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

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|---|---|
| In the Matter of the Interim Suspension Order Against:<br><br>**HERBERT SIM-ON CHIN, M.D.**<br>**9209 South Colima Road, Suite 3600**<br>**Whittier, CA 90605**<br><br>**Physician's and Surgeon's Certificate No. A 65244,**<br><br>Respondent. | Case No. 800-2019-056409<br><br>**STIPULATION AND ORDER REGARDING INTERIM SUSPENSION PURSUANT TO GOVERNMENT CODE SECTION 11529** |

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

1. William Prasifka ("Petitioner") is the Executive Director of the Medical Board of California ("Board"). He brought this action solely in his official capacity by filing a Petition for Interim Suspension Order ("Petition") against Herbert Sim-On Chin, M.D. ("Respondent") and is represented in this matter by her attorney, Xavier Becerra, Attorney General of the State of California, by Rebecca L. Smith, Deputy Attorney General.

2. Respondent Herbert Sim-On Chin, M.D. is representing himself in this proceeding.

3. On May 22, 1998, the Board issued Physician's and Surgeon's Certificate number A 65244 to Respondent. That certificate was in full force and effect at all times relevant to the charges brought here and will expire on May 31, 2022, unless renewed.

4. The parties have reached an agreement as to the interim status of Respondent's medical license. Respondent willingly enters into this Stipulation with full understanding of its terms and restrictions.

5. Respondent is aware of his rights under California Government Code section 11529 to a noticed hearing on a petition for an interim order of suspension, which include the right to be represented by counsel at his own expense; to have a record made of the proceedings; to present affidavits and other documentary evidence; and to present oral argument. Respondent hereby knowingly and voluntarily waives each of the rights set forth above.

6. Respondent Herbert Sim-On Chin, M.D. hereby stipulates and agrees that his medical license is suspended. The suspension shall remain in force and effect until such time as the Board shall have issued and adopted a final decision in the administrative proceeding to be filed against Respondent's medical license.

7. Respondent stipulates and agrees that, if contested, at a hearing on the Petition, Petitioner could establish a factual basis for the issuance of an Interim Order of Suspension. Respondent therefore stipulates and agrees that the Medical Quality Hearing Panel of the Office of Administrative Hearings has jurisdiction and without further proceedings may issue an interim order prohibiting Herbert Sim-On Chin, M.D., Physician's and Surgeon's Certificate Number A 65244 to Respondent, from practicing medicine.

8. During the period of suspension, Respondent is prohibited from practicing or attempting to practice as a physician and surgeon in California; advertising, by any means, or holding himself out as practicing or available to practice medicine or to supervise assistants; possessing, prescribing, dispensing, furnishing, administering or otherwise distributing any controlled substance or any dangerous drug in California, as defined by federal or state law, except legally permitted drugs prescribed to Respondent by his treating physician and surgeon; possessing or holding his California physician's and surgeon's wall and wallet certificates,

possessing any and all prescription blanks; and is further required to surrender any of said documents which are in his possession or under his control to the Board pending further order in this matter.

9. It is agreed that a facsimile or electronic copies of signatures to this Stipulation shall be binding as originals, and that this Stipulation may be signed in counterpart.

Dated: January 21, 2021

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
JUDITH T. ALVARADO
Supervising Deputy Attorney General

REBECCA L. SMITH
Deputy Attorney General
*Attorneys for Petitioner*

I have carefully read the above Stipulation regarding Interim Order of Suspension. Pursuant to the terms of the Stipulation, I voluntarily, knowingly, and intelligently agree to the entry of an Interim Order of Suspension under Government Code section 11529. I understand the effect this Stipulation will have on my Physician and Surgeon's Certificate.

Dated: January 21, 2021

CHRISTOPHER CHIN, ATTORNEY-IN-FACT for
HERBERT SIM-ON CHIN, M.D.

**ORDER**

Pursuant to the foregoing Stipulation, and good cause appearing, it is hereby ordered that Physician & Surgeon's Certificate A 65244 issued to Herbert Sim-On Chin, M.D. is immediately SUSPENDED. Respondent Herbert Sim-On Chin, M.D. shall be and hereby is immediately restrained and prohibited from practicing or attempting to practice as a physician and surgeon in California pending a final decision and order by the Medical Board of California. Respondent shall be and hereby is immediately restrained and prohibited from: practicing or attempting to

practice as a physician and surgeon in California; advertising, by any means, or holding himself out as practicing or available to practice medicine or to supervise physician assistants or advanced practice nurses; ~~being present in any location or office which is maintained for the practice of medicine, or at which medicine is practiced, for any purpose except as a patient or as a visitor of family or friends~~; possessing, ordering, purchasing, receiving, prescribing, dispensing, furnishing, administering or otherwise distributing any controlled substance or any dangerous drug in California, as defined by federal or state law, except legally permitted drugs prescribed to Respondent by his treating physician and surgeon; possessing or holding his California physician's and surgeon's wall and wallet certificates, possessing any and all prescription blanks.

**IT IS FURTHER ORDERED THAT** Respondent shall immediately deliver to the Board, or its agent, for safekeeping pending a final administrative order of the Board in this matter, all indicia of his licensure as a physician, as contemplated by Business and Professions Code Section 119, including but not limited to his wall certificate and wallet card issued by the Board, as well as all prescription forms, all prescription drugs not legally prescribed to Respondent by his treating physician and surgeon, all Drug Enforcement Administration Drug Order forms, and all Drug Enforcement Administration permits.

This Order shall be deemed served upon Respondent upon service by (1) e-mail to eforechin@aol.com and eschin7@gmail.com or (2) via overnight delivery to 9209 South Colima Road, Suite 3600, Whittier, CA 90605. The Order shall also be served by regular mail upon Respondent at his address of record with the Medical Board.

**IT IS SO ORDERED** this 22nd day of January 2021.

ADMINISTRATIVE LAW JUDGE
Cindy F Forman