

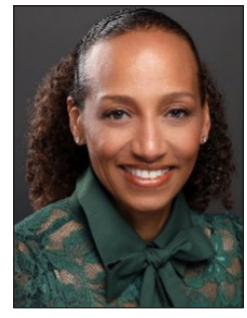


# OSTEOSCOPE

ISSUE 2 | SUMMER 2024

## TABLE OF CONTENTS

- MESSAGE FROM DENISE PINES, MBA..... 1
- NAME AND ADDRESS CHANGES ..... 2
- DO WE HAVE YOUR EMAIL ADDRESS?..... 2
- ATTEND A BOARD MEETING..... 3
- BECOME A BOARD MEMBER ..... 3
- WHAT'S NEW?..... 4
- BOARD COMPLETES STRATEGIC PLAN ON JANUARY 18, 2024 ..... 5
- ANNUAL BOARD MEETINGS ..... 5
- AN OVERVIEW OF THE COMPLAINT PROCESS ..... 6
- DO NOT PANIC! WHAT SHOULD YOU EXPECT IF A COMPLAINT IS FILED AGAINST YOU?..... 8
- MEET OUR STAFF ..... 9
- MEDICAL CONSULTANT PROGRAM..... 10
- STAY CONNECTED..... 10
- EXPERT REVIEWER PROGRAM ..... 11
- NOTICE TO LICENSEES REGARDING CURES VERSION UPDATE..... 11
- FRAUD ALERT ..... 12
- FAREWELLS TO BOARD MEMBER AND PAST BOARD PRESIDENT CYRUS BUHARI, DO, AND PAST VICE PRESIDENT ELIZABETH JENSEN, D.O. .... 12
- ADMINISTRATIVE ACTIONS–CITATIONS ..... 13
- ADMINISTRATIVE ACTIONS–DISCIPLINE..... 16



Denise Pines, MBA

Dear members of the Osteopathic Medical Board community and the public,

I hope this newsletter finds you in good health and high spirits. It is with great enthusiasm and commitment that I share my vision as the incoming president of the Osteopathic Medical Board of California. I am honored to have the opportunity to serve alongside each of the members who sit on the Board and contribute to the continued success and advancement of our organization.

A central aim of mine is to cultivate a culture of collaboration and transparency, and a key partnership in this endeavor is with Executive Director Erika Calderon. Together, we aspire to amplify awareness among the public and policymakers regarding the invaluable contributions of doctors of osteopathic medicine.

To realize this vision, I propose the implementation of comprehensive educational initiatives targeting diverse community settings, including public and hospital libraries, community centers, and faith-based organizations. These programs will serve as platforms to enlighten both the public and legislators about the distinctive qualities and advantages of osteopathic care.

Additionally, I am steadfast in my commitment to actively engage with state representatives during Legislative Day. Through these engagements, I aim to passionately advocate for our profession, emphasizing its significance within the broader health care landscape. By fostering such collaborations and advocating for our shared cause, we can propel forward the recognition and appreciation of osteopathic care. Finally, I advocate for a strong partnership with the Medical Board of California to develop better practices.

As Board members, our duty is to actively engage in meetings and ensure the highest level of service to the public. To this end, I propose holding one mandatory in-person meeting annually for all Board members to ensure thorough deliberation and decision-making.

*(Continued on page 2)*

## MISSION STATEMENT

To protect the public by requiring competency, accountability, and integrity in the safe practice of medicine by osteopathic physicians and surgeons.

*(Continued from page 1)*

In our pursuit of transparency and accountability, I am pleased to announce our intention to host an open, noticed meeting with patient advocates in January 2025. This will provide an invaluable opportunity to solicit feedback and insights from key stakeholders, thereby enriching our understanding of consumer needs and priorities.

Before moving forward, I would like to express my sincere gratitude to Dr. Cyrus Buhari for his exemplary leadership as president over the last three years and his many years of serving on the Board. His dedication to our mission of consumer protection has set a commendable standard, and I am eager to build upon the foundation he has laid.

I am excited about the possibilities that lie ahead for the Osteopathic Medical Board and look forward to working harmoniously with all of the members to realize our shared vision. Together, we can continue to make a meaningful impact on health care in our community.

**Denise Pines, MBA**



## NAME AND ADDRESS CHANGES

It is crucial that the Board has the most current and accurate name and address information on file should the Board need to contact its licensees or applicants. The link for submitting name and address changes are on the **Board's website**.

Licensees are required by law to notify the Board within 30 days if they change their name or address of record. It is very important that we have current and complete records, so licensees receive timely renewal notices and other important information, and applicants receive messages regarding application status.



## DO WE HAVE YOUR EMAIL ADDRESS?

Licensees are encouraged to provide the Board with an email address if the licensee has one. Email is an efficient channel for sharing information between the Board and its applicants and licensees. The Board will be able to communicate the status of applications, renewals, and requests for various Board services; provide law and regulation updates, disseminate important Board news directly to each applicant and licensee. The Board hopes this accelerated delivery and exchange of information will decrease processing times in all

aspects of the Board programs and facilitate licensees keeping apprised of laws and regulations, and Board activities. You can submit or update your email address by logging into your BreeZe account online and going to the address change to edit or update the fields. The Board is moving most of its applications and transactions online from paper so it is encouraging all licensees to familiarize themselves with the exciting changes on **OMBC.ca.gov** Online Services!



## ATTEND A BOARD MEETING

Attending an Osteopathic Medical Board of California meeting is a way to discover how the Board's administrative and disciplinary processes work. Everybody is encouraged to attend a Board meeting. The Board encourages students to attend as it is a chance to see in real-time Board discussions and presentations. It also gives the attendee a glimpse into how decisions are made. Attendees will enhance their knowledge of not only how the Board promulgates regulations for D.O.s but also, how the consumer is protected by these regulations as well. These processes make up a small part of the work the Board conducts day in and day out. Please feel free to join! Meetings are held four times a year in locations throughout California. Visit the Board's website for updates and more information at [www.ombc.ca.gov](http://www.ombc.ca.gov) (**Board meetings**).

## BECOME A BOARD MEMBER

The Osteopathic Medical Board of California is a nine-member Board. All Board members collectively work to perform a vital role: providing invaluable oversight and direction. Past and present members of the Board include both osteopathic physicians and surgeons serving in different specialties, and public members wanting to make a difference. The governor appoints two public members and five licensees; the senate rules committee appoints one public member, and the speaker of the House appoints another public member. Board members work together to approve regulations and help guide licensing, enforcement, public education, and consumer protection activities. With this structure board members make essential decisions on agency policies and on disciplinary actions against professionals who violate state consumer protection laws. For more information and how to apply, please refer to the Department of Consumer Affairs informational bulletin at [www.dca.ca.gov](http://www.dca.ca.gov) (**Board member**).

## WHAT'S NEW?

A lot has changed over the past six months at the Board. The biggest change: The Board has gone paperless. Not only does this mean the Board has streamlined its processing of licenses and various functions, it has also made it easier with online payments. By shifting from manual downloadable forms sent through the mail to online forms and applications, all daily functions are online, and payments can now be made by credit card.

Going paperless is more convenient for applicants and licensees and reduces processing times. The online payment option has streamlined payment that in the past caused delays when processing checks and money orders. The goal is to make it easy for applicants, licensees, and staff processing various transactions.

The new online functions and applications are located on the Board's website under the "**Online Services**" tab. All online services are also available to applicants and licensees once you have created a BreEZe account. These forms and applications are available upon request.

The new online functions include:

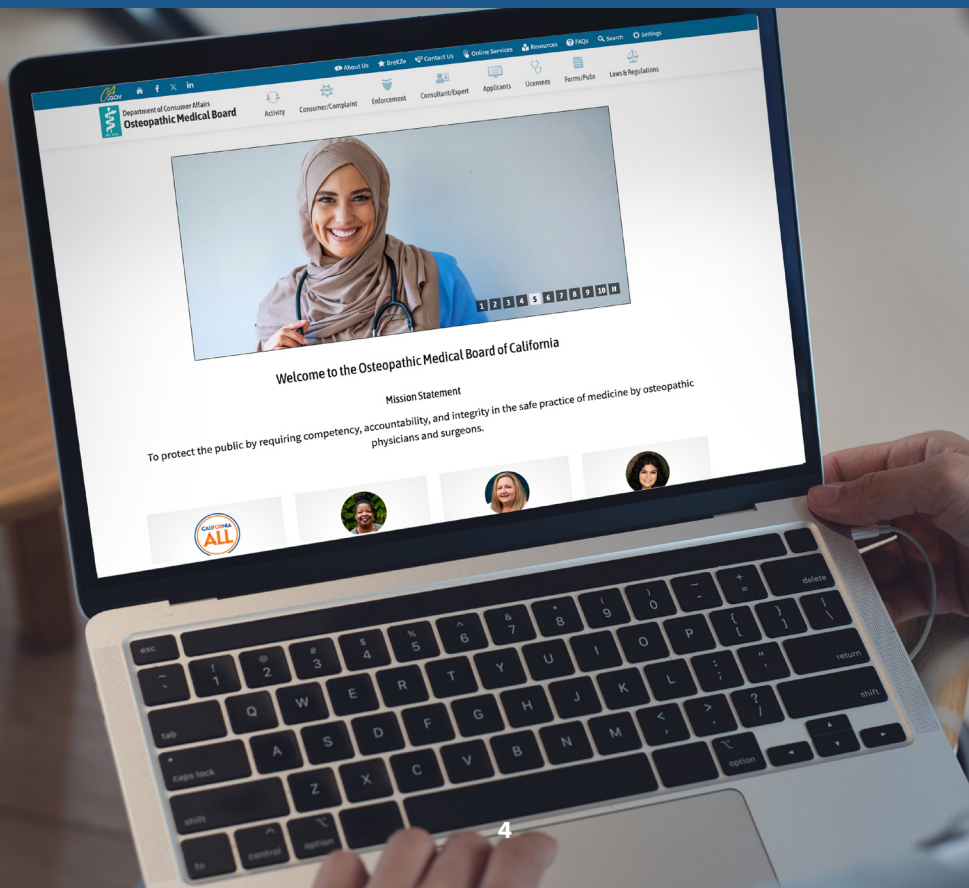
- License endorsement/verification requests
- Name changes
- Address changes
- Fictitious name permit applications
- Printing pocket licenses

### FICTITIOUS NAME PERMITS

The Board has stopped mailing fictitious name permit renewals. Instead, licensees with existing fictitious name permits will be sent an email reminding them it is time to renew their fictitious name. All fictitious name permits expire December 31 of each year so the email reminder is a courtesy reminder. We have revised our online fictitious name permit to fix the problem that led most permit holders to be unable to renew online. Try it out later this year when your permits expire.

### POCKET CARDS

Pocket cards are no longer mailed to licensees, they are available for licensees in BreEZe to conveniently download and print at any time—no more waiting or delays in receiving your pocket card in the mail.



## BOARD COMPLETES STRATEGIC PLAN ON JANUARY 18, 2024

This last January, the Osteopathic Medical Board of California reviewed, completed, and adopted its new Strategic Plan 2024–2028. The implementation of the Strategic Plan is intended to guide the Board in its mission to protect the public by requiring competency, accountability, and integrity in the safe practice of medicine by osteopathic physicians and surgeons. The Strategic Plan is a living document, and for that reason it is necessary to review and update it on a regular basis to reflect changes in the Board’s priorities as changes occur in public health, the marketplace, legislation, and other sectors of society. With all these encompassing factors in mind the Board reviews the status of each goal in the plan annually, and then revises the plan every five years to incorporate necessary changes. After a comprehensive review by the Board, the Strategic Plan 2024–2028 was completed at the last Board meeting held on January 18, 2024. The processes included a survey by stakeholders and Board staff, interviews with Board members, and a planning session facilitated by the Department of Consumer Affairs’ Office of Strategic Organization, Leadership, and Individual Development (SOLID). The Board encourages both stakeholders and the public to review its Strategic Plan and to monitor and support progress toward the goals and objectives set forth in the plan by participating in Board meetings, rulemakings, events, conferences, Board social media, and additional activities to actively participate.

Information about the Board’s activities and upcoming events is posted on its website, [ombc.ca.gov](http://ombc.ca.gov). In addition, stakeholders can sign up to receive emails with news and updates from the Board as well as follow social media sites to stay up to date!



## ANNUAL BOARD MEETINGS

OMBC annually holds four mandated Board meetings per year. Every year OMBC conducts three meetings in Northern California and one in Southern California to give the public and licensees the opportunity to attend. Each Board meeting typically lasts one day, and the public is highly encouraged to attend, observe, and participate in Board proceedings. Information regarding dates, locations, and agendas for Board meetings are posted on the OMBC’s website at least 10 days prior to the meeting dates. Please stay tuned with OMBC and join us!

Upcoming Board Meeting Dates:

### 2024

November 14, 2024

### 2025

January 23, 2025

May 15, 2025

August 14, 2025

November 13, 2025

## AN OVERVIEW OF THE COMPLAINT PROCESS

The Osteopathic Medical Board of California investigates complaints involving:

- Osteopathic physician and surgeons
- Postgraduate trainees

Complaints involving any other profession or entity are referred to the appropriate licensing board or agency. Consumers are encouraged to file a complaint with the Board as soon as possible after the incident(s) in question occurred. By law, the Board cannot take disciplinary action on matters that took place more than seven years ago, except in cases involving sexual misconduct, care and treatment provided to a minor, or intentional concealment of unprofessional conduct.

### The types of complaints the Board handles include:

- Substandard care (misdiagnosis, negligent treatment, delay in treatment, etc.).
- Prescribing Issues (violation of drug laws, excessive/under prescribing).
- Sexual misconduct, impairment (drug, alcohol, mental, physical).
- Unprofessional conduct (breach of confidence, record alteration, filing fraudulent insurance claims, misleading advertising, arrest, or conviction).
- Office practice issues (failure to provide medical records to patient, failure to sign a death certificate, patient abandonment).
- Unlicensed practice (or aiding and abetting).

### The Osteopathic Medical Board does not have jurisdiction over:

- Fee or billing disputes.
- General business practices.
- Personality conflicts.
- Health care providers licensed by other boards, bureaus, or agencies—i.e. hospitals, laboratories and health maintenance organizations. (Please contact the Department of Health Service [www.dhcs.ca.gov](http://www.dhcs.ca.gov), Department of Public Health [www.cdph.ca.gov](http://www.cdph.ca.gov), or Department of Managed Care [www.dmhca.gov](http://www.dmhca.gov) for more information.)

### WHAT IS HELPFUL FOR A CONSUMER TO DO WHEN SUBMITTING A COMPLAINT AND WHAT SHOULD BE SUBMITTED?

In completing the complaint form, please do the following:

1. Legibly print or type all information in the complaint form.
2. Fill in the full name, address, phone number, and license number (if known) of the person your complaint is against. This information must also be included in the corresponding section of the Authorization for Release of Patient Health Information Form.
3. Write your complaint in a narrative format and include details such as (dates, names, titles, specific concerns about the treatment provided, and the name(s) and contact information of any witnesses).
4. Attach a copy of any supporting documents you may have in your possession pertaining to your specific complaint. **Supporting documents may include patient records, photographs, audio or video recordings, correspondence (e.g. letters, emails, texts), billing statements, proof of payments, police reports, court documents, and internal employment administrative investigations, etc.**
5. Complete the Authorization for Release of Patient Health Information for the subject (physician) of the complaint. This form is necessary to obtain information from the physician you are complaining about.
6. If you were treated by another provider or health facility related to your complaint, please complete the proper release forms available on the Board's website ([www.ombc.ca.gov](http://www.ombc.ca.gov)).

(Continued on page 7)



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### **WHAT HAPPENS AFTER A COMPLAINT IS FILED?**

After a complaint is filed, the complainant will receive an acknowledgement letter confirming the complaint was received by the Board. A Board analyst reviews the complaint and gathers all the necessary information for evaluation. The complainant may be contacted if the analyst determines that more information or clarification is needed to process the complaint. For instance, the complainant may be asked to sign an Authorization for the Release of Health Information; if one was not included or if additional releases are needed. To avoid delay, it is important the releases are properly signed and returned in a timely manner. Furthermore, that any additional information requested is also provided to the Board as soon as possible.

This initial phase in the complaint unit may include the gathering of medical records, a response from the subject or any subsequent treating providers, and any additional information necessary to determine if a violation of the law occurred. In quality-of-care cases, after all the information has been gathered, Board staff will analyze the information to determine if there is sufficient evidence for referral to a medical consultant. If referral to a medical consultant is warranted, the complaint is forwarded to the consultant for a thorough review. The complainant receives a status letter advising them of this referral. If no violation is found, or the Board finds insufficient evidence to prosecute, the complainant will be interviewed in hopes that the Board is able to collect more information that could move the case along to a field investigation.

In contrast, when a medical consultant determines that a violation may have occurred from the start and more investigation is needed, the matter is referred to the Division of Investigation, Health Quality Investigation Unit (HQIU) within the Department of Consumer Affairs. Cases that are of an urgent nature (e.g., sexual misconduct, physician impairment, etc.) are referred immediately for investigation by HQIU.

The complainant will receive a letter from the Board if their complaint is referred to HQIU for further investigation. The investigation process is lengthy and thorough, and consistent with due process of law, is conducted in an ethical manner to determine whether the Board can prove that a violation

occurred by “clear and convincing evidence.” During the investigation, the complainant may be contacted if the investigator needs additional information.

If after investigation the Board determines that disciplinary action is not warranted, or the allegation cannot be proven, the case will be closed. However, if action is warranted, an Accusation, which is a charging document identifying the allegations against the medical provider, will be filed by the Attorney General’s Office (AGO). The Board will send the complainant a letter informing them that their complaint has been closed or referred to the AGO to determine whether an Accusation should be filed against the provider.

After the AGO’s review, the complainant will be notified about the AGO’s decision regarding the Accusation. Most cases settle without the need to go to hearing. For those cases that proceed to hearing, the assigned attorney will determine how to present the case, and whether it is necessary to call the complainant as a witness. In most cases, the complainant will not be called to testify at hearing. Following the conclusion of the case, the complainant will be provided a copy of the final decision by the Board.

### **JURISDICTION**

The Osteopathic Medical Board of California’s jurisdiction includes osteopathic physician and surgeons and postgraduate trainees.

The Board’s jurisdiction does not include M.D.’s licensed by the Medical Board of California, chiropractors, dentists, health maintenance organizations, hospitals, insurance companies, malpractice actions/civil lawsuits, Medi-Cal, Medicare, nurses (R.N., N.P., FNP), psychologists, or optometrists.

The Board also has no authority over a medical provider’s demeanor, bedside manner, attitude, office staff, office policies, or prices charged or refund disputes with a medical provider unless there is a double payment by the insurance company. The Board cannot assist consumers in obtaining medical care or financial compensation for medical malpractice.

For a list of all Boards visit: [dca.ca.gov](https://dca.ca.gov).

## DO NOT PANIC! WHAT SHOULD YOU EXPECT IF A COMPLAINT IS FILED AGAINST YOU?

The mission of the Board is to protect the public by requiring competency, accountability, and integrity in the safe practice of medicine by osteopathic physicians and surgeons.

The Board's complaint process is one of the tools used to fulfill its mission. It's important for licensees and consumers alike to know that the Board has a thorough process when it comes to reviewing and moving complaints forward to the next step.

In the fiscal year 2022–2023, the Board received 658 complaints. During that same timeframe, the Board filed 19 total Accusations, issued 11 administrative citations, had three surrenders, and four revocations, and placed six physicians on probation. The Board's complaint process is thoughtful, deliberate, and aligned with the Board's mission. The process has two basic goals: to determine whether or not the allegations contained in a complaint are within the Board's jurisdiction, as defined by the Medical Practice Act, and, if they are jurisdictional, to determine whether or not the issues raised by the complaint indicate that further investigation is required.

You will likely be contacted by the Board Consumer Protection Unit. With some exceptions, Business and Professions Code section 2220.08 requires the Board to take specific actions when processing a complaint involving the quality of care provided by a physician. For each quality-of-care complaint, the Board is required to request the relevant patient records and a statement or explanation of care and treatment from the physician who is the subject of the complaint. The subject physician is also given an opportunity to provide relevant expert testimony or literature. Once received, this information becomes part of the complaint file. The complaint file is then reviewed by a medical consultant to evaluate the specific standard of care issues raised by the complaint to determine if further investigation is required.

In addition to quality-of-care complaints, the Board receives complaints relating to other issues, such as: failure to provide medical records, misleading advertising, fraudulent billing, illegal corporate practice of medicine, etc. When the Board receives a complaint that does not involve allegations pertaining to quality of care, the subject physician is often contacted for a statement or explanation in order to assist the Board in determining if further investigation is required.

### **YOU WILL BE PROVIDED A COMPREHENSIVE SUMMARY OF THE COMPLAINT.**

If the Board contacts a physician to request information relating to a complaint, a comprehensive summary of the complaint is provided, pursuant to Business and Professions Code section 800, subdivision (c). In accordance with the law, the Board provides a comprehensive summary rather than a copy of the actual complaint. Also, the identity of the complainant is kept confidential.

### **YOUR RESPONSE IS NOT REQUIRED, BUT THE REQUESTED MEDICAL RECORDS ARE.**

A physician is not required to provide a statement or explanation to the Board in response to a complaint. However, pursuant to Business and Profession Code section 2225.5, a physician is required to provide the Board with certified medical records within 15 days of receiving a request. A physician who fails to provide the requested records may be subject to a civil penalty of \$1,000 a day for each day the records have not been provided, up to \$10,000.

You will be notified of the final outcome of the complaint. Once a complaint is closed, if the subject physician was previously contacted by the Board, then the Board will send a letter to that physician indicating that the complaint has been closed.

But what if it's not closed? Your cooperation is requested. The process is not meant to harass or annoy the Board's licensees. If you happen to be the subject of a complaint, your cooperation with the process will be requested and will be greatly appreciated. If you have additional questions regarding the Board's complaint process, please feel free to contact the Consumer Protection Unit at (916) 928-8390 ext. 6.

For a list of all Boards visit: [dca.ca.gov](http://dca.ca.gov)



**Don't  
PANIC!**





## MEET OUR STAFF

### SANJAY NARESH, OFFICE TECHNICIAN

#### 1. What is your favorite part about working at the Osteopathic Medical Board of California?

There is a lot of camaraderie. As a new member of the team, I am able to ask staff and executive leadership a lot of in-depth questions about specific areas and receive a lot of great information to help me grow in my position. I have learned a lot about licensing, enforcement, probation and more. This has made engagement with the Board staff very effective for my own training and growth. Seeing focused, hardworking, and passionate individuals take the time to teach me and share the information has been a very pleasurable experience.

#### 2. What is your favorite food/cuisine?

FOOD! Haha. No, really “food” is my favorite food!!! However, the cuisine that I have grown up eating regularly and enjoy preparing is Indian food. Curry to me is magical and since curry (curry spice/powder) changes from region, family, country with respect to ingredients and specific amounts, you find very distinct dishes across the globe!

#### 3. When you were a kid, what did you want to be when you grew up?

I am still a kid at heart so I am dreaming what I live and living what I dream in my journey in life; with this said stay tuned! There is still a lot of goals and things that I am accomplishing and will; however, one thing I looked to be was an athlete.

#### 4. What are your hobbies or what do you like to do in your spare time?

There are a lot of things I enjoy doing on my free time: making music, going into nature, reading books, spending time with friends and family, traveling, working on goals.

#### 5. Do you have any hidden talents or skills? What are they?

There’s a few that I have and enjoy: making fine art as an example from rock sculpting to lost wax jewelry, painting, music, writing, and drawing. Many would not know that from meeting me at first; however, I have done these from a young age.

#### 6. What’s your one guilty pleasure?

Do not know if I have guilt about my pleasures, yet I try to watch how much I intake sweet foods!

#### 7. What’s the best piece of advice you’ve ever received?

To do everything in your life with your inner feeling, to trust and follow that feeling to guide you, find out about what it is and love it. Love that in yourself and love yourself

#### 8. What’s your favorite time of year? Why?

Honestly, I enjoy the year all year as I enjoy seeing all the changes in general year-round. The best parts to me are the transitional phases, such as fall, spring, and since it’s not too cold or too hot in our region so we can always enjoy being outside.

#### 9. What does the Board office technician do for OMBC?

I am the first point of contact whether in person or over the phone, so it’s of great passion and importance to me to be able to meet each person with compassion and wisdom and a joyful laugh! Other than providing customer service, I also deal with emails and coordinate with the staff to ensure communications reach the proper person—be it licensing, enforcement, probation, executive staff, or general. As for my specific duties as per our new online licensing systems, I oversee license verifications that are sent to other licensing boards, name and address changes in our database, ordering duplicate certificates and guiding D.O. doctors and consumers on how to use our new online system as we have launched it recently and are working out its kinks. Lastly, I also handle some cashiering duties, which is a daily task that is really important for processing our renewals, and initial licensing applications, as well as the Board’s cost recovery coming from enforcement cases. My most important duty, however, is to make sure I can be a bridge and advocate for the consumer to receive the best assistance.

## MEDICAL CONSULTANT PROGRAM

Physicians are utilized as consultants by the Board’s Consumer Protection Unit (CPU) to review incoming complaints. Pursuant to Business and Professions Code section 2220.08, any complaint determined to involve quality of care, before referral to a field office for further investigation, shall be reviewed by a medical consultant with the pertinent education, training, and expertise to evaluate the specific standard of care issues raised by the complaint to determine if further field investigation is required.

In this role, physicians are asked to determine if there is a need for formal investigation by Board investigative staff or if the complaint is resolved by a preliminary review of the medical records and the accompanying physician narrative statement. The consultant is asked to write an opinion with a description to support their recommendation.

### Requirements for participating in this program are:

1. A current, valid, and unrestricted medical license issued by the Board or the Medical Board of California with no complaints within the last three years, no pending accusations, or prior enforcement or disciplinary action.
2. The ability to maintain a high level of confidentiality, provide objective, unbiased evaluations, and the ability to articulate and to legibly document findings.

### Desirable qualifications include:

1. Current, active practice or have been nonactive or retired for fewer than five years.
2. Minimum of three years in practice.

3. Board certified.
4. Peer review experience.

Medical consultants are hired on a contract basis. The consultants are not considered to be civil service or “employees” of the Board but instead are considered “independent contractors.” As such, the relationship between the medical consultant/independent contractor and the Board may be terminated by either party at any time.

Participating physicians are reimbursed **\$75 per hour** for record review/report preparation.

If you are interested in providing medical consultant services to the Board, please mail a completed application and a current curriculum vitae to the address provided below.

**The application can be downloaded at OMBC.ca.gov under the ‘Consultant/Expert’ Tab.**

**Please include a practice area definer questionnaire with your application.**

- Medical Consultant Program Original/Renewal Application.
- Practice Area Definer Questionnaire.

**Osteopathic Medical Board of California  
Consumer Protection Unit**  
1300 National Drive, Suite 150  
Sacramento, CA 95834



## STAY CONNECTED

In 2020, the Board launched its Instagram account. Most recently, OMBC launched its Facebook and X accounts to reach more members of the public. Like its Listserv, the Board is utilizing these social media platforms to disseminate all Board-related information, including upcoming Board meeting reminders, information about the profession, COVID-19-related updates and reminders, information regarding waivers issued by the director of the Department of Consumer Affairs, alerts of disciplinary action taken against licensees, proposed regulatory updates, and job announcements. Let’s be social!



## EXPERT REVIEWER PROGRAM

The Osteopathic Medical Board of California Expert Reviewer Program is an impartial and professional means by which to support the investigation and enforcement functions of the Board. Specifically, expert reviewers assist the Board by providing expert reviews and opinions on Board cases and conducting professional competency exams, physical exams, and psychiatric exams.

### Requirements for participating in the Board's program are:

1. Possess a current California medical license in good standing; no prior discipline; no Accusation pending; no complaint history within the last three years.
2. Board certification in either one of the:
  - 29 American Osteopathic Association (AOA) primary specialties and/or 77 subspecialties
  - 24 ABMS specialties (the American Board of Facial Plastic & Reconstructive Surgery, the American Board of Pain Medicine, the American Board of Sleep Medicine and the American Board of Spine Surgery are also recognized).

With a minimum of three years of practice in the specialty area after obtaining Board certification.
3. Have an active practice (defined as at least 80 hours a month in direct patient care, clinical activity, or teaching, at least 40 hours of which is in direct patient care).

4. Must be willing to testify.

Participating physicians and surgeons are reimbursed \$150 per hour for conducting case reviews and oral competency exams, \$200 an hour for providing expert testimony, and usual and customary fees for physical or psychiatric exams.

If you are interested in providing expert reviewer services for the Board, please mail a completed application to the address provided below. Include a current curriculum vitae and a written statement telling the Board why you would like to participate in the program.

- Expert reviewer original application.
- Expert renewal application.
- Expert reviewer guidelines.
- Practice area definer questionnaire.

**The application can be downloaded at [OMBC.ca.gov](http://OMBC.ca.gov) under the 'Consultant/Expert' Tab.**

**Please include a practice area definer questionnaire with your application.**

- Medical Consultant Program Original/Renewal Application.
- Practice Area Definer Questionnaire.

**Osteopathic Medical Board of California  
Consumer Protection Unit**  
1300 National Drive, Suite 150  
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## NOTICE TO LICENSEES REGARDING CURES VERSION UPDATE

As August 1, 2024, all California dispensers of controlled substances will be required to report dispensations to the Controlled Substance Utilization Review and Evaluation System (CURES) using version 4.2B of the American Society of Automation in Pharmacy (ASAP) format. Data submitted using the CURES ASAP version 4.1 format will no longer be accepted.

For this reason, prompt action by licensees who dispense controlled substances is highly recommended. Technical implementation of this update to data submission software may take considerable time. Contact your data submission software provider and confirm they are preparing for this version change.

For more information about the ASAP format change and suggested action steps for data submitters, please see the Department of Justice informational bulletin entitled "**New File Format for Reporting to CURES**" on the **Office of the Attorney General's CURES Website at [www.oag.ca.gov](http://www.oag.ca.gov)**.

For information about CURES, visit **DCA's CURES information page at [www.dca.ca.gov](http://www.dca.ca.gov)**.



## FRAUD ALERT

The Osteopathic Medical Board of California has learned of an attempted fraud scheme aimed at licensees of the Board. In the scheme, scam artists identify themselves as

Board staff or investigators and notify the licensee that they are under investigation, that their license may be suspended, or that an arrest warrant has been issued in their name. The caller will demand payment via wire transfer, online escrow account, or other internet payment method and may follow up later to demand additional payments.

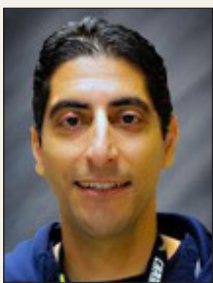
Callers may be “spoofing” Board phone numbers to make the calls appear to be coming from the Board, and/or using fake Board letterhead to add authenticity to the scam.

Since May we have seen a trend where fraud calls are masquerading as “Med Board” investigators and utilizing a more sophisticated method where the phone number might mimic an actual board number such as Med Board or OMBC.

If you receive a call from an individual claiming to be a Board employee who is attempting to gather your personal and financial information, please consider the following:

- Refuse payment. Never disclose banking/financial or personal information such as Social Security numbers, dates of birth, or credit/debit card numbers without ensuring the person requesting the information has a legitimate need for it.
- Take down the caller’s information (including name, title, phone number, and email address), let them know you will follow-up directly with the Board, and end the call.
- If you have any doubts or questions about someone claiming to represent the Board, contact the Board directly at (916) 928-8390, even if this looks like the same number you are being called from.
- You may also consider ending the call without explanation if it appears suspicious or to be a scam.
- Be alerted that the Board does not correspond over the phone in such a manner and will send letters NOT calls.

## FAREWELLS TO BOARD MEMBER AND PAST BOARD PRESIDENT CYRUS BUHARI, DO, AND PAST VICE PRESIDENT ELIZABETH JENSEN, D.O.



Cyrus Buhari, D.O.

Cyrus Buhari, D.O., was first appointed to the Board in 2015 by Governor Jerry Brown and reappointed in December 2019 by Governor Gavin Newsom. Buhari served as Board president from January of 2021 to January of 2024. Buhari has been a physician at the San Joaquin Cardiology Medical Group since 2013. Within his career, Buhari was an assistant clinical professor of medicine and physician at the Central California Faculty Medical Group from 2012 to 2013, a physician at the Veterans Affairs Central California Healthcare System from 2012 to 2013 and at the Community Hospitalist Medical Group from 2008 to 2012. Buhari earned a Doctor of Osteopathic Medicine degree from the Western University of Health Sciences. We wish Dr. Buhari all the best in his future endeavors and thank him for his commitment and service on the Board.



Elizabeth Jensen, D.O.

Elizabeth Jensen, D.O., was first appointed to the Board in 2015 by Governor Jerry Brown and was reappointed in 2019 by Governor Gavin Newsom. Jensen has been a hospitalist physician at Verity Medical Foundation and Seton Medical Center since 2018, where she also worked as a physician advisor from 2017 to 2018. In her career she was a physician at Apollo Medical/Bay Area Hospitalist Associates Inc. from 2010 to 2018, a hospitalist at St. Mary’s Medical Center from 2008 to 2016 and an internal medicine intern and resident at St. Mary’s Medical Center from 2005 to 2008. Jensen is a member of the American Osteopathic Association. She earned a Doctor of Osteopathic Medicine degree from the Touro University College of Osteopathic Medicine. We wish Dr. Jensen all the best in her future endeavors and thank her for her commitment and service on the Board.



# CITATIONS/DISCIPLINE

## ADMINISTRATIVE ACTIONS—CITATIONS

A Citation and Fine is an administrative action by which the Osteopathic Medical Board may address relatively minor violations of the Osteopathic and Medical Practice Act that would not necessarily warrant discipline in order to protect the public. Citation and Fine Orders ARE NOT disciplinary actions but are matters of public record. Citations remain on a licensee’s file for 10 years and are then purged. By law, payment of a fine is considered satisfactory resolution of all violations contained in the citation.

NAME	LICENSE NO.	ACTION	EFFECTIVE DATE
ALLEN, EUGENE	6802	Citation Issued	January 12, 2023
ALMONTE, ANNA	9160	Citation Issued	March 15, 2023
BADE, BRITTANY NICOLE	18691	Citation Issued	June 28, 2023
HAKKAK, FATIMA	10650	Citation Issued	May 18, 2023
KAMALPOUR, FARI GARZAM	11842	Citation Issued	December 21, 2022
KAUFMAN, DAVID JACOB	8799	Citation Issued	June 2, 2023
LAIMER, HANNAH	16590	Citation Issued	May 18, 2023
NAITO, STACEY KIKUMI	8154	Citation Issued	June 2, 2023
SHIKIYA, CECIL ARTURO	12387	Citation Issued	December 21, 2023
SPEKTOR, MAXIM	14822	Citation Issued	May 18, 2023
SUCGANG, PAUL SANTOS	9629	Citation Issued	May 18, 2023
TRAN, HUY THAI	8795	Citation Issued	September 7, 2023
WHITAKER, DAVID HOWARD	8427	Citation Issued	September 12, 2023

# DISCIPLINE

## ADMINISTRATIVE ACTIONS–DISCIPLINE

The Osteopathic Medical Board (OMBC) regulates the profession of Osteopathic Physician and Surgeons and Post Graduate Trainees through the enforcement of the Osteopathic and Medical Practice Acts. The following summary indicates administrative actions taken against licensees for violations of the Act. Although every effort is made to ensure the following details are correct, before you make any decision based on this information, obtain a copy of the action in its entirety, including terms and conditions. You can download the copy through the Department of Consumer Affairs License Search tool at <https://search.dca.ca.gov>.

### 2023

#### January 1, 2023–March 31, 2023

NAME	LICENSE NO.	LOCATION	ACTION	EFFECTIVE DATE
ARMANDI, SOROOSH	9741	San Pedro	Accusation	02/15/23
AVILA, JAY	8829	Rancho Cucamonga	Interim Suspension Order	02/09/23
CROZIER, GORDON	15931	Lake Mary	Surrender	03/16/23
CURTIS, KEITH	6885	Riverside	Surrender	02/14/23
DASU, VANI	12890	Bakersfield	Accusation	01/04/23
FORREST, MARC	7880	Hesperia	Accusation	02/02/23
MCELHERAN, DANIEL	6265	Weaverville	Accusation	03/24/23
ROHAM, TIMOTHY	8040	Santa Ana	Amended Accusation	02/16/23

#### April 1, 2023–June 30, 2023

NAME	LICENSE NO.	LOCATION	ACTION	EFFECTIVE DATE
ARMANDI, SOROOSH	9741	San Pedro	Revocation	06/29/23
BIRLEW, NICHOLAS	4979	Stockton	Accusation	06/02/23
CALHOUN, SHANNON	10632	Omaha	Surrender	06/01/23
FORREST, MARC	7880	Hesperia	Revocation	05/19/23
KHATIBI, NIKAN	11914	Laguna Niguel	Amended Accusation	05/18/23
LESTER, JEFF	5421	Soquel	Probation	05/05/23
LEW, PO	5380	Rosemead	Accusation	04/28/23
LUNA, LELAND	7091	South San Francisco	Accusation	05/26/23
SANCHEZ, GABRIEL	12818	Upland	Accusation	05/15/23
SUCGANG, PAUL	9629	San Gabriel	Probation	06/26/23

# 2023 ADMINISTRATIVE ACTIONS—DISCIPLINE

(Continued from page 14)

## July 1, 2023–September 30, 2023

NAME	LICENSE NO.	LOCATION	ACTION	EFFECTIVE DATE
ABDALLAH, EMAN	14213	Beverly Hills	Probation	07/03/23
AVILA, JAY	8829	Rancho Cucamonga	Accusation	08/9/23
GONZALES, DAVID	12117	Ontario	Probation	08/18/23
LALLY, JAMES	6259	Montclair	Probation	07/31/23
LANE, DANIEL	10534	Chino	Public Letter of Reprimand	09/19/23
MOY, JING	11803	Los Gatos	Probation	07/10/23
NGUYEN, TAM	9636	San Jose	Probation	09/11/23
NISHIMOTO, WARREN	6267	Salinas	Probation	07/10/23
PHAM, DZUNG	6269	Tustin	Accusation	07/14/23
PLANCE, DONALD	5465	Sunland	Accusation	09/28/23
REYNOLDS, APRIL	14006	Fremont	Public Reprimand	09/26/23
REYNOLDS, KERISIMASI	13974	Fremont	Public Reprimand	09/26/23
SABRY, HALA	10644	Upland	Public Letter of Reprimand	09/14/23
SHEPPARD, JAMES	12325	Huntington Beach	Accusation	08/09/23
THOMPSON, DARREN	13605	Moreno Valley	Accusation	08/07/23

## October 1, 2023–December 30, 2023

NAME	LICENSE NO.	LOCATION	ACTION	EFFECTIVE DATE
ANDERSON, KENNETH	5441	San Diego	Public Letter of Reprimand	10/05/23
AVILA, JAY	8829	Ranch Cucamonga	Amended Accusation	11/15/23
GABBAY, ROBERT	6451	Santa Rosa	Public Letter of Reprimand	11/05/23
HU, JAMES	15183	Torrance	Public Reprimand	11/06/23
KHATIBI, NIKAN	11914	Laguna Niguel	Amended Accusation	11/27/23
LY, CALVIN	10209	Hercules	Public Letter of Reprimand	12/11/23
MCDOWELL, MITCHELL	11652	Riverside	Accusation	10/24/23
MCELHERAN, DANIEL	6265	Weaverville	Surrender	12/08/23
PHAM, DZUNG	6269	Tustin	Revocation	10/02/23
ROHAM, TIMOTHY	8040	Santa Ana	Probation	10/06/23
WILLIAMS, JOHN	6027	Willits	Accusation and Petition to Revoke Probation	12/07/23

(Continued on page 16)

# 2024 ADMINISTRATIVE ACTIONS–DISCIPLINE

(Continued from page 15)

## January 1, 2024–March 31, 2024

NAME	LICENSE NO.	LOCATION	ACTION	EFFECTIVE DATE
BIRLEW, NICHOLAS	4979	Stockton	Probation	03/08/24
CAPARSO, AMANDA	12874	Poway	Public Letter of Reprimand	2/08/24
CHUNG, JOSEPH	7223	Glendale	Revocation	02/23/24
DASU, VANI	12890	Bakersfield	Probation	03/06/24
ESLINGER, ROBERT	7826	Reno	Accusation	03/25/24
FIGHTLIN, STEFANIE	7879	Laguna Beach	Accusation	02/07/24
GABBAY, ROBERT	6451	Santa Rosa	Public Letter of Reprimand	02/14/24
LUNA, LELAND	7091	South San Francisco	Public Reprimand	03/08/24
SANCHEZ, GABRIEL	12818	Upland	Probation	03/06/24
SANDHU, KARAN	19197	Palmdale	Accusation	03/28/24
SHEPPARD, JAMES	12325	Huntington Beach	Amended Accusation	02/15/24

## April 1, 2024–June 30, 2024

NAME	LICENSE NO.	LOCATION	ACTION	EFFECTIVE DATE
BERMAN, MICHAEL J.	3728	Rancho Mirage	Accusation	05/09/24
BIRLEW, NICHOLAS R.	4979	Stockton	Surrender	05/08/24
CERNI, JOSEPH SAMUEL	4439	Newport Beach	Accusation	04/18/24
GARNER, JASON ANDREW	18340	Redding	Accusation	06/06/24
KHEMTHONG, APINUNT ANDREW	12675	Bakersfield	Public Letter of Reprimand	04/18/24
OLIVER, HOWARD WALLACE	5179	Long Beach	Accusation	05/22/24
SHEPPARD, JAMES EZRA	12325	Huntington Beach	Probation	04/15/24
THOMPSON, DARREN R	13605	Moreno Valley	Probation	05/29/24
VILLARROEL, MICHAEL LOUIS	9374	San Diego	Accusation	05/15/24
VILLARROEL, MICHAEL LOUIS	9374	San Diego	Automatic Suspension Order	06/26/24
YU, HANS CHUNGHAN	9689	Bakersfield	Accusation	04/18/24