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

11 In the Matter of the Accusation Against:
12 **DEAN RICHARD SILVER, M.D.**
13 **7629 E. Pinnacle Peak Road, Suite 108**
Scottsdale, AZ 85255-6290
14 **Physician's & Surgeon's Certificate No.**
G 89057,
15 Respondent.

Case No. 800-2023-096611
DEFAULT DECISION
AND ORDER
[Gov. Code, § 11520]

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18 **FINDINGS OF FACT**

19 1. On or about February 20, 2026, Complainant Reji Varghese, in his official capacity as
20 the Executive Director of the Medical Board of California, Department of Consumer Affairs, filed
21 Accusation No. 800-2023-096611 (Accusation) against DEAN RICHARD SILVER, M.D.
22 (Respondent) before the Medical Board of California (Board).

23 2. On or about November 2, 2011, the Board issued Physician's & Surgeon's Certificate
24 No. G 89057 (Certificate) to Respondent. The Certificate expired on November 30, 2023, and
25 was suspended on or about December 15, 2025. (Exhibit Package, Exhibit 1¹: Certificate of
26 Licensure.)

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28 ¹ The evidence supporting this Default Decision and Order is submitted herewith as the
"Exhibit Package."

1 3. On or about November 4, 2022, the Arizona Medical Board (Arizona Board) filed a
2 complaint in Case Nos. MD-8-0983A and MD-21-0024A, alleging that Respondent, a licensed
3 physician in Arizona, had engaged in unprofessional conduct under A.R.S. §§ 32-1301(27)(e),
4 32-1401(27) (t)-(x), and 32-1401(kk) after receiving a complaint from Patient 1's² estate about a
5 payment Respondent was owed. The Arizona Board also received notification of a settlement
6 regarding Respondent's care and treatment of Patient 2. The matter proceeded to a hearing before
7 an Administrative Law Judge.

8 4. On March 2, 2023, the Arizona Board issued a Findings of Fact, Conclusions of Law,
9 and Order (Findings and Order). In its Findings and Order, the Arizona Board found that
10 Respondent had billed two patients for treatment not provided and charged excessive fees,
11 attempted to obtain a fee by misrepresentation, maintained incomplete and inadequate patient
12 records, and made false or misleading statements to the Arizona Board about his billing and
13 treatment. (Exhibit Package, Exhibit 2: Findings of Fact, Conclusions of Law, and Order from
14 the Arizona Medical Board.)

15 5. The Arizona Board ordered the revocation of Respondent's Arizona license and
16 assessed \$2,476.56 in costs for the hearing.

17 6. On or about May 10, 2023, the Arizona Board denied Respondent's request for a
18 rehearing or review.

19 7. On or about December 15, 2025, Respondent's Certificate was immediately
20 suspended pursuant to Business and Professions Code section 2310, after the Board received
21 notice that Respondent's Arizona license had been revoked on or about March 2, 2023. (Exhibit
22 Package, Exhibit 3: Notice of Out of State Suspension Order.)

23 8. On or about February 20, 2026, Regina Rodriguez, an employee of the Board, served
24 by Certified and First Class Mail a copy of the Accusation, Statement to Respondent, Notice of
25 Defense, Request for Discovery, and Discovery Statutes to Respondent's address of record with
26 the Board, which was and is 7629 E. Pinnacle Peak Road, Suite 108, Scottsdale, AZ 85255-6290.
27 A copy of the Accusation, the related documents, and Declaration of Service are attached as

28 _____
² The Patients' names are being withheld to protect their privacy.

1 Exhibit 4, and are incorporated herein by reference. (Exhibit Package, Exhibit 4: Accusation,
2 Related Documents, and Declaration of Service.)

3 9. Service of the Accusation was effective as a matter of law under the provisions of
4 Government Code section 11505, subdivision (c).

5 10. On or about February 24, 2026, the aforementioned documents, served via Certified
6 U.S. Mail, were returned by the U.S. Postal Service, marked "2/24 RTS UNK." (Exhibit
7 Package, Exhibit 5: Returned Certified Mail.)

8 11. On or about March 6, 2026, the aforementioned documents, served via First Class
9 Mail, were returned by the U.S. Postal Service, marked "Return to Sender Attempted – Not
10 Known Unable to Forward Return to Sender." (Exhibit Package, Exhibit 6: Returned First Class
11 Mail.)

12 12. Respondent failed to file a Notice of Defense within 15 days after service upon him
13 of the Accusation and therefore waived his right to a hearing on the merits of Accusation No.
14 800-2023-096611.

15 13. On or about March 20, 2026, an employee of the Attorney General's Office sent a
16 Courtesy Notice of Default (Courtesy Notice) to Respondent at Respondent's address of record
17 by certified mail. The Courtesy Notice advised Respondent of the service of the Accusation and
18 provided Respondent with an opportunity to file a Notice of Defense and request relief from
19 default. The Courtesy Notice included a copy of the Accusation, the Statement to Respondent, a
20 Notice of Defense, Request for Discovery, and discovery statutes, and it advised Respondent that
21 he was in default. (Exhibit Package, Exhibit 7: Courtesy Notice of Default.)

22 14. On March 19, 2026, an employee of the Attorney General's Office received
23 documents entitled, "Cost of Suit Summary" and "Default Costs," which indicated that the
24 Department of Justice has billed the Board \$3,547.00 for the time spent working on this matter
25 through March 19, 2026. (Exhibit Package, Exhibit 8: Certification of Prosecution Costs,
26 Declaration of C. Hay-Mie Cho.)

27 **STATUTORY AUTHORITY**

28 15. Business and Professions Code section 118 states, in pertinent part:

1 (b) The suspension, expiration, or forfeiture by operation of law of a license
2 issued by a board in the department, or its suspension, forfeiture, or cancellation by
3 order of the board or by order of a court of law, or its surrender without the written
4 consent of the board, shall not, during any period in which it may be renewed,
5 restored, reissued, or reinstated, deprive the board of its authority to institute or
6 continue a disciplinary proceeding against the licensee upon any ground provided by
7 law or to enter an order suspending or revoking the license or otherwise taking
8 disciplinary action against the license on any such ground.

9 16. Government Code section 11506 states, in pertinent part:

10 (c) The respondent shall be entitled to a hearing on the merits if the respondent
11 files a notice of defense, and the notice shall be deemed a specific denial of all parts
12 of the accusation not expressly admitted. Failure to file a notice of defense shall
13 constitute a waiver of respondent's right to a hearing, but the agency in its discretion
14 may nevertheless grant a hearing.

15 17. California Government Code section 11520 states, in pertinent part:

16 (a) If the respondent either fails to file a notice of defense or to appear at the
17 hearing, the agency may take action based upon the respondent's express admissions
18 or upon other evidence and affidavits may be used as evidence without any notice to
19 respondent.

20 18. Business and Professions Code section 125.3 states:

21 (a) Except as otherwise provided by law, in any order issued in resolution of a
22 disciplinary proceeding before any board within the department or before the
23 osteopathic Medical Board, upon request of the entity bringing the proceeding, the
24 administrative law judge may direct a licensee found to have committed a violation or
25 violations of the licensing act to pay a sum not to exceed the reasonable costs of the
26 investigation and enforcement of the case.

27 (b) In the case of a disciplined licentiate that is a corporation or a partnership,
28 the order may be made against the licensed corporate entity or licensed partnership.

(c) A certified copy of the actual costs, or a good faith estimate of costs where
actual costs are not available, signed by the entity bringing the proceeding or its
designated representative shall be prima facie evidence of reasonable costs of
investigation and prosecution of the case. The costs shall include the amount of
investigative and enforcement costs up to the date of the hearing, including, but not
limited to, charges imposed by the Attorney General.

(d) The administrative law judge shall make a proposed finding of the amount
of reasonable costs of investigation and prosecution of the case when requested
pursuant to subdivision (a). The finding of the administrative law judge with regard
to costs shall not be reviewable by the board to increase the cost award. The board
may reduce or eliminate the cost award, or remand to the administrative law judge if
the proposed decision fails to make a finding on costs requested pursuant to
subdivision (a).

(e) If an order for recovery of costs is made and timely payment is not made as
directed in the board's decision, the board may enforce the order for repayment in any
appropriate court. This right of enforcement shall be in addition to any other rights
the board may have as to any licensee to pay costs.

1 (f) In any action for 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.

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

4 (2) Notwithstanding paragraph (1), the board may, in its discretion,
5 conditionally renew or reinstate for a maximum of one year the license of any
6 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 the unpaid
costs.

7 (h) All costs recovered under this section shall be considered a reimbursement
8 for costs incurred and shall be deposited in the fund of the board recovering the costs
to be available upon appropriation by the Legislature.

9 (i) Nothing in this section shall preclude a board from including the recovery of
10 the costs of investigation and enforcement of a case in any stipulated settlement.

11 (j) This section does not apply to any board if a specific statutory provision in
12 that board's licensing act provides for recovery of costs in an administrative
disciplinary proceeding.

13 DETERMINATION OF ISSUES

14 1. Based on the foregoing findings of fact, Respondent DEAN RICHARD SILVER,
15 M.D. has subjected his Physician's & Surgeon's Certificate No. G 89057 to discipline.

16 2. A copy of the Accusation and the related documents and Declaration of Service are
17 attached here as Exhibit 4.

18 3. The Board has jurisdiction to adjudicate this case by default.

19 4. Pursuant to Business and Professions Code section 125.3, the Board is authorized to
20 order Respondent to pay the Board the reasonable costs of investigation and enforcement of the
21 case prayed for in the Accusation total, \$3,547.00, based on the Certification of Costs attached as
22 Exhibit 8 in the Exhibit Package.

23 5. The Board is authorized to revoke Respondent's Certificate based upon the following
24 violations alleged in the Petition:

25 a. On March 2, 2023, the Arizona Board issued a Findings and Order, in which it found
26 that Respondent had billed two patients for treatment not provided and charged excessive fees,
27 attempted to obtain a fee by misrepresentation, maintained incomplete and inadequate patient
28 records, and made false or misleading statements to the Arizona Board about his billing and

1 treatment.

2 b. The Arizona Board ordered the revocation of Respondent’s Arizona license and
3 assessed \$2,476.56 in costs for the hearing.

4 c. On or about May 10, 2023, the Arizona Board denied Respondent’s request for a
5 rehearing or review.

6 d. On or about December 15, 2025, Respondent’s Certificate was immediately
7 suspended pursuant to Business and Professions Code section 2310, after the Board received
8 notice that Respondent’s Arizona license had been revoked on or about March 2, 2023.

9 **ORDER**

10 IT IS SO ORDERED that Physician’s & Surgeon’s Certificate No. G 89057, heretofore
11 issued to Respondent DEAN RICHARD SILVER, M.D., is revoked. Respondent is ordered to
12 pay the Board the costs of the investigation and enforcement of this case in the amount of
13 \$3,547.00. The filing of bankruptcy by Respondent shall not relieve Respondent of his
14 responsibility to reimburse the Board for its costs. Respondent’s Physician’s and Surgeon’s
15 Certificate may not be renewed or reinstated unless all costs ordered under Business and
16 Professions Code section 125.3 have been paid.

17 If Respondent ever files an application for re-licensure or reinstatement in the State of
18 California, the Board shall treat it as a petition for reinstatement of a revoked license.
19 Respondent must comply with all the laws, regulations, and procedures for reinstatement of a
20 revoked license in effect at the time the petition is filed.

21 **Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a**
22 **written motion requesting that the Decision be vacated and stating the grounds relied on**
23 **within seven (7) days after service of the Decision on Respondent.** The Board in its discretion

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may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective at 5:00 p.m. on June 1, 2026.

It is so ORDERED May 13, 2026.

Reji Varghese
REJI VARGHESE, EXECUTIVE DIRECTOR
FOR THE MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS

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45027333

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

11 In the Matter of the Accusation Against:

Case No. 800-2023-096611

12 **DEAN RICHARD SILVER, M.D.**
13 **7629 E. Pinnacle Peak Road, Suite 108**
Scottsdale, AZ 85255-6290

ACCUSATION

14 **Physician's and Surgeon's Certificate**
15 **No. G 89057,**

16 **Respondent.**

17
18 **PARTIES**

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

22 2. On or about November 2, 2011, the Medical Board issued Physician's and Surgeon's
23 Certificate Number G 89057 to Dean Richard Silver, M.D. (Respondent). The Physician's and
24 Surgeon's Certificate expired on November 30, 2023, and has not been renewed.

25 **JURISDICTION**

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

1 4. Section 141 of the Code states:

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

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

14 5. Section 2004 of the Code states:

15 The board shall have the responsibility for the following:

16 (a) The enforcement of the disciplinary and criminal provisions of the Medical
17 Practice Act.

18 (b) The administration and hearing of disciplinary actions.

19 (c) Carrying out disciplinary actions appropriate to findings made by a panel or
20 an administrative law judge.

21 (d) Suspending, revoking, or otherwise limiting certificates after the conclusion
22 of disciplinary actions.

23 (e) Reviewing the quality of medical practice carried out by physician and
24 surgeon certificate holders under the jurisdiction of the board.

25 (f) Approving undergraduate and graduate medical education programs.

26 (g) Approving clinical clerkship and special programs and hospitals for the
27 programs in subdivision (f).

28 (h) Issuing licenses and certificates under the board's jurisdiction.

(i) Administering the board's continuing medical education program.

6. Section 2227 of the Code states:

(a) A licensee whose matter has been heard by an administrative law judge of
the Medical Quality Hearing Panel as designated in Section 11371 of the Government
Code, or whose default has been entered, and who is found guilty, or who has entered
into a stipulation for disciplinary action with the board, may, in accordance with the
provisions of this chapter:

(1) Have his or her license revoked upon order of the board.

(2) Have his or her right to practice suspended for a period not to exceed one
year upon order of the board.

1 (3) Be placed on probation and be required to pay the costs of probation
monitoring upon order of the board.

2 (4) Be publicly reprimanded by the board. The public reprimand may include a
3 requirement that the licensee complete relevant educational courses approved by the
board.

4 (5) Have any other action taken in relation to discipline as part of an order of
5 probation, as the board or an administrative law judge may deem proper.

6 (b) Any matter heard pursuant to subdivision (a), except for warning letters,
7 medical review or advisory conferences, professional competency examinations,
8 continuing education activities, and cost reimbursement associated therewith that are
agreed to with the board and successfully completed by the licensee, or other matters
made confidential or privileged by existing law, is deemed public, and shall be made
available to the public by the board pursuant to Section 803.1.

9 7. Section 2234 of the Code states:

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

12 (a) Violating or attempting to violate, directly or indirectly, assisting in or
13 abetting the violation of, or conspiring to violate any provision of this chapter.

14 (b) Gross negligence.

15 (c) Repeated negligent acts. To be repeated, there must be two or more
16 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.

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

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

22 (d) Incompetence.

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

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

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

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

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

7 8. Section 2305 of the Code states:

9 The revocation, suspension, or other discipline, restriction or limitation
10 imposed by another state upon a license or certificate to practice medicine issued by
11 that state, or the revocation, suspension, or restriction of the authority to practice
12 medicine by any agency of the federal government, that would have been grounds for
13 discipline in California of a licensee under this chapter [Chapter 5, the Medical
14 Practice Act] shall constitute grounds for disciplinary action for unprofessional
15 conduct against the licensee in this state.

16 9. Section 2310 of the Code states:

17 (a) If a physician and surgeon possesses a license or is otherwise authorized to
18 practice medicine (1) in any state other than California or (2) by any agency of the
19 federal government and that license or authority is suspended or revoked outright and
20 is reported to the National Practitioners Data Bank, the physician and surgeon's
21 certificate shall be suspended automatically for the duration of the suspension or
22 revocation, unless terminated or rescinded as provided in subdivision (c). The
23 division shall notify the physician and surgeon of the license suspension and of his or
24 her right to have the issue of penalty heard as provided in this section.

25 (b) Upon its own motion or for good cause shown, the division may decline to
26 impose or may set aside the suspension when it appears to be in the interest of justice
27 to do so, with due regard to maintaining the integrity of and confidence in the medical
28 profession.

(c) The issue of penalty shall be heard by an administrative law judge from the
Medical Quality Panel sitting alone or with a panel of the division, in the discretion of
the division. A physician and surgeon may request a hearing on the penalty and that
hearing shall be held within 90 days from the date of the request. If the order
suspending or revoking the physician and surgeon's license or authority to practice
medicine is overturned on appeal, any discipline ordered pursuant to this section shall
automatically cease. Upon the showing to the administrative law judge or panel by
the physician and surgeon that the out-of-state action is not a basis for discipline in
California, the suspension shall be rescinded.

If an accusation for permanent discipline is not filed within 90 days of the
suspension imposed pursuant to this section, the suspension shall automatically
terminate.

(d) The record of the proceedings that resulted in the suspension or revocation
of the physician and surgeon's license or authority to practice medicine, including a
transcript of the testimony therein, may be received in evidence.

(e) This section shall not apply to a physician and surgeon who maintains his or
her primary practice in California, as evidenced by having maintained a practice in
this state for not less than one year immediately preceding the date of suspension or
revocation. Nothing in this section shall preclude a physician's and surgeon's license

1 from being suspended pursuant to any other provision of law.

2 (f) This section shall not apply to a physician and surgeon whose license has
3 been surrendered whose only discipline is a medical staff disciplinary action at a
4 federal hospital not for medical disciplinary cause or reason as that term is defined in
5 Section 805, or whose revocation or suspension has been stayed, even if the physician
6 and surgeon remains subject to terms of probation or other discipline.

7 (g) This section shall not apply to a suspension or revocation imposed by a state
8 that is based solely on the prior discipline of the physician and surgeon by another
9 state.

10 (h) The other provisions of this article setting forth a procedure for the
11 suspension or revocation of a physician and surgeon's certificate shall not apply to
12 summary suspensions issued pursuant to this section. If a summary suspension has
13 been issued pursuant to this section, the physician or surgeon may request that the
14 hearing on the penalty conducted pursuant to subdivision (c) be held at the same time
15 as a hearing on the accusation.

16 COST RECOVERY

17 10. Business and Professions Code section 125.3 states that:

18 (a) Except as otherwise provided by law, in any order issued in resolution of a
19 disciplinary proceeding before any board within the department or before the
20 Osteopathic Medical Board upon request of the entity bringing the proceeding, the
21 administrative law judge may direct a licensee found to have committed a violation or
22 violations of the licensing act to pay a sum not to exceed the reasonable costs of the
23 investigation and enforcement of the case.

24 (b) In the case of a disciplined licentiate that is a corporation or a partnership,
25 the order may be made against the licensed corporate entity or licensed partnership.

26 (c) A certified copy of the actual costs, or a good faith estimate of costs where
27 actual costs are not available, signed by the entity bringing the proceeding or its
28 designated representative shall be prima facie evidence of reasonable costs of
investigation and prosecution of the case. The costs shall include the amount of
investigative and enforcement costs up to the date of the hearing, including, but not
limited to, charges imposed by the Attorney General.

(d) The administrative law judge shall make a proposed finding of the amount
of reasonable costs of investigation and prosecution of the case when requested
pursuant to subdivision (a). The finding of the administrative law judge with regard
to costs shall not be reviewable by the board to increase the cost award. The board
may reduce or eliminate the cost award, or remand to the administrative law judge if
the proposed decision fails to make a finding on costs requested pursuant to
subdivision (a).

(e) If an order for recovery of costs is made and timely payment is not made as
directed in the board's decision, the board may enforce the order for repayment in any
appropriate court. This right of enforcement shall be in addition to any other rights
the board may have as to any licensee to pay costs.

(f) In any action for 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.

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

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

9 (h) All costs recovered under this section shall be considered a reimbursement
10 for costs incurred and shall be deposited in the fund of the board recovering the costs
11 to be available upon appropriation by the Legislature.

12 (i) Nothing in this section shall preclude a board from including the recovery of
13 the costs of investigation and enforcement of a case in any stipulated settlement.

14 (j) This section does not apply to any board if a specific statutory provision in
15 that board's licensing act provides for recovery of costs in an administrative
16 disciplinary proceeding.

17 FACTUAL ALLGATIONS

18 **The Initial Complaint by the Arizona Medical Board (Arizona Board)**

19 11. Respondent was a physician licensed in Arizona.

20 12. On or about November 4, 2022, the Arizona Board filed a complaint in Case Nos.
21 MD-18-0983A and MD-21-0024A, alleging that Respondent had engaged in unprofessional
22 conduct under A.R.S. §§ 32-1301(27)(e), 32-1401(27)(t)-(x), and 32-1401(kk) after receiving a
23 complaint from Patient 1's¹ estate about a payment Respondent claimed he was owed. The
24 Arizona Board also received notification of a settlement regarding Respondent's care and
25 treatment of Patient 2. The matter proceeded to a hearing before an administrative law judge.

26 **The Arizona Board's Findings of Fact, Conclusions of Law, and Order**

27 13. On March 2, 2023, the Arizona Board issued a Findings of Fact, Conclusions of Law,
28 and Order (Findings and Order). The Findings and Order made the following factual findings:

29 **Respondent's Treatment of Patient 1**

30 a. In October 2015, Patient 1 sought treatment from Respondent for breast cancer. On
31 October 27, 2015, Patient 1 signed an agreement with Respondent's practice, under which
32 treatment was estimated to amount to \$6,800.00 for three weeks. The total amount for treatment
33 was \$20,400.00.

34 ¹ The patients' names are being withheld to protect their privacy.

1 b. In October and November 2015, Respondent treated Patient 1 with IV therapies, and
2 Patient 1 paid a total of \$25,775.00.

3 c. On July 12, 2016, Patient 1 died of cancer.

4 d. In October 2017, Respondent made claims against Patient 1's estate for unpaid
5 medical bills equating to \$36,800.00 and sent her estate's executor an invoice for \$44,500.00. In
6 March 2018, Respondent sent a copy of the agreement with Patient 1 to her estate's executor, but
7 the amount owed was altered to show \$56,800.00 for three weeks' treatment. Respondent also
8 sent the executor invoices in amounts of \$68,500.00, \$55,025.00, and \$57,525.00.

9 e. The costs for the IV infusion ingredients varied among multiple invoices, and there
10 was no explanation for the differences documented on the invoices or in the medical records.

11 f. In November 2018, Respondent provided a summary of Patient 1's treatments, in
12 response to the Arizona Board's request for Patient 1's complete medical chart. Respondent
13 contended that Patient 1 had received treatments from November 11 to 13, 2015. He also
14 furnished Patient 1's medical records, which did not include any documentation of IV infusions
15 for November 12 and 13, 2015.

16 g. In May 2019, Respondent provided two additional records purporting to be Patient
17 1's infusion records for November 12 and 13, 2015. However, these records did not include the
18 infusion times.

19 h. Patient 1 was in New Jersey on November 12 and 13, 2015, and thus, Respondent
20 could not have treated her with IV infusions on those dates.

21 **Respondent's Treatment of Patient 2**

22 i. Patient 2 had four documented encounters with Respondent on March 29, April 3,
23 May 23, and June 21, 2017.

24 j. On April 5, 2017, Patient 2 signed an agreement with Respondent, under which he
25 agreed to pay an estimated \$20,000.00 for treatment.

26 k. Respondent treated Patient 2 for conditions including dementia related to Alzheimer's
27 disease, mostly with IV infusions.

28

1 l. On June 26, 2017, Patient 2's daughters, who were also co-trustees of a trust Patient 2
2 had established, expressed concerns about the amount Respondent was billing to Patient 2.
3 Respondent discharged Patient 2 from his practice.

4 m. On November 10, 2021, Respondent attempted to justify the amount that he charged
5 Patient 2 and claimed that he continued to treat Patient 2 with therapy until September 27, 2017.
6 However, he did not submit any medical records to substantiate this assertion.

7 n. Patient 2 paid Respondent at least \$114,755.00 for less than three months of
8 treatment, at least \$46,000.00 of which was billed by Respondent and paid by or on behalf of
9 Patient 2 after discharge.

10 **Hearing Evidence**

11 14. After the Arizona Board issued the complaint, Respondent submitted handwritten
12 medical records for Patient 2 that did not resemble the prior medical records. The Arizona Board
13 asserted that the medical records appeared to have been fabricated after the fact.

14 15. An expert witness testified that, as to Patient 2, the treatment was within the standard
15 of care for his condition. However, based on his review of Patient 2's documented four office
16 visits, the expert witness concluded that the records of those visits Respondent submitted to the
17 Arizona Board were insufficient to justify \$114,755.00 in billing. Respondent had failed to
18 provide any documentation detailing the IV treatments that were administered and when. The
19 expert witness also opined that the handwritten medical records from Respondent were
20 inadequate to support the billing.

21 16. The executor of Patient 1's estate testified that she received varying amounts owed to
22 Respondent at different times and was concerned about the discrepancies. Upon reviewing
23 Patient 1's medical records, the executor discovered that Patient 1 had received treatment from
24 Respondent on multiple days when she was out of the state.

25 17. Respondent testified that he did not know anything regarding the finances of his
26 office and that he signed documents when told to sign them. Accordingly, he was unable to
27 comment on the different versions of the agreement Patient 1 had signed.

28

1 18. When questioned about Patient 1's medical records for November 12 and 13, 2015,
2 when she was out of the state, Respondent claimed that the records for those dates appeared to be
3 an attempt to order the IV treatments in advance of Patient 1's arrival. However, Respondent was
4 unable to explain why Patient 1's blood pressure and temperature were documented on the page.

5 19. Respondent's office manager testified that the change in price for Patient 1's
6 treatment was due to Patient 1's desire to aggressively treat her cancer, which meant higher doses
7 of the IV therapies and chemotherapy. But the office manager was unable to explain the medical
8 records indicating the therapies provided when Patient 1 was out of the state.

9 **The Revocation of Respondent's Arizona License**

10 20. In its Findings and Order, the Arizona Board found that the weight of the evidence
11 presented by clear and convincing evidence that Respondent's patient records were incomplete
12 and inadequate; he had billed Patient 1 for treatment not provided and attempted to obtain a fee
13 by misrepresentation; he had made false and fraudulent statements about the billing and treatment
14 of Patient 1; he had charged excessive fees for the treatment of Patient 2; and he had made false
15 or misleading statements to the Arizona Board about the billing and treatment of Patient 2.

16 21. The Arizona Board ordered the revocation of Respondent's Arizona license and
17 assessed \$2,476.56 in costs for the hearing.

18 22. On May 10, 2023, the Arizona Board denied Respondent's request for a rehearing or
19 review.

20 **CAUSE FOR DISCIPLINE**

21 **(Discipline, Restriction, or Limitation Imposed by Another State)**

22 23. The allegations set forth in Paragraphs 11 through 22 are incorporated by reference as
23 if fully set out herein.

24 24. By reason of the facts stated in Paragraphs 11 through 22 above, Respondent is
25 subject to disciplinary action under Code sections 2305 and 141, in that on or about March 2,
26 2023, the Arizona Board issued a Findings and Order revoking Respondent's Arizona license for
27 unprofessional conduct based on inadequate medical records, excessive billing, and false and
28 fraudulent statements. A true and correct copy of the Order is attached hereto as Exhibit A.

1 DISCIPLINARY CONSIDERATIONS

2 25. To determine the degree of discipline, if any, to be imposed on Respondent Dean
3 Richard Silver, M.D., Complainant alleges that on or about December 15, 2025, Respondent's
4 Physician's and Surgeon's Certificate Number G 89057 was immediately suspended pursuant to
5 Business and Professions Code section 2310, after the Board received notice that Respondent's
6 Arizona license had been revoked on or about March 2, 2023. That order is now final and is
7 incorporated by reference as if fully set forth herein. The suspension imposed constitutes
8 discipline against Respondent's Physician's and Surgeon's Certificate. A true and correct copy of
9 said decision is attached hereto as Exhibit B.

10 PRAYER

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

- 13 1. Revoking or suspending Physician's and Surgeon's Certificate Number G 89057,
14 issued to Respondent Dean Richard Silver, M.D.;
- 15 2. Revoking, suspending or denying approval of Respondent Dean Richard Silver,
16 M.D.'s authority to supervise physician assistants and advanced practice nurses;
- 17 3. Ordering Respondent Dean Richard Silver, M.D., to pay the Board the costs of the
18 investigation and enforcement of this case, and if placed on probation, the costs of probation
19 monitoring; and
- 20 4. Taking such other and further action as deemed necessary and proper.

21
22 DATED: February 20, 2026

23 *Sharlene Smith* For
24 REJI VARGHESE
25 Executive Director
26 Medical Board of California
27 Department of Consumer Affairs
28 State of California
Complainant

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44919167

EXHIBIT A

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BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

Case No.22A-38223-MDX

DEAN R. SILVER, M.D.,

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER**

Holder of License No. 38223
For the Practice of Allopathic Medicine
in the State of Arizona.

(Board Case Nos. MD-18-0983A
and MD-21-0024A)

On March 1, 2023, this matter came before the Arizona Medical Board ("Board") for consideration of Administrative Law Judge ("ALJ") Tammy L. Eigenheer's proposed Findings of Fact, Conclusions of Law and Recommended Order. Michael Goldberg appeared on behalf of Dean R. Silver, M.D. ("Respondent"); Assistant Attorney General Elizabeth Campbell represented the State. Assistant Attorney General Ben Norris was available to provide independent legal advice to the Board.

The Board, having considered the ALJ's Decision and the entire record in this matter, hereby issues the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. The Arizona Medical Board (Board) is the authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.

2. Dean R. Silver, M.D., (Respondent) is the holder of License No. 38223 for the practice of allopathic medicine in Arizona.

3. On or about November 4, 2022, the Board issued a Complaint and Notice of Hearing to Respondent alleging Respondent had engaged in unprofessional conduct pursuant to A.R.S. § 32-1401(27)(e),¹ A.R.S. § 32-1401(27)(f),² A.R.S. § 32-1401(27)(u).³

¹ A.R.S. § 32-1401(27)(e) defines "unprofessional conduct" to include "[f]ailing or refusing to maintain adequate records on a patient."

² A.R.S. § 32-1401(27)(f) defines "unprofessional conduct" to include "[v]iolating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate any provision of this chapter."

³ A.R.S. § 32-1401(27)(u) defines "unprofessional conduct" to include "[k]nowingly making any false or fraudulent statement, written or oral, in connection with the practice of medicine or if applying for privileges or renewing an application for privileges at a health care institution."

1 A.R.S. § 32-1401(27)(v),⁴ A.R.S. § 32-1401(27)(w),⁵ A.R.S. § 32-1401(27)(x),⁶ and A.R.S.
2 § 32-1401(27)(kk).⁷

3 MD-18-0983A

4 4. The Board initiated case number MD-18-0983A after receiving a complaint
5 from the estate of Patient JW regarding payment. Respondent claimed he was owed.
6 Respondent claimed that he was still owed \$38,800 from the estate of JW for treatment
7 rendered.

8 5. On October 26, 2015, JW sought treatment with Respondent related to her
9 breast cancer. JW paid Respondent \$500.

10 6. On October 27, 2015, JW signed a "Cost of Care Certification and
11 Agreement" with Silver Institute for Life Extension Medicine/Dean R. Silver, M.D., M.D.(H)
12 ("the Agreement"). As set forth in the Agreement, charges for treatment "are estimated to
13 amount to \$6800 for 3 weeks and I have agreed to pay weekly such amount." JW initiated
14 Exhibit "A" to the Agreement stating that the treatment was planned to be provided over a
15 period of 3 weeks. The treatment total was shown to be \$20,400, or \$6,800 X 3.

16 7. In October and November 2015, Respondent treated JW with IV therapies.

17 ⁴A.R.S. § 32-1401(27)(v) defines "unprofessional conduct" to include the following:

18 Charging a fee for services not rendered or dividing a professional fee for patient referrals
19 among health care providers or health care institutions or between these providers and
20 institutions or a contractual arrangement that has the same effect. This subdivision does not
21 apply to payments from a medical researcher to a physician in connection with identifying
22 and monitoring patients for a clinical trial regulated by the United States food and drug
23 administration.

24 ⁵A.R.S. § 32-1401(27)(w) defines "unprofessional conduct" to include "[o]btaining a fee by fraud, deceit or
25 misrepresentation."

26 ⁶A.R.S. § 32-1401(27)(x) defines "unprofessional conduct" to include the following:

27 Charging or collecting a clearly excessive fee. In determining whether a fee is clearly
28 excessive, the board shall consider the fee or range of fees customarily charged in this state
29 for similar services in light of modifying factors such as the time required, the complexity of
30 the service and the skill requisite to perform the service properly. This subdivision does not
31 apply if there is a clear written contract for a fixed fee between the physician and the patient
32 that has been entered into before the provision of the service.

- 1 8. On November 19, 2015, JW paid Respondent \$20,725 (\$8,725 + \$12,000).
- 2 9. On November 23, 2015, JW paid Respondent \$4,550 (\$1,825 + \$2,725).
- 3 10. Between October and November 2015, JW paid Respondent a total of
4 \$25,775.
- 5 11. JW died of cancer on July 12, 2016.
- 6 12. Beginning in August 2017, Respondent made claims against JW's estate for
7 what he asserted were unpaid medical bills in the amount of \$36,800.
- 8 13. On December 5, 2017, Respondent sent JW's executor an invoice showing
9 that a total of \$44,500 was due for JW's treatments.
- 10 14. In March 2018, Respondent sent the executor a copy of the Agreement, but
11 the Agreement had been altered to show \$56,800 for 3 weeks' treatment.
- 12 15. In March 2018, Respondent sent the executor invoices in the varying
13 amounts of \$68,500, \$55,025, and \$57,525.
- 14 16. The cost for the IV infusion ingredients varied between the multiple invoices.
15 No explanation for the differences was documented on the invoices or in the medical
16 records.⁸
- 17 17. As part of its investigation and by letter dated October 25, 2018, the Board
18 requested that Respondent provide JW's complete medical chart by November 8, 2018.
- 19 18. On November 30, 2018, Respondent, through his attorney, sent the Board a
20 "summary" of JW's treatments. In this summary, Respondent claimed that JW had received
21 IV treatments on November 11, 12 and 13, 2015.
- 22 19. On November 30, 2018, Respondent, through his attorney, sent the Board
23 JW's medical records, specifically including IV infusion records. The records sent on
24 November 30, 2018, did not include IV infusion records for Patient JW for November 12
25 and 13, 2015.

⁷ A.R.S. § 32-1401(27)(kk) defines "unprofessional conduct" to include "knowingly making a false or misleading statement to the board or on a form required by the board or in a written correspondence, including attachments, with the board."

⁸ Through his attorney, Respondent claimed that, at JW's request, he had increased the concentrations and reduced the number of treatments, resulting in a different (and higher) payment amount. There is no documentation in the medical record that JW requested or received IV treatments at increased levels of concentration.

1 30. WC paid Respondent at least \$114,755 for less than three months of
2 treatment, at least \$46,000 of which was billed by Respondent and paid by or on behalf of
3 WC after discharge.

4 Hearing Evidence

5 31. At hearing, the Board presented the testimony of Respondent, Scott Milton
6 Jensen, M.D., Medical Consultant; Julia Simmons, JW's sister, and Raquel Rivera,
7 Investigations Manager.

8 32. At hearing, Respondent testified on his own behalf and presented the
9 testimony of Jeannette Silver, his wife and Office Manager.

10 33. After the Board issued the Complaint and Notice of Hearing, Respondent
11 submitted handwritten medical records for WC that he purportedly located in storage. The
12 handwritten medical records did not look anything like the prior medical records for WC.
13 The Board asserted that the medical records appeared to have been fabricated after the
14 fact.

15 34. Dr. Jensen testified that, with respect to WC, the treatment provided was
16 within the standard of care for WC's condition. Dr. Jensen received records documenting
17 four office visits, on March 29, 2017, April 3, 2017, May 23, 2017, and June 21, 2017.
18 However, Dr. Jensen concluded that the records of those visits Respondent submitted to
19 the Board were not sufficient to justify \$114,755.00 in billing. Specifically, Respondent
20 failed to provide any documentation detailing what IV treatments were administered or
21 when. Further, Dr. Jensen opined that the handwritten medical records Respondent later
22 submitted were also inadequate to justify the billing. Dr. Jensen admitted that if
23 Respondent had documentation of IV therapies administered to WC during the time period,
24 it may be enough to justify the billing, but based on the records submitted, the billing was
25 "clearly excessive."

26 35. Ms. Simmons testified that, as the executor of JW's estate, she attempted to
27 determine if any outstanding balance was owed to Respondent. Ms. Simmons was given
28 varying amounts owed at different times and was concerned with the discrepancies. Upon
29 review of JW's medical records, Ms. Simmons discovered that JW had purportedly
30 received treatment from Respondent on multiple days when she was out of state.

1 36. Respondent testified that he did not know anything regarding the finances of
2 his office and that he signed documents when he was told to sign documents. As such,
3 Respondent was unable to make any comment on the different versions of the agreement
4 signed by JW.

5 37. When questioned about JW's medical records for November 12 and 13,
6 2016, when JW was out of state, Respondent stated that the medical records for those
7 dates appeared to be an attempt to order the IV treatments in advance of JW's arrival.
8 Respondent was unable to explain why the patient's blood pressure and temperature were
9 recorded on the page. Respondent

10 38. According to Respondent, after WC was discharged from his care on June
11 26, 2017, WC returned to seek additional treatment until October 2017. Respondent then
12 started maintaining handwritten medical records separate from WC's existing file for
13 reasons that were not entirely clear to the Administrative Law Judge. Respondent
14 indicated it was because of WC's family's concerns regarding the cost of the care and
15 possible malpractice claims, but denied that he was attempting to hide that WC was a
16 patient of his. Respondent stated that when the malpractice case involving WC was
17 proceeding, he had provided his attorney with all of WC's medical records. Then, when the
18 Board requested WC's medical records from Respondent, he merely forwarded the
19 medical records he had previously provided to his attorney to the Board. Respondent
20 asserted that he only discovered the handwritten medical records in a box after receiving
21 the Complaint and Notice of Hearing in this matter.

22 39. Respondent testified at the hearing that, during a break, Ms. Silver notified
23 him that they had more treatment plans that he asked leave to submit. Respondent was
24 informed that he had numerous opportunities to provide the medical records to the Board
25 and to the tribunal prior to the hearing. Respondent asserted that he did not know that the
Administrative Law Judge did not have the records.

26 40. Ms. Silver asserted that the change in price for JW's treatment was because
27 she wanted to aggressively treat her cancer, which meant higher doses of the IV therapies
28 and chemotherapy. Ms. Silver was unable to explain the medical records indicating
29 therapies given when JW was out of state.

1 7. The weight of the evidence presented established by clear and convincing
2 evidence that Respondent made false and fraudulent statements related to the billing and
3 treatment of JW as detailed above.

4 8. The weight of the evidence presented established by clear and convincing
5 evidence that Respondent charged a clearly excessive fee for the treatment provided to
6 WC as detailed above.

7 9. The weight of the evidence presented established by clear and convincing
8 evidence that Respondent knowingly made false or misleading statements to the Board
9 regarding the billing and treatment of JW as detailed above.

10 10. Therefore, the Board established that Respondent's conduct constituted
11 unprofessional conduct pursuant to A.R.S. § 32-1401(27)(e) in that he failed or refused to
12 maintain adequate records for his patients as defined by A.R.S. § 32-1402(2).

13 11. Further, the Board established that Respondent's conduct constituted
14 unprofessional conduct pursuant to A.R.S. § 32-1401(27)(l), specifically A.R.S. § 32-
15 1401(27)(v) and A.R.S. § 32-1401(27)(w), in that he charged a fee for services not
16 rendered and attempted to collect fees by misrepresenting the agreed upon fees.

17 12. Further, the Board established that Respondent's conduct constituted
18 unprofessional conduct pursuant to A.R.S. § 32-1401(27)(u) in that he knowingly made
19 false or fraudulent statements in connection with the practice of medicine relating to the
20 billing and treatment of JW.

21 13. Further, the Board established that Respondent's conduct constituted
22 unprofessional conduct pursuant to A.R.S. § 32-1401(27)(x), in that he charged WC a fee
23 that was clearly excessive for the treatment provided as documented in the medical
24 records.

25 14. Finally, the Board established that Respondent's conduct constituted
unprofessional conduct pursuant to A.R.S. § 32-1401(27)(kk) in that Respondent knowingly
made false statements to the Board regarding the billing and treatment of JW.

 15. Pursuant to A.R.S. § 32-1451(M), "[t]he board may charge the costs of formal
hearings to the licensee who it finds to be in violation of this chapter."

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ORDER

Based on the foregoing, it is **ORDERED** that on the effective date of the final order in this matter, Dean R. Silver, M.D.'s License No. 38223 for the practice of allopathic medicine in the State of Arizona shall be revoked.

It is further **ORDERED** that Dean R. Silver, M.D., is charged for the cost of the formal hearing in the amount of \$ 2,478.56 to be paid to the Board by certified funds within 90 days of the effective date of this Order.

RIGHT TO PETITION FOR REHEARING OR REVIEW

Respondent is hereby notified that he has the right to petition for a rehearing or review. The petition for rehearing or review must be filed with the Board's Executive Director within thirty (30) days after service of this Order. A.R.S. § 41-1092.09(B). The petition for rehearing or review must set forth legally sufficient reasons for granting a rehearing or review. A.A.C. R4-16-103. Service of this order is effective five (5) days after date of mailing. A.R.S. § 41-1092.09(C). If a petition for rehearing or review is not filed, the Board's Order becomes effective thirty-five (35) days after it is mailed to Respondent.

Respondent is further notified that the filing of a motion for rehearing or review is required to preserve any rights of appeal to the Superior Court.

DATED this 2nd day of March 2023.

THE ARIZONA MEDICAL BOARD

By Patricia E. McSorley
Patricia E. McSorley
Executive Director

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ORIGINAL of the foregoing filed this
1st day of March, 2023 with:

Arizona Medical Board
1740 W. Adams, Suite 4000
Phoenix, Arizona 85007

COPY of the foregoing filed
this 2nd day of March, 2023 with:

Greg Hanchett, Director
Office of Administrative Hearings
1740 W. Adams
Phoenix, AZ 85007

Executed copy of the foregoing,
mailed by U.S. Mail and emailed
this 2nd day of March, 2023 to:

Dean R. Silver, M.D.
Address of Record
Respondent

Michael J. Goldberg, Esq.
Goldberg Law Group
16427 North Scottsdale Road, Suite 200
Scottsdale, Arizona 85254
Mike@goldberglawoffice.com
Attorney for Respondent

Elizabeth A. Campbell
Assistant Attorney General
Office of the Attorney General
SGD/LES
2005 N. Central Avenue
Phoenix, AZ 85004

By: Michelle Mosler
Arizona Medical Board

A-11046243

EXHIBIT B



MEDICAL BOARD OF CALIFORNIA

Protecting consumers by advancing high quality, safe medical care.

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Govern Newsom, Governor, State of California | Business, Consumer Services and Housing Agency | Department of Consumer Affairs

DEC. 15 2025

Dean Richard Silver, M.D.
7629 E Pinnacle Peak Rd., Suite 108
Scottsdale, AZ 85255-6290

RE: NOTICE OF OUT OF STATE SUSPENSION ORDER

California License: **G 89057**
Case Number: **800-2023-096611**

Dear Dr. Silver:

California Business and Professions Code section 2310 authorizes the Medical Board of California to immediately suspend the California medical license of any physician and surgeon whose medical license has been suspended or revoked in any other state or by any agency of the federal government. A copy of Business and Professions Code section 2310 is enclosed for your review.

The Medical Board of California has determined, upon review of certified documents from the Arizona Medical Board, that your Arizona license to practice medicine was revoked on March 2, 2023. Based on this revocation, your California medical license has been suspended effective immediately. This action will be reported to the National Practitioner Data Bank and the Federation of State Medical Boards.

You have a right to a hearing on the issue of penalty, as provided by Business and Professions Code section 2310(c). This hearing will be held within 90 days from the date of request. You may send this request to:

Greg W. Chambers
Machaela Mingardi
Supervising Deputy Attorneys General
Department of Justice
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102

Should the status of your medical license in Arizona change, please notify us immediately. If you have any questions regarding this matter, please contact Regina Rodriguez at (916) 263-2370.

Sincerely,


Reji Varghese
Executive Director

Enclosure