

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

In the Matter of the Accusation)
Against:)
)
)
Maximo Alano Parayno, Jr., M.D.)
)
Physician's and Surgeon's)
Certificate No. A 33871)
)
Respondent)
_____)

Case No. 800-2017-032066

DECISION

The attached Stipulated Surrender of License and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on May 9, 2018.

IT IS SO ORDERED May 2, 2018

MEDICAL BOARD OF CALIFORNIA

By:  _____
KIMBERLY KIRCHMEYER
EXECUTIVE DIRECTOR

1 XAVIER BECERRA
Attorney General of California
2 MATTHEW M. DAVIS
Supervising Deputy Attorney General
3 STEVE DIEHL
Deputy Attorney General
4 State Bar No. 235250
California Department of Justice
5 2550 Mariposa Mall, Room 5090
Fresno, CA 93721
6 Telephone: (559) 477-1626
Facsimile: (559) 445-5106
7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 800-2017-032066

13 **MAXIMO ALANO PARAYNO, JR., M.D.**
529 W. Robinhood Lane
Fresno, CA 93704

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

14 **Physician's and Surgeon's Certificate No. A
33871**

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

20 PARTIES

21 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
22 of California (Board). She brought this action solely in her official capacity and is represented in
23 this matter by Xavier Becerra, Attorney General of the State of California, by Steve Diehl,
24 Deputy Attorney General.

25 2. Maximo Alano Parayno, Jr., M.D. (Respondent) is represented in this proceeding by
26 attorney Lance E. Armo, Esq., whose address is 550 W. Alluvial Ave, Ste 102, Fresno, California
27 93711.

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1 3. On or about June 5, 1979, the Board issued Physician's and Surgeon's Certificate No.
2 A33871 to Maximo Alano Parayno, Jr., M.D. (Respondent). The Physician's and Surgeon's
3 Certificate was in full force and effect at all times relevant to the charges brought in Accusation
4 No. 800-2017-032066 and will expire on January 31, 2019, unless renewed.

5 JURISDICTION

6 4. Accusation No. 800-2017-032066 was filed before the (Board), and is currently
7 pending against Respondent. The Accusation and all other statutorily required documents were
8 properly served on Respondent. This Stipulation shall serve as Respondent's Notice of Defense.
9 A copy of Accusation No. 800-2017-032066 is attached as Exhibit A and incorporated by
10 reference.

11 ADVISEMENT AND WAIVERS

12 5. Respondent has carefully read, fully discussed with counsel, and understands the
13 charges and allegations in Accusation No. 800-2017-032066. Respondent also has carefully read,
14 fully discussed with counsel, and understands the effects of this Stipulated Surrender of License
15 and Order.

16 6. Respondent is fully aware of his legal rights in this matter, including the right to a
17 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
18 the witnesses against him; the right to present evidence and to testify on his own behalf; the right
19 to the issuance of subpoenas to compel the attendance of witnesses and the production of
20 documents; the right to reconsideration and court review of an adverse decision; and all other
21 rights accorded by the California Administrative Procedure Act and other applicable laws.

22 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
23 every right set forth above.

24 CULPABILITY

25 8. Respondent admits the truth of each and every charge and allegation in Accusation
26 No. 800-2017-032066, agrees that cause exists for action and hereby surrenders his Physician's
27 and Surgeon's Certificate No. A33871 for the Board's formal acceptance.

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

4 CONTINGENCY

5 10. Business and Professions Code section 2224, subdivision (b), provides, in pertinent
6 part, that the Medical Board "shall delegate to its executive director the authority to adopt a ...
7 stipulation for surrender of a license."

8 11. Respondent, or his lawful agent, understands that, by signing this stipulation, he enables
9 the Executive Director of the Board to issue an order, on behalf of the Board, accepting the surrender
10 of his Physician's and Surgeon's Certificate No. A33871 without further notice to, or opportunity to
11 be heard by, Respondent.

12 12. This Stipulated Surrender of License and Disciplinary Order shall be subject to the
13 approval of the Executive Director on behalf of the Board. The parties agree that this Stipulated
14 Surrender of License and Disciplinary Order shall be submitted to the Executive Director for her
15 consideration in the above-entitled matter and, further, that the Executive Director shall have a
16 reasonable period of time in which to consider and act on this Stipulated Surrender of License and
17 Disciplinary Order after receiving it. By signing this stipulation, Respondent, or his lawful agent,
18 fully understands and agrees that he may not withdraw his agreement or seek to rescind this
19 stipulation prior to the time the Executive Director, on behalf of the Medical Board, considers and
20 acts upon it.

21 13. The parties agree that this Stipulated Surrender of License and Disciplinary Order
22 shall be null and void and not binding upon the parties unless approved and adopted by the
23 Executive Director on behalf of the Board, except for this paragraph, which shall remain in full
24 force and effect. Respondent fully understands and agrees that in deciding whether or not to
25 approve and adopt this Stipulated Surrender of License and Disciplinary Order, the Executive
26 Director and/or the Board may receive oral and written communications from its staff and/or the
27 Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the
28 Executive Director, the Board, any member thereof, and/or any other person from future

1 participation in this or any other matter affecting or involving respondent. In the event that the
2 Executive Director on behalf of the Board does not, in her discretion, approve and adopt this
3 Stipulated Surrender of License and Disciplinary Order, with the exception of this paragraph, it
4 shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied
5 upon or introduced in any disciplinary action by either party hereto. Respondent further agrees
6 that should this Stipulated Surrender of License and Disciplinary Order be rejected for any reason
7 by the Executive Director on behalf of the Board, Respondent will assert no claim that the
8 Executive Director, the Board, or any member thereof, was prejudiced by its/his/her review,
9 discussion and/or consideration of this Stipulated Surrender of License and Disciplinary Order or
10 of any matter or matters related hereto.

11 **ADDITIONAL PROVISIONS**

12 14. This Stipulated Surrender of License and Disciplinary Order is intended by the parties
13 herein to be an integrated writing representing the complete, final and exclusive embodiment of
14 the agreements of the parties in the above-entitled matter.

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

18 16. In consideration of the foregoing admissions and stipulations, the parties agree the
19 Executive Director of the Board may, without further notice to or opportunity to be heard by
20 Respondent, issue and enter the following Disciplinary Order on behalf of the Board:

21 **ORDER**

22 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A33871, issued
23 to Respondent Maximo Alano Parayno, Jr., M.D., is surrendered and accepted by the Medical
24 Board of California.

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

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

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

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked or surrendered license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 800-2017-032066 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

5. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 800-2017-032066 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Lance E. Armo, Esq. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

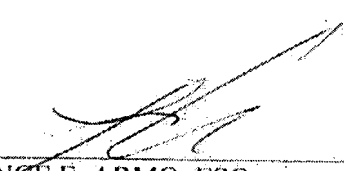
DATED: 4-16-18

Maximo Alano Parayno, Jr., M.D.
MAXIMO ALANO PARAYNO, JR., M.D.
Respondent

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I have read and fully discussed with Respondent Maximo Alano Parayno, Jr., M.D. the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: 4-16-18


LANCE E. ARMO, ESQ.
Attorney for Respondent

ENDORSEMENT

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

Dated:

Respectfully submitted,
XAVIER BECERRA
Attorney General of California
MATTHEW M. DAVIS
Supervising Deputy Attorney General

STEVE DIEHL
Deputy Attorney General
Attorneys for Complainant

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I have read and fully discussed with Respondent Maximo Alano Parayno, Jr., M.D. the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.


DATED: _____
LANCE E. ARMO, ESQ.
Attorney for Respondent

ENDORSEMENT

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

Dated: 4/19/18

Respectfully submitted,
XAVIER BECERRA
Attorney General of California
MATTHEW M. DAVIS
Supervising Deputy Attorney General


STEVE DIEHL
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2017-032066

1 XAVIER BECERRA
Attorney General of California
2 MATTHEW M. DAVIS
Supervising Deputy Attorney General
3 STEVE DIEHL
Deputy Attorney General
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Facsimile: (559) 445-5106
7 *Attorneys for Complainant*

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 **MAXIMO ALANO PARAYNO, JR., M.D.**
13 529 W. Robinwood Lane
Fresno, CA 93704
14 **Physician's and Surgeon's Certificate**
15 **No. A 33871,**
16 Respondent.

Case No. 800-2017-032066

A C C U S A T I O N

18 Complainant alleges:

19 **PARTIES**

20 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
21 capacity as the Executive Director of the Medical Board of California, Department of Consumer
22 Affairs (Board).

23 2. On or about June 5, 1979, the Medical Board issued Physician's and Surgeon's
24 Certificate Number A33871 to Maximo Alano Parayno, Jr., M.D. (Respondent). The Physician's
25 and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
26 herein and will expire on January 31, 2019, unless renewed.

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1 **JURISDICTION**

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

4 4. Section 822 of the Code states:

5 "If a licensing agency determines that its licentiate's ability to practice his or her
6 profession safely is impaired because the licentiate is mentally ill, or physically ill affecting
7 competency, the licensing agency may take action by any one of the following methods:

8 "(a) Revoking the licentiate's certificate or license.

9 "(b) Suspending the licentiate's right to practice.

10 "(c) Placing the licentiate on probation.

11 "(d) Taking such other action in relation to the licentiate as the licensing agency in its
12 discretion deems proper.

13 "The licensing section shall not reinstate a revoked or suspended certificate or license until
14 it has received competent evidence of the absence or control of the condition which caused its
15 action and until it is satisfied that with due regard for the public health and safety the person's
16 right to practice his or her profession may be safely reinstated."

17 **CAUSE FOR ACTION**

18 **(Impairment)**

19 5. Respondent Maximo Alano Parayno, Jr., M.D. is subject to action under section 822
20 in that his ability to practice medicine safely is impaired by mental illness, or physical illness
21 affecting competency.

22 **PRAYER**

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

25 1. Revoking or suspending Physician's and Surgeon's Certificate Number A33871,
26 issued to Maximo Alano Parayno, Jr., M.D.;

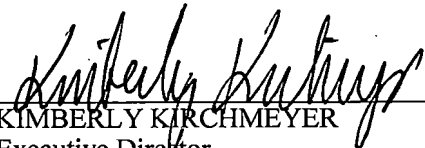
27 2. Revoking, suspending or denying approval of Maximo Alano Parayno, Jr., M.D.'s
28 authority to supervise physician assistants and advanced practice nurses;

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3. Ordering Maximo Alano Parayno, Jr., M.D., if placed on probation, to pay the Board the costs of probation monitoring; and

4. Taking such other and further action as deemed necessary and proper.

DATED: April 30, 2018


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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