Board shall have continuing jurisdiction until the
4 matter is final, the period of probation shall be extended until the matter is final, and no petition
5 for modification of penalty shall be considered while there is an accusation or petition to revoke
6 probation pending against Respondent.

7 14. COST RECOVERY Within 90 calendar days from the effective date of the Decision
8 or other period agreed to by the Board or its designee, Respondent shall reimburse the Board the
9 amount of \$9,119.25 (Nine thousand one hundred nineteen dollars and twenty-five cents), for its
10 investigative and prosecution costs. The filing of bankruptcy or period of non-practice by
11 Respondent shall not relieve the Respondent of his obligation to reimburse the Board for its costs.

12 15. LICENSE SURRENDER Following the effective date of this Decision, if
13 Respondent ceases practicing due to retirement or health reasons, or is otherwise unable to satisfy
14 the terms and conditions of probation, Respondent may request the voluntary surrender of
15 Respondent's license. The Board reserves the right to evaluate the Respondent's request and to
16 exercise its discretion whether to grant the request or to take any other action deemed appropriate
17 and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent
18 shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its
19 designee and respondent shall no longer practice podiatric medicine. Respondent will no longer
20 be subject to the terms and conditions of probation and the surrender of Respondent's license
21 shall be deemed disciplinary action. If Respondent re-applies for a podiatric medical license, the
22 application shall be treated as a petition for reinstatement of a revoked certificate.

23 16. PROBATION MONITORING COSTS Respondent shall pay the costs associated
24 with probation monitoring each and every year of probation as designated by the Board, which
25 may be adjusted on an annual basis. Such costs shall be payable to the Board of Podiatric
26 Medicine and delivered to the Board or its designee within 60 days after the start of the new fiscal
27 year. Failure to pay costs within 30 calendar days of this date is a violation of probation.

28 17. NOTICE TO EMPLOYEES Respondent shall, upon or before the effective date of

1 this Decision, post or circulate a notice which actually recites the offenses for which Respondent
2 has been disciplined and the terms and conditions of probation to all employees involved in his
3 practice. Within fifteen (15) days of the effective date of this Decision, Respondent shall cause
4 his employees to report to the Board in writing, acknowledging the employees have read the
5 Accusation and Decision in the case and understand Respondent's terms and conditions of
6 probation.

7 18. CHANGES OF EMPLOYMENT Respondent shall notify the Board in writing,
8 through the assigned probation officer, of any and all changes of employment, location, and
9 address within thirty (30) days of such change.

10 19. COMPLIANCE WITH REQUIRED CONTINUING MEDICAL EDUCATION
11 Respondent shall submit satisfactory proof biennially to the Board of compliance with the
12 requirement to complete fifty hours of approved continuing medical education, and meet
13 continuing competence requirements for re-licensure during each two (2) year renewal period.

14 20. FUTURE ADMISSIONS CLAUSE If Respondent should petition for early
15 termination or modification of probation, or if an Accusation and/or Petition to Revoke Probation
16 is filed against the Respondent before the Board, or Respondent should ever apply or reapply for
17 a new license or certification, and/or file a petition for reinstatement of a license, before the Board
18 or any other health care licensing action agency in the State of California, all of the charges and
19 allegations contained in First Amended Accusation No. 500-2018-000751 shall be deemed to be
20 true, correct, and fully admitted by Respondent for the purpose of any Statement of Issues or any
21 disciplinary proceeding seeking to deny, restrict, or revoke licensure or any petition proceeding
22 seeking to reinstate licensure or modify probation.

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, C. Keith Greer, Esq. I understand the stipulation and the effect it will have on my Podiatrist License. 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 Podiatric Medical Board.

DATED: 3/30/2026

Signed by:

7560FE7A45A046E...

PAUL J. BRODY, D.P.M.
Respondent

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

DATED: 3/30/26


C. KEITH GREER, ESQ.
Attorney for Respondent

ENDORSEMENT

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

DATED: _____

Respectfully submitted,

ROB BONTA
Attorney General of California
Judith Alvarado
Digitally signed by
Judith Alvarado
Date: 2026.03.30
16:46:25 -07'00'
JUDITH T. ALVARADO
Supervising Deputy Attorney General
Attorneys for Complainant

LA2019504274

Exhibit A

First Amended Accusation No. 500-2018-000751

1 ROB BONTA
Attorney General of California
2 JUDITH T. ALVARADO
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3 State Bar No. 155307
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7
8 **BEFORE THE
PODIATRIC MEDICAL BOARD**

9 **DEPARTMENT OF CONSUMER AFFAIRS
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10 In the Matter of the First Amended Accusation
11 Against:

Case No. 500-2018-000751

12 **PAUL J. BRODY, D.P.M.**
3831 Hughes Avenue, Suite 700
13 Culver City, CA 90232

OAH No.

FIRST AMENDED ACCUSATION

14 **Podiatrist License No. DPM 2963,**

15 **Respondent.**

16
17 **PARTIES**

18 1. Brian Naslund (Complainant) brings this First Amended Accusation solely in his
19 official capacity as the Executive Officer of the Podiatric Medical Board, Department of
20 Consumer Affairs.

21 2. On or about June 11, 1982, Podiatric Medical Board issued Podiatrist License
22 Number DPM 2963 to Paul J. Brody, D.P.M. (Respondent). The Podiatrist License was in full
23 force and effect at all times relevant to the charges brought herein and will expire on December
24 31, 2025, unless renewed.

25 **JURISDICTION**

26 3. First Amended Accusation is brought before the Podiatric Medical Board (Board)
27 under the authority of the following laws. All section references are to the Business and
28 Professions Code (Code) unless otherwise indicated.

1 4. Section 2222 of the Code states:

2 The California Board of Podiatric Medicine shall enforce and administer this
3 article as to doctors of podiatric medicine. Any acts of unprofessional conduct or
4 other violations proscribed by this chapter are applicable to licensed doctors of
5 podiatric medicine and wherever the Medical Quality Hearing Panel established
6 under Section 11371 of the Government Code is vested with the authority to enforce
7 and carry out this chapter as to licensed physicians and surgeons, the Medical Quality
8 Hearing Panel also possesses that same authority as to licensed doctors of podiatric
9 medicine.

10 The California Board of Podiatric Medicine may order the denial of an application or
11 issue a certificate subject to conditions as set forth in Section 2221, or order the
12 revocation, suspension, or other restriction of, or the modification of that penalty, and
13 the reinstatement of any certificate of a doctor of podiatric medicine within its
14 authority as granted by this chapter and in conjunction with the administrative hearing
15 procedures established pursuant to Sections 11371, 11372, 11373, and 11529 of the
16 Government Code. For these purposes, the California Board of Podiatric Medicine
17 shall exercise the powers granted and be governed by the procedures set forth in this
18 chapter.

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

23 6. Section 2228.1 of the Code states.

24 (a) On and after July 1, 2019, except as otherwise provided in subdivision (c),
25 the board and the Podiatric Medical Board of California shall require a licensee to
26 provide a separate disclosure that includes the licensee's probation status, the length
27 of the probation, the probation end date, all practice restrictions placed on the licensee
28 by the board, the board's telephone number, and an explanation of how the patient
29 can find further information on the licensee's probation on the licensee's profile page
30 on the board's online license information internet web site, to a patient or the
31 patient's guardian or health care surrogate before the patient's first visit following the
32 probationary order while the licensee is on probation pursuant to a probationary order
33 made on and after July 1, 2019, in any of the following circumstances:

34 (1) A final adjudication by the board following an administrative hearing or
35 admitted findings or prima facie showing in a stipulated settlement establishing any
36 of the following:

37 (A) The commission of any act of sexual abuse, misconduct, or relations with a
38 patient or client as defined in Section 726 or 729.

39 (B) Drug or alcohol abuse directly resulting in harm to patients or the extent
40 that such use impairs the ability of the licensee to practice safely.

41 (C) Criminal conviction directly involving harm to patient health.

1 (D) Inappropriate prescribing resulting in harm to patients and a probationary
2 period of five years or more.

3 (2) An accusation or statement of issues alleged that the licensee committed any
4 of the acts described in subparagraphs (A) to (D), inclusive, of paragraph (1), and a
5 stipulated settlement based upon a nolo contendere or other similar compromise that
6 does not include any prima facie showing or admission of guilt or fact but does
7 include an express acknowledgment that the disclosure requirements of this section
8 would serve to protect the public interest.

9 (b) A licensee required to provide a disclosure pursuant to subdivision (a) shall
10 obtain from the patient, or the patient's guardian or health care surrogate, a separate,
11 signed copy of that disclosure.

12 (c) A licensee shall not be required to provide a disclosure pursuant to
13 subdivision (a) if any of the following applies:

14 (1) The patient is unconscious or otherwise unable to comprehend the
15 disclosure and sign the copy of the disclosure pursuant to subdivision (b) and a
16 guardian or health care surrogate is unavailable to comprehend the disclosure and
17 sign the copy.

18 (2) The visit occurs in an emergency room or an urgent care facility or the visit
19 is unscheduled, including consultations in inpatient facilities.

20 (3) The licensee who will be treating the patient during the visit is not known to
21 the patient until immediately prior to the start of the visit.

22 (4) The licensee does not have a direct treatment relationship with the patient.

23 (d) On and after July 1, 2019, the board shall provide the following
24 information, with respect to licensees on probation and licensees practicing under
25 probationary licenses, in plain view on the licensee's profile page on the board's
26 online license information internet web site.

27 (1) For probation imposed pursuant to a stipulated settlement, the causes
28 alleged in the operative accusation along with a designation identifying those causes
by which the licensee has expressly admitted guilt and a statement that acceptance of
the settlement is not an admission of guilt.

(2) For probation imposed by an adjudicated decision of the board, the causes
for probation stated in the final probationary order.

(3) For a licensee granted a probationary license, the causes by which the
probationary license was imposed.

(4) The length of the probation and end date.

(5) All practice restrictions placed on the license by the board.

(e) Section 2314 shall not apply to this section.

7. Section 2305 of the Code provides that the revocation, suspension, or other discipline,
restriction or limitation imposed by another state upon a license to practice medicine issued by

1 that state, that would have been grounds for discipline in California under the Medical Practice
2 Act, constitutes grounds for discipline for unprofessional conduct.

3 8. Section 141 of the Code states:

4 (a) For any licensee holding a license issued by a board under the jurisdiction of
5 the department, a disciplinary action taken by another state, by any agency of the
6 federal government, or by another country for any act substantially related to the
7 practice regulated by the California license, may be a ground for disciplinary action
8 by the respective state licensing board. A certified copy of the record of the
9 disciplinary action taken against the licensee by another state, an agency of the
10 federal government, or another country shall be conclusive evidence of the events
11 related therein.

12 (b) Nothing in this section shall preclude a board from applying a specific
13 statutory provision in the licensing act administered by that board that provides for
14 discipline based upon a disciplinary action taken against the licensee by another state,
15 an agency of the federal government, or another country.

16 9. Section 2497 of the Code states:

17 (a) The board may order the denial of an application for, or the suspension of,
18 or the revocation of, or the imposition of probationary conditions upon, a certificate
19 to practice podiatric medicine for any of the causes set forth in Article 12
20 (commencing with Section 2220) in accordance with Section 2222.

21 (b) The board may hear all matters, including but not limited to, any contested
22 case or may assign any such matters to an administrative law judge. The proceedings
23 shall be held in accordance with Section 2230. If a contested case is heard by the
24 board itself, the administrative law judge who presided at the hearing shall be present
25 during the board's consideration of the case and shall assist and advise the board.

26 STATUTORY PROVISIONS

27 10. Section 2234 of the Code states:

28 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.

(b) Gross negligence.

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

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

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

6 (d) Incompetence.

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

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

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

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

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

21 11. Section 2236 of the Code states:

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

27 (b) The district attorney, city attorney, or other prosecuting agency shall notify
28 the Medical Board of the pendency of an action against a licensee charging a felony
or misdemeanor immediately upon obtaining information that the defendant is a
licensee. The notice shall identify the licensee and describe the crimes charged and
the facts alleged. The prosecuting agency shall also notify the clerk of the court in
which the action is pending that the defendant is a licensee, and the clerk shall record
prominently in the file that the defendant holds a license as a physician and surgeon.

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

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

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1 12. Section 2261 of the Code states:

2 Knowingly making or signing any certificate or other document directly or
3 indirectly related to the practice of medicine or podiatry which falsely represents the
4 existence or nonexistence of a state of facts, constitutes unprofessional conduct.

5 13. Section 490 of the Code provides, in pertinent part, that a board may suspend or
6 revoke a license on the ground that the licensee has been convicted of a crime substantially
7 related to the qualifications, functions, or duties of the business or profession for which the
8 license was issued.

9 COST RECOVERY

10 14. Section 2497.5 of the Code states:

11 (a) The board may request the administrative law judge, under his or her
12 proposed decision in resolution of a disciplinary proceeding before the board, to
13 direct any licensee found guilty of unprofessional conduct to pay to the board a sum
14 not to exceed the actual and reasonable costs of the investigation and prosecution of
15 the case.

16 (b) The costs to be assessed shall be fixed by the administrative law judge and
17 shall not be increased by the board unless the board does not adopt a proposed
18 decision and in making its own decision finds grounds for increasing the costs to be
19 assessed, not to exceed the actual and reasonable costs of the investigation and
20 prosecution of the case.

21 (c) When the payment directed in the board's order for payment of costs is not
22 made by the licensee, the board may enforce the order for payment by bringing an
23 action in any appropriate court. This right of enforcement shall be in addition to any
24 other rights the board may have as to any licensee directed to pay costs.

25 (d) In any judicial action for the recovery of costs, proof of the board's decision
26 shall be conclusive proof of the validity of the order of payment and the terms for
27 payment.

28 (e)(1) Except as provided in paragraph (2), the board shall not renew or
reinstatement the license of any licensee who has failed to pay all of the costs ordered
under this section.

(2) Notwithstanding paragraph (1), the board may, in its discretion,
conditionally renew or reinstate for a maximum of one year the license of any
licensee who demonstrates financial hardship and who enters into a formal agreement
with the board to reimburse the board within that one year period for those unpaid
costs.

(f) All costs recovered under this section shall be deposited in the Board of
Podiatric Medicine Fund as a reimbursement in either the fiscal year in which the
costs are actually recovered or the previous fiscal year, as the board may direct.

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1 FACTUAL ALLEGATIONS

2 15. On or about September 12, 2018, Respondent caused a Criminal Action Reporting
3 Form to be filed with the Board. That form advised the Board that an Information had been filed
4 against Respondent in the United States District Court, Central District of California. Respondent
5 was charged with violating 18 United States Code section 1341 (mail fraud), and 18 United States
6 Code section 2, subdivision (h) (causing an act to be done); no arrest had been made.

7 16. Following an investigation, the Board learned that the Information was filed on April
8 6, 2018, in the case of *United States of America v. Paul J. Brody*, United States District Court for
9 the Central District of California, case number 2:18-cr-00188 CAS.¹ Respondent was charged
10 with violating 18 United States Code section 1341 and 18 United States Code section 2,
11 subdivision (h), a felony.

12 17. The facts alleged in the Information state that Respondent, the owner of Culver City
13 Surgical, and other defendants, knowingly and with intent to defraud, devised, executed and
14 participated in a plan to obtain money and property from a health care benefit plan established by
15 The International Longshoremen's and Warehousemen's Union-Pacific Maritime Association
16 Welfare Plan (ILWU-PMA Plan). That health care plan was established for the benefit of eligible
17 active and retired ILWU members, their qualified dependents and survivors.

18 18. Respondent paid kickbacks to the owners and operators of Port Medical Clinics
19 located in Long Beach and San Pedro, California, for ILWU-PMA Plan member referrals.
20 Respondent paid and caused others at Port Medical Clinics to pay cash to ILWU-PMA Plan
21 members² to receive medical procedures at Culver City Surgical. Respondent submitted claims
22 for reimbursement for services that were provided at Culver City Surgical to the ILWU-PMA
23 Plan.

24 19. Respondent knowingly concealed from the ILWU-PMA Plan material facts, including
25 that he paid kickbacks to the owners and operators of Port Medical Clinics for the ILWU-PMA
26

27 ¹ On April 24, 2018, the case was transferred from Judge Christina A. Snyder (CAS) to
28 Judge John A. Kronstadt (JAK), the new case number reflected the transfer: 2:18-cr-00188 JAK.

² The Information included a specific plan member identified in this Accusation as Patient
1.

1 Plan member referrals, including Patient 1, and Respondent caused others to pay remuneration to
2 ILWU-PMA Plan members to induce them to receive medical procedures at his surgery center,
3 Culver City Surgical.

4 20. On or about April 5, 2013, Respondent, along with other defendants, in furtherance of
5 the fraudulent scheme, willfully caused a check drawn on a bank account with Coastwise Claims,
6 to be placed in an authorized United States Postal Service depository for mail, to be sent and
7 delivered by the United States Postal Service to Culver City Surgical. The check was payable to
8 Culver City Surgical in the sum of \$50,982.92, for services including those provided to Patient 1
9 on or about November 8, 2012.

10 21. On or about August 14, 2018, Respondent waived reading of the indictment and was
11 arraigned.

12 22. On or about September 27, 2018, Respondent was convicted, by way of a plea of
13 guilty, of Count 1 as charged in the Information.

14 23. On information and belief, Respondent was sentenced on or about August 25, 2021.

15 **FIRST CAUSE FOR DISCIPLINE**

16 **(Discipline, Restriction, or Limitation Imposed by an Agency of the Federal**
17 **Government)**

18 24. Respondent, Paul J. Brody, D.P.M. is subject to disciplinary action under sections
19 2305 and 141, subdivision (a), of the Code in that he was subjected to discipline, restriction, or
20 limitation imposed by an agency of the federal government. The circumstances are as follows:

21 25. In its January 27, 2021, Decision, the Centers for Medicare & Medicaid Services
22 (CMS) upheld the determination of its administrative contractor, Noridian Healthcare Solutions
23 (Noridian), to revoke the Medicare enrollment and billing privileges of Respondent. (See
24 *Department of Health and Human Services, Departmental Appeals Board, Civil Remedies*
25 *Division, Paul Brody, DPM (NPI: 1376578351; PTANS: E2963, CB232420) v. Centers for*
26 *Medicare & Medicaid Services*, Docket No. C-20-654, Decision No. CR 5799 (Decision).)

27 26. On or about January 8, 2020, Noridian revoked Respondent's Medicare enrollment
28 and billing privileges pursuant to 42 Code of Federal Regulations section 424.535, subdivisions

1 (a)(3), (4), and (9). Noridian explained that revocation was warranted based on Respondent's
2 September 27, 2018, felony conviction for mail fraud in violation of 18 United States Code
3 sections 1341 and 2, in the United States District Court, Central District of California. Noridian
4 also informed Respondent that he would be placed on CMS's preclusion list, effective July 1,
5 2020. Respondent was informed by Noridian that it was establishing a bar to his re-enrollment
6 and that he *may* be able to re-enroll in or around September 28, 2028.

7 27. Respondent sought reconsideration of the revocation order arguing that he had not
8 been convicted of a felony pursuant to 42 Code of Federal Regulations section 1001.2. He did
9 not dispute his inclusion on the CMS preclusion list.

10 28. In a reconsidered determination, dated May 12, 2020, Respondent was advised that
11 Noridian correctly revoked his enrollment and billing privileges, pursuant to 42 Code of Federal
12 Regulations section 424.535, subdivision (a)(3).

13 29. CMS considered Respondent's guilty plea in *United States of America v. Paul J.*
14 *Brody*, United States District Court for the Central District of California, case number 2:18-cr-
15 00188 CAS, to be a felony conviction, as defined under 42 Code of Federal Regulations section
16 1001.2, for purposes of revocation under 42 Code of Federal Regulations section 424.535,
17 subdivision (a)(3).

18 30. In upholding Respondent's placement on the preclusion list, CMS took into
19 consideration that Respondent engaged in a fraudulent scheme by paying kickbacks to the owners
20 and operators of [a clinic] in exchange for referrals of Plan Members to his own provider
21 group....In order to pay the kickbacks to the owners and operators....[Respondent] wrote checks
22 to individuals and entities associated with [the clinic], disguising the nature of the checks by
23 falsely characterizing the check as payment for expenses. CMS found [Respondent's] conduct to
24 be severe in nature because it called into question his integrity and trustworthiness.

25 31. At hearing, Respondent did not dispute the revocation of his billing privileges
26 pursuant to 42 Code of Federal Regulations section 424.535, subdivision (a)(3), nor his placement
27 on the preclusion list. The sole issue on review was whether Noridian and CMS had a legitimate
28 basis to revoke Respondent's enrollment and billing privileges, effective September 27, 2018, the

1 date Respondent entered his guilty plea to the Information. Notably, Respondent was not
2 "challenging the fact that he plead guilty or the facts regarding the underlying conduct that led to
3 his plea," and he concedes that "CMS will still have grounds to terminate [his] privileges under
4 42 Code of Federal Regulations section 424.535, subdivision (a)(3)." It was also determined that
5 the proper effective date of the revocation of Respondent's enrollment and billing privileges is
6 September 27, 2018, as set by regulation, 42 42 Code of Federal Regulations section 424.535,
7 subdivision (g).

8 32. Respondent's conduct and the action taken in the January 27, 2021 Decision of CMS,
9 a federal agency, upholding Noridian's revocation of Respondent's Medicare enrollment and
10 billing privileges, as set forth paragraphs 25 through 31, above, constitute unprofessional conduct
11 and cause for discipline pursuant to sections 2305 and 141, subdivision (a) of the Code.

12 **SECOND CAUSE FOR DISCIPLINE**

13 (Conviction of a Substantially Related Crime)

14 33. Respondent Paul J. Brody, D.P.M. is subject to disciplinary action under sections 490
15 and 2236 of the Code in that he was convicted of a crime substantially related to the
16 qualifications, functions, or duties of a podiatrist. The circumstances are as follows:

17 34. The facts and allegations set forth in paragraphs 15 through 23, above, are
18 incorporated herein by reference as if fully set forth.

19 **THIRD CAUSE FOR DISCIPLINE**

20 (Dishonest and Corrupt Acts)

21 35. Respondent Paul J. Brody, D.P.M. is subject to disciplinary action under section
22 2234, subdivision (e), of the Code in that he engaged in dishonest and corrupt acts. The
23 circumstances are as follows:

24 36. The facts and allegations set forth in paragraphs 15 through 32, above, are
25 incorporated herein by reference as if fully set forth.

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1 FOURTH CAUSE FOR DISCIPLINE

2 (False Representations - Unprofessional Conduct)

3 37. Respondent Paul J. Brody, D.P.M. is subject to disciplinary action under section 2234
4 as defined by section 2261 of the Code in that he knowingly made or signed documents directly
5 or indirectly related to the practice of podiatry which falsely represented the existence or
6 nonexistence of a state of facts, thereby constituting unprofessional conduct.

7 38. The facts and allegations set forth in paragraphs 15 through 32, above, are
8 incorporated herein by reference as if fully set forth.

9 FIFTH CAUSE FOR DISCIPLINE

10 (Unprofessional Conduct)

11 39. Respondent Paul J. Brody, D.P.M. is subject to disciplinary action under Code section
12 2234, in that he committed unprofessional conduct.

13 40. The facts and allegations set forth in paragraphs 15 through 32, above, are
14 incorporated herein by reference as if fully set forth.

15 PRAYER

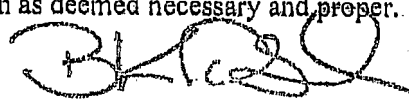
16 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
17 and that following the hearing, the Podiatric Medical Board issue a decision:

18 1. Revoking or suspending Podiatrist License Number DPM 2963, issued to PAUL J.
19 BRODY, D.P.M.;

20 2. Ordering Paul J. Brody, D.P.M. to pay the Podiatric Medical Board the reasonable
21 costs of the investigation and enforcement of this case, pursuant to Business and Professions
22 Code section 2497.5 and if placed on probation, the costs of probation monitoring; and,

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

24 DATED: MAY 29 2025

25 
26 BRIAN NASLUND
27 Executive Officer
28 Podiatric Medical Board
Department of Consumer Affairs
State of California
Complainant

LA2019504274