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

12 In the Matter of the Interim Suspension Order
13 Against:

Case No. 800-2019-056409

14 **HERBERT SIM-ON CHIN, M.D.**
15 9209 South Colima Road, Suite 3600
16 Whittier, CA 90605

**STIPULATION AND ORDER
REGARDING INTERIM SUSPENSION
PURSUANT TO GOVERNMENT CODE
SECTION 11529**

17 **Physician's and Surgeon's Certificate**
18 **No. A 65244,**

19 Respondent.

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

23 1. William Prasifka ("Petitioner") is the Executive Director of the Medical Board of
24 California ("Board"). He brought this action solely in his official capacity by filing a Petition for
25 Interim Suspension Order ("Petition") against Herbert Sim-On Chin, M.D. ("Respondent") and is
26 represented in this matter by her attorney, Xavier Becerra, Attorney General of the State of
27 California, by Rebecca L. Smith, Deputy Attorney General.

2. Respondent Herbert Sim-On Chin, M.D. is representing himself in this proceeding.

1 3. On May 22, 1998, the Board issued Physician's and Surgeon's Certificate number
2 A 65244 to Respondent. That certificate was in full force and effect at all times relevant to the
3 charges brought here and will expire on May 31, 2022, unless renewed.

4 4. The parties have reached an agreement as to the interim status of Respondent's
5 medical license. Respondent willingly enters into this Stipulation with full understanding of its
6 terms and restrictions.

7 5. Respondent is aware of his rights under California Government Code section 11529
8 to a noticed hearing on a petition for an interim order of suspension, which include the right to be
9 represented by counsel at his own expense; to have a record made of the proceedings; to present
10 affidavits and other documentary evidence; and to present oral argument. Respondent hereby
11 knowingly and voluntarily waives each of the rights set forth above.

12 6. Respondent Herbert Sim-On Chin, M.D. hereby stipulates and agrees that his medical
13 license is suspended. The suspension shall remain in force and effect until such time as the Board
14 shall have issued and adopted a final decision in the administrative proceeding to be filed against
15 Respondent's medical license.

16 7. Respondent stipulates and agrees that, if contested, at a hearing on the Petition,
17 Petitioner could establish a factual basis for the issuance of an Interim Order of Suspension.
18 Respondent therefore stipulates and agrees that the Medical Quality Hearing Panel of the Office
19 of Administrative Hearings has jurisdiction and without further proceedings may issue an interim
20 order prohibiting Herbert Sim-On Chin, M.D., Physician's and Surgeon's Certificate Number
21 A 65244 to Respondent, from practicing medicine.

22 8. During the period of suspension, Respondent is prohibited from practicing or
23 attempting to practice as a physician and surgeon in California; advertising, by any means, or
24 holding himself out as practicing or available to practice medicine or to supervise assistants;
25 possessing, prescribing, dispensing, furnishing, administering or otherwise distributing any
26 controlled substance or any dangerous drug in California, as defined by federal or state law,
27 except legally permitted drugs prescribed to Respondent by his treating physician and surgeon,
28 possessing or holding his California physician's and surgeon's wall and wallet certificates.


1 possessing any and all prescription blanks; and is further required to surrender any of said
2 documents which are in his possession or under his control to the Board pending further order in
3 this matter.

4 9. It is agreed that a facsimile or electronic copies of signatures to this Stipulation shall
5 be binding as originals, and that this Stipulation may be signed in counterpart.

6 Dated: January 21, 2021


Respectfully submitted,

7 XAVIER BECERRA
8 Attorney General of California
9 JUDITH T. ALVARADO
10 Supervising Deputy Attorney General

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12 REBECCA L. SMITH
13 Deputy Attorney General
14 Attorneys for Petitioner

15 I have carefully read the above Stipulation regarding Interim Order of Suspension:
16 Pursuant to the terms of the Stipulation, I voluntarily, knowingly, and intelligently agree to the
17 entry of an Interim Order of Suspension under Government Code section 11529. I understand the
18 effect this Stipulation will have on my Physician and Surgeon's Certificate.

19 Dated: January 21, 2021

20 
21 CHRISTOPHER CHIN, ATTORNEY-IN-FACT for
22 HERBERT SIM-ON CHIN, M.D.

23 **ORDER**

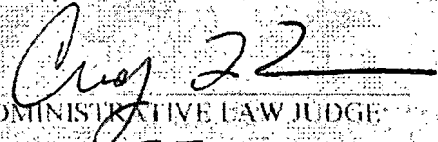
24 Pursuant to the foregoing Stipulation, and good cause appearing, it is hereby ordered that
25 Physician & Surgeon's Certificate A 65244 issued to Herbert Sim-On Chin, M.D. is immediately
26 SUSPENDED. Respondent Herbert Sim-On Chin, M.D. shall be and hereby is immediately
27 restrained and prohibited from practicing or attempting to practice as a physician and surgeon in
28 California pending a final decision and order by the Medical Board of California. Respondent
shall be and hereby is immediately restrained and prohibited from practicing or attempting to

1 practice as a physician and surgeon in California; advertising, by any means, or holding himself
2 out as practicing or available to practice medicine or to supervise physician assistants or advanced
3 practice nurses; ~~being present in any location or office which is maintained for the practice of~~ *OFF*
4 ~~medicine, or at which medicine is practiced, for any purpose except as a patient or as a visitor of~~ *OFF*
5 ~~family or friends;~~ *OFF* possessing, ordering, purchasing, receiving, prescribing, dispensing, furnishing,
6 administering or otherwise distributing any controlled substance or any dangerous drug in
7 California, as defined by federal or state law, except legally permitted drugs prescribed to
8 Respondent by his treating physician and surgeon; possessing or holding his California
9 physician's and surgeon's wall and wallet certificates, possessing any and all prescription blanks.

10 **IT IS FURTHER ORDERED THAT** Respondent shall immediately deliver to the Board,
11 or its agent, for safekeeping pending a final administrative order of the Board in this matter, all
12 indicia of his licensure as a physician, as contemplated by Business and Professions Code Section
13 119, including but not limited to his wall certificate and wallet card issued by the Board, as well
14 as all prescription forms, all prescription drugs not legally prescribed to Respondent by his
15 treating physician and surgeon, all Drug Enforcement Administration Drug Order forms, and all
16 Drug Enforcement Administration permits.

17 This Order shall be deemed served upon Respondent upon service by (1) e-mail to
18 cforcehin@aol.com and cschin7@gmail.com or (2) via overnight delivery to 9209 South Colima
19 Road, Suite 3600, Whittier, CA 90605. The Order shall also be served by regular mail upon
20 Respondent at his address of record with the Medical Board.

21 **IT IS SO ORDERED** this 22nd day of January 2021.

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23 
24 ADMINISTRATIVE LAW JUDGE
25 *Cindy F. Forman*
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