

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

In the Matter of the Accusation Against:

Jennings Ryan Staley, M.D.

**Physician's and Surgeon's
Certificate No. C 54121**

Respondent.

Case No. 800-2020-066389

DECISION

The attached Stipulated Surrender of License 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 May 9, 2023.

IT IS SO ORDERED May 2, 2023.

MEDICAL BOARD OF CALIFORNIA



**Reji Varghese
Interim Executive Director**

1 ROB BONTA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 CHRISTINE A. RHEE
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8 *Attorneys for Complainant*

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

12
13 In the Matter of the Accusation Against:

14 **JENNINGS RYAN STALEY, M.D.**
15 **31888 Del Obispo Street, Suite No. C-2**
San Juan Capistrano, CA 92675

16 **Physician's and Surgeon's Certificate**
17 **No. C 54121,**

18 Respondent.

Case No. 800-2020-066389

OAH No. 2022110611

STIPULATED SURRENDER OF
LICENSE AND DISCIPLINARY ORDER

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

22 **PARTIES**

23 1. William Prasifka (Complainant) was the Executive Director of the Medical Board of
24 California (Board) and brought this action solely in his official capacity. Reji Varghese is
25 presently the Interim Executive Director of the Board. He is represented in this matter by Rob
26 Bonta, Attorney General of the State of California, by Christine A. Rhee, Deputy Attorney
27 General.

28 ///

2. Jennings Ryan Staley, M.D. (Respondent) is represented in this proceeding by attorney Earl M. Pott, Esq., whose address is: 501 West Broadway, Suite 600, San Diego, CA 92101.

3. On or about May 5, 2010, the Board issued Physician's and Surgeon's Certificate No. C 54121 to 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. 800-2020-066389 and expired on May 31, 2022, and has not been renewed.

JURISDICTION

4. Accusation No. 800-2020-066389 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 October 4, 2022. Respondent timely filed his Notice of Defense contesting the Accusation. A true and correct copy of Accusation No. 800-2020-066389 is attached as Exhibit A and incorporated by reference herein.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2020-066389. Respondent also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Disciplinary Order.

6. 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.

7. Having had the benefit of counsel, Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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1 **CULPABILITY**

2 8. Respondent admits the truth of each and every charge and allegation in Accusation
3 No. 800-2020-066389, agrees that cause exists for discipline and hereby surrenders his
4 Physician's and Surgeon's Certificate No. C 54121 for the Board's formal acceptance.

5 9. Respondent understands that by signing this stipulation he enables the Board to issue
6 an order accepting the surrender of his Physician's and Surgeon's Certificate without further
7 process.

8 **CONTINGENCY**

9 10. Pursuant to Business and Professions Code section 2224, subdivision (b), the
10 Executive Director of the Board has been delegated the authority to adopt or reject a stipulation
11 for surrender of a Physician's and Surgeon's Certificate.

12 11. The parties agree that this Stipulated Surrender of License and Disciplinary Order
13 shall be null and void and not binding upon the parties unless approved by the Interim Executive
14 Director on behalf of the Board. Respondent fully understands and agrees that in deciding
15 whether or not to approve and adopt this Stipulated Surrender of License and Disciplinary Order,
16 the Interim Executive Director and/or the Board may receive oral and written communications
17 from its staff and/or the Attorney General's Office. Communications pursuant to this paragraph
18 shall not disqualify the Interim Executive Director, the Board, or any member thereof, and/or any
19 other person from future participation in this or any other matter affecting or involving
20 Respondent. In the event that the Interim Executive Director on behalf of the Board does not, in
21 his discretion, approve and adopt the Stipulated Surrender of License and Disciplinary Order,
22 with the exception of this paragraph, it shall not become effective, shall be of no evidentiary
23 value whatsoever, and shall not be relied upon or introduced in any disciplinary action by either
24 party hereto. Respondent further agrees that should this Stipulated Surrender of License and
25 Disciplinary Order be rejected for any reason by the Interim Executive Director on behalf of the
26 Board, Respondent will assert no claim that the Board, or any member thereof, was prejudiced by
27 its/his/her review, discussion and/or consideration of this Stipulated Surrender of License and
28 Disciplinary Order or of any matter or matters related hereto.

12. The Interim Executive Director shall have a reasonable period of time in which to consider and act on this stipulation after receiving it. By signing this stipulation, Respondent fully understands and agrees that he may not withdraw his agreement or seek to rescind this stipulation prior to the time the Interim Executive Director and acts upon it.

ADDITIONAL PROVISIONS

13. This Stipulated Surrender of License 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.

14. The parties agree that copies of this Stipulated Surrender of License 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.

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 Physician's and Surgeon's Certificate No. C 54121, issued to Respondent Jennings Ryan Staley, M.D., is surrendered and accepted by the Board.

1. The surrender of Respondent's Physician's and Surgeon's Certificate and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.

2. Respondent shall lose all rights and privileges as a physician and surgeon in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board his pocket license and, if one was issued, his wall certificate on or before the effective date of the Decision and Order.

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked or

1 surrendered license in effect at the time the petition is filed, and all of the charges and allegations
2 contained in Accusation No. 800-2020-066389 shall be deemed to be true, correct and admitted
3 by Respondent when the Board determines whether to grant or deny the petition.

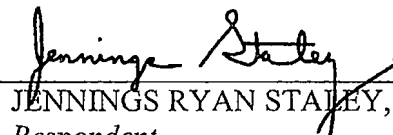
4 5. Respondent shall pay the agency its costs of investigation and enforcement in the
5 amount of \$17,960.00 prior to issuance of a new or reinstated license.

6 6. If Respondent should ever apply or reapply for a new license or certification, or
7 petition for reinstatement of a license, by any other health care licensing agency in the State of
8 California, all of the charges and allegations contained in Accusation No. 800-2020-066389 shall
9 be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
10 Issues or any other proceeding seeking to deny or restrict licensure.

11 ACCEPTANCE

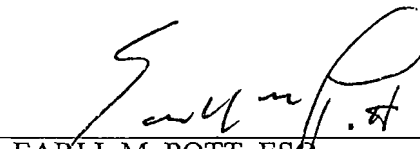
12 I have carefully read the above Stipulated Surrender of License and Disciplinary Order and
13 have fully discussed it with my attorney Earll M. Pott, Esq. I understand the stipulation and the
14 effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated
15 Surrender of License and Disciplinary Order voluntarily, knowingly, and intelligently, and agree
16 to be bound by the Decision and Order of the Medical Board of California.

17
18 DATED: 4/16/2023


JENNINGS RYAN STALEY, M.D.
Respondent

20 I have read and fully discussed with Respondent Jennings Ryan Staley, M.D., the terms and
21 conditions and other matters contained in this Stipulated Surrender of License and Disciplinary
22 Order. I approve its form and content.

23
24 DATED: 4/24/2023


EARLL M. POTT, ESQ.
Attorney for Respondent

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ENDORSEMENT

The foregoing Stipulated Surrender of License and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California of the Department of Consumer Affairs.

DATED: 4/24/23

Respectfully submitted,

ROB BONTA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General



CHRISTINE A. RHEE
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2020-066389

1 ROB BONTA
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2 ALEXANDRA M. ALVAREZ
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3 CHRISTINE A. RHEE
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8 *Attorneys for Complainant*

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10 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
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11 **STATE OF CALIFORNIA**
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13 In the Matter of the Accusation Against:

Case No. 800-2020-066389

14 **JENNINGS RYAN STALEY, M.D.**
31888 Del Obispo Street, Suite C-2
15 San Juan Capistrano, CA 92675

A C C U S A T I O N

16 **Physician's and Surgeon's Certificate**
17 **No. C 54121,**

Respondent.

18
19
20 **PARTIES**

21 1. William Prasifka (Complainant) brings this Accusation solely in his official capacity
22 as the Executive Director of the Medical Board of California, Department of Consumer Affairs
23 (Board).

24 2. On or about May 5, 2010, the Medical Board issued Physician's and Surgeon's
25 Certificate No. C 54121 to Jennings Ryan Staley, M.D. (Respondent). The Physician's and
26 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
27 herein and expired on May 31, 2022.

28 ///

3. On or about May 4, 2022, the Office of Administrative Hearings issued an Interim Suspension Order, immediately restricting Respondent's Physician's and Surgeon's Certificate and prohibiting Respondent from practicing medicine in the State of California until a final decision and order is issued in this Accusation.

JURISDICTION

4. 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.

5. Section 2220 of the Code states, in pertinent part:

Except as otherwise provided by law, the board may take action against all persons guilty of violating this chapter. The board shall enforce and administer this article as to physician and surgeon certificate holders, including those who hold certificates that do not permit them to practice medicine, such as, but not limited to, retired, inactive, or disabled status certificate holders, and the board shall have all the powers granted in this chapter for these purposes...

6. Section 2227 of the Code states, in pertinent part:

(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.

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1 7. Section 2228.1 of the Code states, in pertinent part:

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

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

15 ...

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

18 ...

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

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

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

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

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

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

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

 (d) On and after July 1, 2019, the board shall provide the following
 information, with respect to licensees on probation and licensees practicing under

1 probationary licenses, in plain view on the licensee's profile page on the board's
2 online license information internet web site.

3 (1) For probation imposed pursuant to a stipulated settlement, the causes
4 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.

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

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

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

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

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

11 8. Section 2234 of the Code, states, in pertinent part:

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

14 ...

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

17 ...

18 9. Section 2236 of the Code states, in pertinent part:

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

22 ...

23 (d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is
24 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
25 occurred.

26 10. Section 2238 of the Code states:

27 A violation of any federal statute or federal regulation or any of the statutes or
28 regulations of this state regulating dangerous drugs or controlled substances
constitutes unprofessional conduct.

1 11. Section 2239 of the Code states, in pertinent part:

2 (a) The use or prescribing for or administering to himself or herself, of any
3 controlled substance; or the use of any of the dangerous drugs specified in Section
4 4022, or of alcoholic beverages, to the extent, or in such a manner as to be dangerous
5 or injurious to the licensee, or to any other person or to the public, or to the extent that
6 such use impairs the ability of the licensee to practice medicine safely or more than
7 one misdemeanor or any felony involving the use, consumption, or
8 self-administration of any of the substances referred to in this section, or any
9 combination thereof, constitutes unprofessional conduct. The record of the
10 conviction is conclusive evidence of such unprofessional conduct.

11 ...

12 12. Section 2242 of the Code states, in pertinent part:

13 (a) Prescribing, dispensing, or furnishing dangerous drugs as defined in Section
14 4022 without an appropriate prior examination and a medical indication, constitutes
15 unprofessional conduct. An appropriate prior examination does not require a
16 synchronous interaction between the patient and the licensee and can be achieved
17 through the use of telehealth, including, but not limited to, a self-screening tool or a
18 questionnaire, provided that the licensee complies with the appropriate standard of
19 care.

20 ...

21 13. California Code of Regulations, title 16, section 1360, states:

22 For the purposes of denial, suspension or revocation of a license, certificate or
23 permit pursuant to Division 1.5 (commencing with Section 475) of the code, a crime
24 or act shall be considered to be substantially related to the qualifications, functions or
25 duties of a person holding a license, certificate or permit under the Medical Practice
26 Act if to a substantial degree it evidences present or potential unfitness of a person
27 holding a license, certificate or permit to perform the functions authorized by the
28 license, certificate or permit in a manner consistent with the public health, safety or
welfare. Such crimes or acts shall include but not be limited to the following:
Violating or attempting to violate, directly or indirectly, or assisting in or abetting the
violation of, or conspiring to violate any provision of the Medical Practice Act.

21 COST RECOVERY

22 14. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
23 administrative law judge to direct a licensee found to have committed a violation or violations of
24 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
25 enforcement of the case, with failure of the licensee to comply subjecting the license to not being
26 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
27 included in a stipulated settlement.

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FACTUAL ALLEGATIONS

15. In or around early March 2020, Respondent owned a medical practice named Skinny Beach Med Spa located in San Diego, California. Skinny Beach Med Spa offices were located in San Diego, Del Mar, and San Juan Capistrano. Skinny Beach Med Spa offered weight loss programs, hyperbaric oxygen therapy, Botox, tattoo removal, hair removal, and fat transfer.

16. On or about March 19, 2020, California Governor Gavin Newsom issued a statewide shelter-in-place order to contain the spread of COVID-19.

17. On or about March 27, 2020, Skinny Beach Med Spa sent an email newsletter to its patient population. The email started with, "Quick thoughts on the COVID-19 pandemic from Dr. Staley." In the email, Respondent stated that he had obtained a "limited supply" of hydroxychloroquine,¹ and that he was selling "COVID treatment packs" which contained the following medications and supplements: azithromycin,² hydroxychloroquine, Vitamin C, and zinc. Respondent offered to proactively sell these treatment packs to patients. Should those patients then experience symptoms of COVID-19, Respondent would instruct the patients on how to take the medication via telemedicine visits. In this email, Respondent also offered anti-anxiety treatments to avoid panic and promote sleep and a concierge medicine package for 90 days which would include intravenous drips, 24/7 access to Respondent, and COVID-19 testing.

18. On or about April 3, 2020, an undercover agent (UC) from the Federal Bureau of Investigation (FBI) posed as a potential patient and spoke to Respondent on the phone. The UC told Respondent that he had a wife and three kids and that his father would be moving in with his family. The UC asked Respondent about his COVID treatment packs. Respondent explained how the treatment pack worked, and that the UC could either pick up the packs or have them mailed to him. Respondent told the UC that once someone got sick, Respondent would "activate" the kit and advise the household on how to take the medications. Respondent explained that the

¹ Hydroxychloroquine is an immunosuppressive prescription drug often used to treat and prevent malaria and to treat lupus and arthritis. It is a dangerous drug pursuant to section 4022 of the Code.

² Azithromycin is a prescription antibiotic commonly used to treat bacterial infections. It is a dangerous drug pursuant to section 4022 of the Code.

1 medication would be taken by all household members, including those that were asymptomatic, to
2 prevent them from contracting COVID-19.

3 19. During this phone call on or about April 3, 2020, Respondent told the UC that
4 hydroxychloroquine "cures the disease [COVID-19]," is an "amazing cure," and that by taking
5 the medication, "you're immune for at least six weeks." Respondent also told the UC that
6 "[t]here's never been before, except for hepatitis C, in the history of medicine been a situation
7 where a medication is completely curative of a virus... [i]t's hard to believe, it's almost too good
8 to be true."

9 20. During this phone call on or about April 3, 2020, Respondent told the UC that he had
10 just gotten the last "tank" of hydroxychloroquine smuggled out of China and that he had "tricked
11 customs" by stating that it was "yam extract." At the end of the call, Respondent agreed to sell
12 the UC six COVID treatment kits for his family for approximately \$4,000.00.

13 21. On or about April 6, 2020, the UC spoke to Respondent on the phone. During the
14 call, Respondent asked the UC if he needed Viagra,³ Xanax,⁴ or IV fluids, to which the UC
15 responded, "[y]eah, I mean, who doesn't need those things," and "[y]eah, why not?" Respondent
16 did not conduct any kind of medical examination of the UC, nor did he ask the UC any questions
17 to determine whether Viagra or Xanax were medically indicated for the UC or any of his
18 purported family members. On or about the same day, the UC paid for the treatment packs to be
19 mailed to him.

20 22. On or about April 9, 2020, the FBI received the mailed COVID treatment packs. The
21 package included azithromycin, hydroxychloroquine, and chloroquine.⁵ The package also
22 contained plastic bottles of Viagra and Xanax.

23 ///

24 ³ Viagra, brand name for sildenafil, is a prescription medication commonly prescribed to
25 treat erectile dysfunction. It is a dangerous drug pursuant to section 4022 of the Code.

26 ⁴ Xanax, brand name for alprazolam, is a benzodiazepine and a Schedule IV controlled
27 substance pursuant to Health and Safety Code section 11507, subdivision (d). It is also a
dangerous drug pursuant to section 4022 of the Code.

28 ⁵ Chloroquine is an anti-malarial and immunosuppressive prescription drug. It is a
dangerous drug pursuant to section 4022 of the Code.

1 23. On or about April 10, 2020, federal agents interviewed Respondent at Skinny Beach
2 Med Spa. Contrary to what he told the UC, Respondent denied telling patients that
3 hydroxychloroquine was a cure for COVID-19. Respondent also told the federal agents that he
4 legally purchased hydroxychloroquine from a pharmaceutical supplier in China.

5 24. On or about April 16, 2020, in *United States of America v. Jennings Ryan Staley*,
6 Case No. 20-mj-01407-JLB, a Complaint was filed charging Respondent with one count of felony
7 mail fraud, in violation of Title 18, section 1341 of the United States Code.

8 25. On or about May 20, 2020, in *United States of America v. Jennings Ryan Staley*, Case
9 No. 20-cr-01227-GPC, an Indictment was filed charging Respondent with one count of mail fraud
10 in violation of Title 18, section 1341 of the United States Code.

11 26. On or about August 21, 2020, in *United States of America v. Jennings Ryan Staley*,
12 Case No. 20-cr-01227-GPC, the Court modified Respondent's conditions of pre-trial release to
13 include drug and alcohol testing no more than four times per month.

14 27. On or about December 2, 2020, in *United States of America v. Jennings Ryan Staley*,
15 Case No. 20-cr-01227-GPC, a Superseding Indictment was filed charging Respondent with the
16 following: three counts of mail fraud, in violation of Title 18, section 1341 of the United States
17 Code; one count of illegally importing merchandise, in violation of Title 18, section 545 of the
18 United States Code; three counts of providing false statements to federal agents, in violation of
19 Title 18, section 1001(a)(2) of the United States Code section; and one count of aggravated
20 identity theft, in violation of Title 18, section 1028A of the United States Code.

21 28. On or about July 13, 2021, in *United States of America v. Jennings Ryan Staley*, Case
22 No. 20-cr-01227-GPC, Respondent signed a plea agreement agreeing to plead guilty to one count
23 of illegally importing merchandise, in violation of Title 18, section 545 of the United States Code.
24 In the plea agreement, Respondent admitted that the following facts are true and undisputed:

25 a. On or about March 28, 2020, Respondent sent a message to an employee asking
26 whether the employee had extra hydroxychloroquine tablets from a prior valid prescription.
27 On or about March 29, 2020, Respondent wrote a prescription for 180 tablets of 200 mg
28 hydroxychloroquine for the employee without the employee's knowledge or consent.

Respondent then used this prescription to obtain 90 hydroxychloroquine tablets, which he sold as part of his COVID treatment packs;

b. Regarding his communications and conduct with the UC, Respondent admitted to abusing a position of public trust as a physician and surgeon; and

c. Respondent willfully attempted to obstruct and impede the investigation into his conduct by denying the statements he made to the UC when questioned by federal agents.

29. On or about April 26, 2022, in a bond revocation hearing in *United States of America v. Jennings Ryan Staley*, Case No. 20-cr-01227-GPC, Respondent admitted to violating the terms of his pre-trial release by ingesting cocaine on or about November 9, 2020, May 2, 2021, and April 2, 2022.

30. On or about May 27, 2022, in *United States of America v. Jennings Ryan Staley*, Case No. 20-cr-01227-GPC, Respondent pled guilty to one count of illegal importation of merchandise, in violation of Title 18, section 545 of the United States Code. On or about the same day, Respondent was sentenced to 30 days of imprisonment followed by two years of supervised release with various terms and conditions and a \$10,000.00 fine.

FIRST CAUSE FOR DISCIPLINE
**(Conviction of a Crime Related to the Qualifications,
Functions or Duties of a Physician and Surgeon)**

31. Respondent has subjected his Physician's and Surgeon's Certificate No. C 54121 to disciplinary action under sections 2227 and 2234, as defined by section 2236, of the Code, and section 1360 of Title 16 of the California Code of Regulations, in that he has been convicted of a crime substantially related to the qualifications, functions, or duties of a physician and surgeon, as more particularly alleged in paragraphs 15 through 30, above, which are hereby incorporated by reference and re-alleged as if fully set forth herein.

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SECOND CAUSE FOR DISCIPLINE
(Dishonest or Corrupt Acts)

32. Respondent has further subjected his Physician's and Surgeon's Certificate No. C 54121 to disciplinary action under sections 2227 and 2234, as defined by section 2234, subdivision (e), of the Code, in that he committed dishonest and corrupt acts, as more particularly alleged in paragraphs 15 through 30, above, which are hereby incorporated by reference and re-alleged as if fully set forth herein.

THIRD CAUSE FOR DISCIPLINE
(Use or Administration to Himself of Controlled Substances)

33. Respondent has further subjected his Physician's and Surgeon's Certificate No. C 54121 to disciplinary action under sections 2227 and 2234, as defined by section 2239, of the Code, in that Respondent used cocaine, as more particularly alleged in paragraphs 15 through 30, above, which are hereby incorporated by reference and re-alleged as if fully set forth herein.

FOURTH CAUSE FOR DISCIPLINE
**(Prescribing, Dispensing, or Furnishing Dangerous Drugs without
Appropriate Prior Examination and Medical Indication)**

34. Respondent has further subjected his Physician's and Surgeon's Certificate No. C 54121 to disciplinary action under sections 2227 and 2234, as defined by section 2242, of the Code, in that Respondent prescribed, dispensed, or furnished dangerous drugs without an appropriate prior examination and a medical indication for the employee and the UC, as more particularly alleged in paragraphs 15 through 30, above, which are hereby incorporated by reference and re-alleged as if fully set forth herein.

FIFTH CAUSE FOR DISCIPLINE
**(Violation of Statutes Regulating Dangerous Drugs
or Controlled Substances)**

35. Respondent has further subjected his Physician's and Surgeon's Certificate No. C 54121 to disciplinary action under sections 2227 and 2234, as defined by section 2238, of the Code, in that Respondent violated state statutes and regulations regulating dangerous drugs or controlled substances, as more particularly alleged in paragraphs 15 through 34, above, which are hereby incorporated by reference and re-alleged as if fully set forth herein.

1 PRAYER

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

4 1. Revoking or suspending Physician's and Surgeon's Certificate No. C 54121, issued to
5 Respondent Jennings Ryan Staley, M.D.;

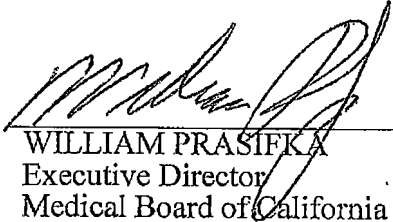
6 2. Revoking, suspending or denying approval of Respondent Jennings Ryan Staley,
7 M.D.'s authority to supervise physician assistants and advanced practice nurses;

8 3. Ordering Respondent Jennings Ryan Staley, M.D., to pay the Board the costs of the
9 investigation and enforcement of this case, and if placed on probation, the costs of probation
10 monitoring;

11 4. Ordering Respondent Jennings Ryan Staley, M.D., if placed on probation, to provide
12 patient notification in accordance with Business and Professions Code section 2228.1; and

13 5. Taking such other and further action as deemed necessary and proper.

14
15 DATED: OCT 04 2022

16 
17 WILLIAM PRASIFKA
18 Executive Director
19 Medical Board of California
20 Department of Consumer Affairs
21 State of California
22 Complainant

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