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

13 In the Matter of the Accusation and Petition to
Revoke Probation Against:

Case No. 800-2024-111529

14 **ENRICO URO BALCOS, M.D.**

**ACCUSATION AND PETITION TO
REVOKE PROBATION**

15 4619 Rosemead Blvd.
16 Rosemead, CA 91770-1478

17 **Physician's and Surgeon's Certificate**
18 **No. A 63363,**

Respondent.

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21 **PARTIES**

22 1. Reji Varghese (Complainant) brings this Accusation and Petition to Revoke Probation
23 solely in male official capacity as the Executive Director of the Medical Board of California,
24 Department of Consumer Affairs (Board).

25 2. On or about August 29, 1997, the Medical Board issued Physician's and Surgeon's
26 Certificate No. A 63363 to Enrico Uro Balcos, M.D. (Respondent). The Physician's and
27 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
28 herein and will expire on December 31, 2024, unless renewed.

JURISDICTION

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2 3. This Accusation and Petition to Revoke Probation is brought before the Board, under
3 the authority of the following laws, and the Decision and Order in the prior disciplinary matter
4 entitled, *In the Matter of the Accusation Against* Enrico Uro Balcos, *M.D.*, Case No. 800-2020-
5 073481. All section references are to the Business and Professions Code unless otherwise
6 indicated.

7 4. In the prior disciplinary action entitled *In the Matter of the Accusation Against* Enrico
8 Uro Balcos, *M.D.*, before the Medical Board of California, in Case No. 800-2020-073481, an
9 Accusation was filed against Respondent on December 23, 2022, which alleged causes of gross
10 negligence, repeated negligent acts, and failure to maintain adequate and accurate records.
11 Respondent entered into a Stipulated Settlement and Disciplinary Order which was adopted by
12 the Board on July 20, 2023, with an effective date of August 18, 2023. The Board’s Decision in
13 Case No. 800-2020-073481 resulted in Respondent being placed on probation for four years from
14 the effective date on August 18, 2023, under various terms and conditions. That Decision is now
15 final and is incorporated by reference as if fully set forth herein.

16 5. Section 2227 of the Code provides that a licensee who is found guilty under the
17 Medical Practice Act may have his or her license revoked, suspended for a period not to exceed
18 one year, placed on probation and required to pay the costs of probation monitoring, or such other
19 action taken in relation to discipline as the Board deems proper.

20 6. Section 2234 of the Code states, in pertinent part:

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

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

26 “ . . . ”

27 7. Unprofessional conduct under section 2234 of the Code is conduct which breaches
28 the rules or ethical code of the medical profession, or conduct which is unbecoming of a member

1 in good standing of the medical profession, which demonstrates an unfitness to practice medicine.
2 (*Shea v. Board of Medical Examiner* (1978) 81 Cal.App.3d 564, 575).

3 **COST RECOVERY**

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

10 **CAUSE FOR DISCIPLINE**

11 **(Unprofessional Conduct)**

12 9. Respondent has subjected his Physician's and Surgeon's certificate No. A 63363 to
13 disciplinary action under sections 2227 and 2234, as defined by section 2234, of the Code, in that
14 he has engaged in conduct which breaches the rules or ethical code of the medical profession, or
15 conduct which is unbecoming of a member in good standing of the medical profession, and which
16 demonstrates an unfitness to practice medicine, by failing to comply with the terms of his
17 probation, as more particularly alleged hereinafter:

18 A. At all times after the effective date of the Medical Board's Decision and Order in
19 Case No. 800-2020-073481, Probation Condition 5 stated:

20 **"CLINICAL COMPETENCE ASSESSMENT PROGRAM.** Within 60 calendar days of
21 the effective date of this Decision, Respondent shall enroll in a clinical competence assessment
22 program approved in advance by the Board or its designee. Respondent shall successfully
23 complete the program not later than six (6) months after Respondent's initial enrollment unless
24 the Board or its designee agrees in writing to an extension of that time.

25 The program shall consist of a comprehensive assessment of Respondent's physical and
26 mental health and the six general domains of clinical competence as defined by the Accreditation
27 Council on Graduate Medical Education and American Board of Medical Specialties pertaining to
28 Respondent's current or intended area of practice. The program shall take into account data

1 obtained from the pre-assessment, self-report forms and interview, and the Decision(s),
2 Accusation(s), and any other information that the Board or its designee deems relevant. The
3 program shall require Respondent's on-site participation for a minimum of three (3) and no more
4 than five (5) days as determined by the program for the assessment and clinical education
5 evaluation. Respondent shall pay all expenses associated with the clinical competence
6 assessment program.

7 At the end of the evaluation, the program will submit a report to the Board or its designee
8 which unequivocally states whether the Respondent has demonstrated the ability to practice
9 safely and independently. Based on Respondent's performance on the clinical competence
10 assessment, the program will advise the Board or its designee of its recommendation(s) for the
11 scope and length of any additional educational or clinical training, evaluation or treatment for any
12 medical condition or psychological condition, or anything else affecting Respondent's practice of
13 medicine. Respondent shall comply with the program's recommendations.

14 Determination as to whether Respondent successfully completed the clinical competence
15 assessment program is solely within the program's jurisdiction.

16 If Respondent fails to enroll, participate in, or successfully complete the clinical
17 competence assessment program within the designated time period, Respondent shall receive a
18 notification from the Board or its designee to cease the practice of medicine within three (3)
19 calendar days after being so notified. Respondent shall not resume the practice of medicine until
20 enrollment or participation in the outstanding portions of the clinical competence assessment
21 program have been completed. If Respondent did not successfully complete the clinical
22 competence assessment program, Respondent shall not resume the practice of medicine until a
23 final decision has been rendered on the accusation and/or a petition to revoke probation. The
24 cessation of practice shall not apply to the reduction of the probationary time period."

25 B. Respondent engaged in conduct which breaches the rules or ethical code of the
26 medical profession, or conduct which is unbecoming of a member in good standing of the
27 medical profession, and which demonstrates an unfitness to practice medicine when he failed to
28 comply with Probation Condition No. 5, as follows:

1 C. On or about September 9, 2024, Respondent's performance on the Clinical
2 Competence Assessment Program was determined to not meet the minimum standards necessary
3 to provide safe patient care and was consistent with a Fail – Category 4. Respondent
4 demonstrated inadequate knowledge regarding patient care and treatment recommendations for
5 several common psychiatric concerns, including instances of omission that could have resulted in
6 patient harm.

7 D. At all times after the effective date of the Medical Board's Decision and Order in
8 Case No. 800-2020-073481, Probation Condition 15 stated:

9 “VIOLATION OF PROBATION. Failure to fully comply with any term or condition of
10 probation is a violation of probation. If Respondent violates probation in any respect, the Board,
11 after giving Respondent notice and the opportunity to be heard, may revoke probation and carry
12 out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke Probation, or an
13 Interim Suspension Order is filed against Respondent during probation, the Board shall have
14 continuing jurisdiction until the matter is final, and the period of probation shall be extended until
15 the matter is final.”

16 E. Respondent engaged in conduct which breaches the rules or ethical code of the
17 medical profession, or conduct which is unbecoming of a member in good standing of the
18 medical profession, and which demonstrates an unfitness to practice medicine when he failed to
19 comply with Probation Condition No. 15, as follows:

20 F. On or about September 9, 2024, Respondent's performance on the Clinical
21 Competence Assessment Program was determined to not meet the minimum standards necessary
22 to provide safe patient care and was consistent with a Fail – Category 4.

23 G. Respondent failed to fully comply with all terms and conditions of probation.

24 **FIRST CAUSE TO REVOKE PROBATION**

25 **(Clinical Competence Assessment Program)**

26 10. Respondent's probation is subject to revocation because he failed to comply with
27 Probation Condition No. 5, as required by the Board's Decision and Order, effective as August
28 18, 2023, as more particularly alleged in paragraph 9, above, which is hereby incorporated by

1 reference and realleged as if fully set forth herein, in that on or about September 9, 2024,
2 Respondent's performance on the Clinical Competence Assessment Program was determined to
3 not meet the minimum standards necessary to provide safe patient care and was consistent with a
4 Fail – Category 4.

5 **SECOND CAUSE TO REVOKE PROBATION**

6 **(Violation of Probation)**

7 11. Respondent's probation is subject to revocation because he failed to comply with
8 Probation Condition No. 15, as required by the Board's Decision and Order, effective as of
9 August 18, 2023, as more particularly alleged in paragraph 9, above, which is hereby
10 incorporated by reference and realleged as if fully set forth herein, in that on or about September
11 9, 2024, Respondent's performance on the Clinical Competence Assessment Program was
12 determined to not meet the minimum standards necessary to provide safe patient care and was
13 consistent with a Fail – Category 4.

14 **PRAYER**

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

- 17 1. Revoking or suspending Physician's and Surgeon's Certificate No. A 63363, issued
18 to Respondent Enrico Uro Balcos, M.D.;
- 19 2. Revoking, suspending or denying approval of Respondent Enrico Uro Balcos, M.D.'s
20 authority to supervise physician assistants and advanced practice nurses;
- 21 3. Ordering Respondent Enrico Uro Balcos, M.D., to pay the Board the costs of the
22 investigation and enforcement of this case, and if placed on probation, the costs of probation
23 monitoring; and

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

DATED: 10/31/2024

JENNA JONES FOR
REJI VARGHESE
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

SD2024604570
Accusation and Petition to Revoke Probation