

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

In the Matter of the Accusation )  
against: )

File No: 500-2018-000722

CHANDRA MAE PASAMONTE, D.P.M. )

Doctor of Podiatric Medicine )  
License No. E 4327 )

Respondent )

**DECISION AND ORDER**

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

This Decision shall become effective at 5:00 p.m. on APR 22 2022

IT IS SO ORDERED MAR 23 2022

PODIATRIC MEDICAL BOARD

  
Judith Manzi, D.P.M., President

1 ROB BONTA  
Attorney General of California  
2 STEVEN D. MUNI  
Supervising Deputy Attorney General  
3 AARON L. LENT  
Deputy Attorney General  
4 State Bar No. 256857  
1300 I Street, Suite 125  
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7

8 *Attorneys for Complainant*

9  
10 **BEFORE THE**  
**PODIATRIC MEDICAL BOARD**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**  
12

13 In the Matter of the Accusation Against:

14 **CHANDRA MAE PASAMONTE, D.P.M.**  
15 **1806 Foundation Lane**  
**Chico, CA 95928**

16 **Podiatrist's License No. E-4327**

17 Respondent.  
18

Case No. 500-2018-000722

OAH No. 2021090175

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

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

21 **PARTIES**

22 1. Brian Naslund (Complainant) is the Executive Officer of the Podiatric Medical Board  
23 (Board). He brought this action solely in his official capacity and is represented in this matter by  
24 Rob Bonta, Attorney General of the State of California, by Aaron L. Lent, Deputy Attorney  
25 General.

26 2. Respondent Chandra Mae Pasamonte, D.P.M. (Respondent) is represented in this  
27 proceeding by attorney Robert Marchi Esq., whose address is: 1100 Larkspur Landing Circle,  
28 Suite 350, Larkspur, CA 94939.

3. On or about March 29, 2001, the Board issued Podiatrist's License No. E-4327 to Chandra Mae Pasamonte, D.P.M. (Respondent). The Podiatrist's License was in full force and effect at all times relevant to the charges brought in Accusation No. 500-2018-000722, and will expire on March 31, 2023, unless renewed.

## JURISDICTION

4. Accusation No. 500-2018-000722 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 May 26, 2021. Respondent timely filed her Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 500-2018-000722 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. 500-2018-000722. Respondent has also carefully read, fully discussed with her counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of her 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 her; the right to present evidence and to testify on her 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.

## CULPABILITY

9. Respondent understands and agrees that the charges and allegations in Accusation No. 500-2018-000722, if proven at a hearing, constitute cause for imposing discipline upon her Podiatrist's License.

10. Respondent agrees that, at a hearing, Complainant could establish a *prima facie* case or factual basis for the charges in the Accusation, and that Respondent hereby gives up her right to contest those charges.

11. Respondent does not contest that, at an administrative hearing, Complainant could establish a *prima facie* case with respect to the charges and allegations in Accusation No. 500-2018-000722, a true and correct copy of which is attached hereto as Exhibit A, and that she has thereby subjected her Podiatrist's License No. E-4327 to disciplinary action.

12. Respondent agrees that her Podiatrist's License is subject to discipline and she agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order below.

## CONTINGENCY

13. This stipulation shall be subject to approval by the Podiatric Medical Board. Respondent understands and agrees that counsel for Complainant and the staff of the Podiatric Medical Board may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her 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.

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. The 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 agreements of the parties in the above-entitled matter.

16. The parties agree that copies of this Stipulated Settlement and Disciplinary Order, including copies of the signatures of the parties, may be used in lieu of original documents and signatures and, further, that such copies shall have the same force and effect as originals.

17. 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

IT IS HEREBY ORDERED that Podiatrist's License No. E-4327 issued to Respondent Chandra Mae Pasamonte, D.P.M. shall be and is hereby publicly reprimanded pursuant to California Business and Professions Code, section 2227, subdivision (a) (4.) This public reprimand, which is issued in connection with Respondent's care and treatment of Patient A as set forth in Accusation No. 500-2018-000722, is as follows:

“You failed properly document an initial history and physical examination, and thereafter failed to inform the patient of your personal and financial relationship with the referring physical therapist.”

1. 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.

An ethics 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.

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

Failure to provide proof of successful completion to the Board or its designee within twelve (12) months of the effective date of this Decision, unless the Board or its designee agrees in writing to an extension of that time, shall constitute general unprofessional conduct and may serve as the grounds for further disciplinary action.

1 If Respondent fails to enroll, participate in, or successfully complete an ethics course within  
2 the designated time period, Respondent shall receive a notification from the Board or its designee  
3 to cease the practice of podiatry within three (3) calendar days after being so notified. The  
4 Respondent shall not resume the practice of podiatry until enrollment or participation in the  
5 outstanding portions of the ethics course have been completed. If the Respondent did not  
6 successfully complete the ethics course the Respondent shall not resume the practice of podiatry  
7 until a final decision has been rendered on the accusation and/or a petition to revoke probation.  
8 Any violation of this condition or failure to complete the program and program recommendations  
9 shall be considered unprofessional conduct and grounds for further disciplinary action.

10 2. COST RECOVERY Within 90 calendar days from the effective date of the Decision  
11 or other period agreed to by the Board or its designee, Respondent shall reimburse the Board the  
12 amount of \$18,530.75 for its investigative and prosecution costs. Said costs shall be reduced by  
13 25% to \$13,898.06 if paid within one (1) year of this Decision and Order. The filing of  
14 bankruptcy or period of non-practice by respondent shall not relieve the Respondent of his/her  
15 obligation to reimburse the Board for its costs.

16 Failure to fully reimburse the Board the total amount of costs within three (3) years of the  
17 effective date of this Decision and Order, unless the Board or its designee agrees in writing to an  
18 extension of that time, shall constitute general unprofessional conduct and may serve as the  
19 grounds for further disciplinary action.

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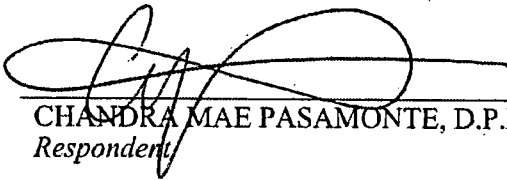
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1 ACCEPTANCE

2 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
3 discussed it with my attorney, Robert Marchi Esq.. I understand the stipulation and the effect it  
4 will have on my Podiatrist's License. I enter into this Stipulated Settlement and Disciplinary  
5 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order  
6 of the Podiatric Medical Board.

7  
8 DATED: 12/9/21

  
CHANDRA MAE PASAMONTE, D.P.M.  
Respondent

10 I have read and fully discussed with Respondent Chandra Mae Pasamonte, D.P.M. the  
11 terms and conditions and other matters contained in the above Stipulated Settlement and  
12 Disciplinary Order. I approve its form and content.

13 DATED: 12/9/2021

  
ROBERT MARCHI ESQ.  
Attorney for Respondent


16 ENDORSEMENT

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

19  
20 DATED: 12/9/2021

Respectfully submitted,

21 ROB BONTA  
Attorney General of California  
22 STEVEN D. MUNI  
Supervising Deputy Attorney General

23   
24 AARON L. LENT  
25 Deputy Attorney General  
26 Attorneys for Complainant

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28 35720745.docx

# Exhibit A



1 XAVIER BECERRA  
Attorney General of California  
2 STEVEN D. MUNI  
Supervising Deputy Attorney General  
3 AARON L. LENT  
Deputy Attorney General  
4 State Bar No. 256857  
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6 Telephone: (916) 210-7545  
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8 *Attorneys for Complainant*

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10 **BEFORE THE**  
**PODIATRIC MEDICAL BOARD**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**  
12

13 In the Matter of the Accusation Against:

Case No. 500-2018-000722

14 **CHANDRA MAE PASAMONTE, D.P.M.**  
1806 Foundation Lane  
15 Chico, CA 95928

**ACCUSATION**

16 **Podiatrist License No. E-4327**

17 Respondent.  
18

19  
20 **PARTIES**

21 1. Brian Naslund (Complainant) brings this Accusation solely in his official capacity as  
22 the Executive Officer of the Podiatric Medical Board, Department of Consumer Affairs.

23 2. On or about March 29, 2001, the Podiatric Medical Board issued Podiatrist License  
24 No. E-4327 to Chandra Mae Pasamonte, D.P.M. (Respondent). The Podiatrist License was in full  
25 force and effect at all times relevant to the charges brought herein and will expire on March 31,  
26 2023, unless renewed.

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1 **JURISDICTION**

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

5 4. Section 2222 of the Code states:

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

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

15 5. Section 2497 of the Code states:

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

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

22 6. Section 2234 of the Code states, in pertinent part:

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

25 "...

26 "(b) Gross negligence.

27 "(c) Repeated negligent acts. To be repeated, there must be two or more  
28 negligent acts or omissions. An initial negligent act or omission followed by a

1 separate and distinct departure from the applicable standard of care shall constitute  
2 repeated negligent acts.

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

6 “(2) When the standard of care requires a change in the diagnosis, act, or  
7 omission that constitutes the negligent act described in paragraph (1), including, but  
8 not limited to, a reevaluation of the diagnosis or a change in treatment, and the  
9 licensee’s conduct departs from the applicable standard of care, each departure  
10 constitutes a separate and distinct breach of the standard of care.

11 “ ...

12 “(e) The commission of any act involving dishonesty or corruption that is  
13 substantially related to the qualifications, functions, or duties of a physician and  
14 surgeon.

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

16 “ ...”

17 7. Unprofessional conduct under Business Code section 2234 is conduct which breaches  
18 the rules or ethical code of the medical profession, or conduct which is unbecoming to a member  
19 in good standing of the medical profession, and which demonstrates an unfitness to practice  
20 medicine. (*Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 546, 575.)

21 8. Section 2266 of the Code states:

22 “The failure of a physician and surgeon to maintain adequate and accurate  
23 records relating to the provision of services to their patients constitutes unprofessional  
24 conduct.”

### 25 COST RECOVERY

26 9. Section 2497.5 of the Code states:

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

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

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

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

“(e)(1) Except as provided in paragraph (2), the board shall not renew or reinstate 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 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.”

10. 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 ALLEGATIONS

11. Respondent is a licensed podiatrist and was employed at the Chico Podiatry Group located Chico, California. On or about March 16, 2015, Patient A<sup>1</sup> initially presented to Respondent with a chief complaint of fungal toenails. During this initial office consultation, Respondent did not conduct a thorough and complete initial history and physical examination of Patient A; specifically, the lower extremity examination findings were not documented nor was a review of systems or medications noted. Laser treatment was performed on both of Patient A's hallux nails without additional topical or oral treatment. According to the care summary provided for this consultation, Patient A also complained of difficulty walking, primarily on the right side.

<sup>1</sup> To protect the privacy of the patient involved, the patient name has not been included in this pleading. Respondent is aware of the identity of the patient referred herein.

1 However, there is no documentation of an evaluation of this problem in the medical record on this  
2 day. Patient A was cast for functional orthotic devices on this visit.

3 12. On or about June 1, 2015, Patient A returned to Respondent for a follow-up office  
4 examination at which time her orthotic devices were adjusted due to complaints of pain in the  
5 right first metatarsal-phalangeal joint.

6 13. On or about July 6, 2015, Patient A returned to Respondent for an office examination  
7 at which time Respondent referred Patient A to Coast Physical Therapy for physical therapy  
8 evaluation and treatments to address her tendonitis. The referral form contained the names of  
9 K.V. and E.W. circled with a hand-written notation "or Travis". At the time of the referral,  
10 Respondent did not inform Patient A that physical therapist K.V., D.P.T., was her husband, nor  
11 did the referral form state as much either.

12 14. On or about July 8, 2015, Patient A was initially seen and treated by K.V., D.P.T., at  
13 Coast Physical Therapy. K.V., D.P.T., assessed and diagnosed Patient A with right peroneal soft  
14 tissue dysfunction with probable peroneal nerve entrapment. The recommended course of  
15 treatment was therapeutic exercise, neuromuscular re-education, manual therapy, e-stim  
16 unattended interferential, and strapping physical therapy techniques.

17 15. On or about July 15, 2015 through February 23, 2017, Patient A was examined and  
18 treated by Respondent's husband, K.V., D.P.T., on approximately twenty-six (26) different  
19 occasions. There is no documentation in the records of Patient A that she was informed that K.V.,  
20 D.P.T., was Respondent's husband at any of those visits.

21 16. On or about July 10, 2015 through November 28, 2016, Patient A was examined and  
22 treated by Respondent on approximately eight (8) different occasions. There is no documentation  
23 in the medical records of Patient A that Respondent informed Patient A that K.V., D.P.T., was  
24 Respondent's husband at any of those office visits.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Gross Negligence)**

3 17. Respondent has subjected her Podiatric License No. E-4327 to disciplinary action  
4 under sections 2222, 2497, and 2234, subdivision (b), of the Code, in that Respondent committed  
5 gross negligence in her care and treatment of Patient A. The circumstances are set forth in  
6 Paragraphs 11 through 16, above, which are hereby incorporated by reference and re-alleged as if  
7 fully set forth herein.

8 Additional circumstances are as follows:

9 18. Respondent committed gross negligence in her care and treatment of Patient A for her  
10 acts and omissions, including but not limited to:

11 (a) failed to perform and document the lower extremity examination on the initial  
12 visit history and physical examination;

13 (b) failed to appropriately document lower extremity findings that would support  
14 Respondent's plan of care; and

15 (c) failed to follow ethical practice standards by referring Patient A to Respondent's  
16 husband, K.V., D.P.T., without disclosing their relationship to Patient A.

17 **SECOND CAUSE FOR DISCIPLINE**

18 **(Repeated Negligent Acts)**

19 19. Respondent has further subjected her Podiatric License No. E-4327 to disciplinary  
20 action under sections 2227 and 2234, subdivision (c), of the Code, in that Respondent committed  
21 repeated negligent acts in her care and treatment of Patient A, as more particularly alleged in  
22 paragraphs 11 through 18, above, which are hereby incorporated by reference and re-alleged as if  
23 fully set forth herein.

24 **THIRD CAUSE FOR DISCIPLINE**

25 **(Failure to Maintain Adequate and Accurate Medical Records)**

26 20. Respondent has further subjected her Podiatric License No. E-4327 to disciplinary  
27 action under section 2234, as defined by section 2266 of the Code, in that Respondent failed to  
28 maintain adequate and accurate medical records for Patient A, as more particularly alleged in

1 paragraphs 11 through 18, above, which are hereby incorporated by reference and re-alleged as if  
2 fully set forth herein.

3 **FOURTH CAUSE FOR DISCIPLINE**

4 **(General Unprofessional Conduct)**

5 21. Respondent has further subjected her Podiatric License No. E-4327 to disciplinary  
6 action under section 2234 of the Code, in that Respondent has engaged in conduct which breaches  
7 the rules of ethical code of the medical profession, or conduct which is unbecoming to a member  
8 in good standing of the medical profession, and which demonstrated an unfitness to practice  
9 medicine, as more particularly alleged in paragraphs 11 through 18, above, which are hereby  
10 incorporated by reference and re-alleged as if fully set forth herein.

11 **PRAYER**


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

14 1. Revoking or suspending Podiatrist's License Number E-4327, issued to Chandra Mae  
15 Pasamonte, D.P.M.;

16 2. Ordering Chandra Mae Pasamonte, D.P.M. to pay the Podiatric Medical Board the  
17 reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
18 Professions Code section 2497.5; and,

19 3. Taking such other and further action as deemed necessary and proper.  
20  
21

22 DATED: MAY 26 2021

23   
24 BRIAN NASLUND  
25 Executive Officer  
26 Podiatric Medical Board  
27 Department of Consumer Affairs  
28 State of California  
Complainant

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