

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

**In the Matter of the First Amended  
Accusation Against:**

**Lucien O. Cox, M.D.**

**Physician's and Surgeon's  
Certificate No. A 34370**

**Respondent.**

**Case No. 800-2021-081602**

**DECISION**

**The attached Stipulated Surrender of License and 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 NOV 05 2024.**

**IT IS SO ORDERED OCT 29 2024.**

**MEDICAL BOARD OF CALIFORNIA**

JENNA JONES FOR  
**Reji Varghese**  
**Executive Director**

1 ROB BONTA  
Attorney General of California  
2 JUDITH T. ALVARADO  
Supervising Deputy Attorney General  
3 VLADIMIR SHALKEVICH  
Deputy Attorney General  
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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 First Amended Accusation  
12 Against:

13 **LUCIEN O. COX, M.D.**  
14 **1127 Wilshire Blvd., #700**  
**Los Angeles, CA 90017-3939**

15 **Physician's and Surgeon's Certificate No. A**  
16 **34370**

16 Respondent.

Case No. 800-2021-081602

OAH No. 2024040039

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

18 Whereas a First Amended Accusation is pending against Lucien O. Cox, M.D,  
19 (Respondent), he decided to retire from the practice of medicine following a 35 year career in  
20 medicine. In the interest of a prompt and speedy settlement of this matter, consistent with the  
21 public interest and the responsibility of the Medical Board of California of the Department of  
22 Consumer Affairs, the parties hereby agree to the following Stipulated Surrender of License shall  
23 be the final disposition of the First Amended Accusation.

24 **PARTIES**

25 1. Reji Varghese (Complainant) is the Executive Director of the Medical Board of  
26 California (Board). He brought this action solely in his official capacity and is represented in this  
27 matter by Rob Bonta, Attorney General of the State of California, by Vladimir Shalkevich,  
28 Deputy Attorney General.

2. Lucien O. Cox, M.D. (Respondent) is represented in this proceeding by attorney Peter R. Osinoff, Esq., whose address is 355 South Grand Avenue, Suite 1750, Los Angeles, CA 90071.

3. On or about September 4, 1979, the Board issued Physician's and Surgeon's Certificate No. A 34370 to Respondent. That license was in full force and effect at all times relevant to the charges brought in First Amended Accusation No. 800-2021-081602 and will expire on August 31, 2025, unless renewed.

## JURISDICTION

4. First Amended Accusation No. 800-2021-081602 was filed before the Board and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent. Respondent timely filed his Notice of Defense contesting the Accusation. The Accusation was amended and properly served on Respondent. A copy of First Amended Accusation No. 800-2021-081602 is attached as Exhibit A and incorporated by reference.

## ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in First Amended Accusation No. 800-2021-081602. Respondent also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Order.

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

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

1 **CULPABILITY**

2 8. Respondent understands that the charges and allegations in First Amended  
3 Accusation No. 800-2021-081602, if proven at a hearing, constitute cause for imposing discipline  
4 upon his Physician's and Surgeon's Certificate.

5 9. For the purpose of resolving the First Amended Accusation without the expense and  
6 uncertainty of further proceedings, and because he wishes to retire from the practice of medicine,  
7 Respondent agrees that, at a hearing, Complainant could establish a prima facie case for the  
8 charges in the First Amended Accusation and that those charges constitute cause for discipline.  
9 Respondent hereby gives up his right to contest that cause for discipline exists based on those  
10 charges.

11 10. Respondent understands that by signing this stipulation he enables the Board to issue  
12 an order accepting the surrender of his Physician's and Surgeon's Certificate without further  
13 process.

14 **RESERVATION**

15 11. The admissions made by Respondent herein are only for the purposes of this  
16 proceeding, or any other proceedings in which the Medical Board of California or other  
17 professional licensing agency is involved, and shall not be admissible in any other criminal or  
18 civil proceeding.

19 **CONTINGENCY**

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

23 13. Respondent understands that, by signing this stipulation, he enables the Executive  
24 Director of the Board to issue an order, on behalf of the Board, accepting the surrender of his  
25 Physician's and Surgeon's Certificate No. A 34370 without further notice to, or opportunity to be  
26 heard by, Respondent.

27 14. This Stipulated Surrender of License and Disciplinary Order shall be subject to the  
28 approval of the Executive Director on behalf of the Board. The parties agree that this Stipulated

1 Surrender of License and Disciplinary Order shall be submitted to the Executive Director for his  
2 consideration in the above-entitled matter and, further, that the Executive Director shall have a  
3 reasonable period of time in which to consider and act on this Stipulated Surrender of License and  
4 Disciplinary Order after receiving it. By signing this stipulation, Respondent fully understands  
5 and agrees that he may not withdraw his agreement or seek to rescind this stipulation prior to the  
6 time the Executive Director, on behalf of the Medical Board, considers and acts upon it.

7 15. The parties agree that this Stipulated Surrender of License and Disciplinary Order  
8 shall be null and void and not binding upon the parties unless approved and adopted by the  
9 Executive Director on behalf of the Board, except for this paragraph, which shall remain in full  
10 force and effect. Respondent fully understands and agrees that in deciding whether or not to  
11 approve and adopt this Stipulated Surrender of License and Disciplinary Order, the Executive  
12 Director and/or the Board may receive oral and written communications from its staff and/or the  
13 Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the  
14 Executive Director, the Board, any member thereof, and/or any other person from future  
15 participation in this or any other matter affecting or involving respondent. In the event that the  
16 Executive Director on behalf of the Board does not, in his discretion, approve and adopt this  
17 Stipulated Surrender of License and Disciplinary Order, with the exception of this paragraph, it  
18 shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied  
19 upon or introduced in any disciplinary action by either party hereto. Respondent further agrees  
20 that should this Stipulated Surrender of License and Disciplinary Order be rejected for any reason  
21 by the Executive Director on behalf of the Board, Respondent will assert no claim that the  
22 Executive Director, the Board, or any member thereof, was prejudiced by its/his/her review,  
23 discussion and/or consideration of this Stipulated Surrender of License and Disciplinary Order or  
24 of any matter or matters related hereto.

#### 25 **ADDITIONAL PROVISIONS**

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

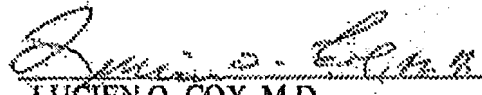


1 2021-081602 shall be deemed to be true, correct, and admitted by Respondent for the purpose of  
2 any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

3 ACCEPTANCE

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

9  
10 DATED: 10/22/24

  
LUCIEN O. COX, M.D.

Respondent

12 I have read and fully discussed with Respondent LUCIEN O. COX, M.D. the terms and  
13 conditions and other matters contained in this Stipulated Surrender of License and Order. I  
14 approve its form and content.

15  
16 DATED: 10/23/2024

  
PETER R. OSINOFF, ESQ.

Attorney for Respondent

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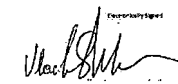
**ENDORSEMENT**

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: 10/23/2024

Respectfully submitted,

ROB BONTA  
Attorney General of California  
JUDITH T. ALVARADO  
Supervising Deputy Attorney General



VLADIMIR SHALKEVICH  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**First Amended Accusation No. 800-2021-081602**

1 ROB BONTA  
Attorney General of California  
2 JUDITH T. ALVARADO  
Supervising Deputy Attorney General  
3 VLADIMIR SHALKEVICH  
Deputy Attorney General  
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*Attorneys for Complainant*  
7

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12 In the Matter of the First Amended Accusation  
Against:

Case No. 800-2021-081602

OAH No. 2024040039

13 **LUCIEN O. COX, M.D.**  
14 **1127 Wilshire Boulevard, #700**  
**Los Angeles, California 90017-3939**

**FIRST AMENDED**  
**ACCUSATION**

15 **Physician's and Surgeon's Certificate**  
16 **No. A 34370,**

17 **Respondent.**

18  
19 **PARTIES**

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

23 2. On September 4, 1979, the Board issued Physician's and Surgeon's Certificate  
24 Number A 34370 to Lucien O. Cox, M.D. (Respondent). That license was in full force and effect  
25 at all times relevant to the charges brought herein and will expire on August 31, 2025, unless  
26 renewed.

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appropriate for that negligent diagnosis of the patient shall constitute a single negligent act.

(2) When the standard of care requires a change in the diagnosis, act, or 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 licensee's conduct departs from the applicable standard of care, each departure constitutes a separate and distinct breach of the standard of care.

(d) Incompetence.

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

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

(g) The failure by a certificate holder, in the absence of good cause, to attend and participate in an interview by the board. This subdivision shall only apply to a certificate holder who is the subject of an investigation by the board.

6. Section 2266 of the Code states:

The failure of a physician and surgeon to maintain adequate and accurate records relating to the provision of services to their patients constitutes unprofessional conduct.

#### **COST RECOVERY**

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

#### **FACTUAL ALLEGATIONS**

8. On September 15, 2021, the Board received a consumer complaint that alleged that Respondent, a gynecologist, examined Patient 2<sup>1</sup> on or about September 9, 2021, in a manner that was inappropriate and unprofessional. The Board initiated an investigation, during which the Board's investigators learned that a different patient, Patient 1, complained to the Los Angeles

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<sup>1</sup> Patients are designated by number for privacy. Respondent is aware of the patients' identity.

1 Police Department that Respondent examined her on or about October 7, 2014, in a manner which  
2 was inappropriate and unprofessional. The Board's investigation revealed the following:

3 **Patient 1**

4 9. Patient 1 was a 42-year-old woman when her primary care physician referred her to  
5 Respondent for a gynecologic evaluation, including a Pap smear, for painful and heavy menstrual  
6 periods and bleeding between her periods. A pelvic ultrasound performed in March 2014  
7 revealed fibroids. Patient 1's appointment with Respondent took place on or about October 7,  
8 2014.

9 10. Patient 1 had requested a female gynecologist and was disappointed when she arrived  
10 for her appointment to discover that Respondent was male. Nevertheless, she decided to stay for  
11 the evaluation since she had already arrived for the appointment.

12 11. Respondent's medical assistant asked Patient 1 some preliminary questions and  
13 obtained her weight and vital signs. The medical assistant instructed Patient 1 to disrobe  
14 completely and to put on a paper gown. The medical assistant then left the exam room and a  
15 short time later Respondent entered. In addition to some routine questions regarding Patient 1's  
16 medical history, Respondent inquired about Patient 1's sexual history, but Respondent did not  
17 document this conversation or Patient 1's responses in Patient 1's medical chart.

18 12. The assistant returned to the examination room and Respondent began to perform the  
19 pelvic exam, however he was unable to feel Patient 1's uterus because her bladder was full.  
20 Patient 1 alleges that Respondent then attempted to examine Patient 1's uterus rectally without  
21 first warning her. Patient 1 objected to the rectal exam and alleges that she pushed Respondent  
22 away from her. Patient 1 further alleges that Respondent told her to empty her bladder and he left  
23 the examination room. Patient 1 went to the restroom, where she called her sister for a ride,  
24 refused any further examinations, and left the office.

25 13. On the day after the appointment with Respondent, on or about October 8, 2014,  
26 Patient 1 made a complaint against Respondent to the Los Angeles Police Department. The  
27 investigation was completed and no criminal charges were brought against Respondent.

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**Patient 2**

14. Patient 2 was a 63-year-old woman when she had an appointment with Respondent on or about September 9, 2021, for a routine gynecologic exam with a Pap smear. Respondent's medical assistant escorted Patient 2 to an exam room where she asked Patient 2 preliminary questions including asking about her history of pregnancy terminations. Patient 2 reported a history of one elective abortion in 1987. The medical assistant then instructed Patient 2 to disrobe from the waist down, provided her with a paper drape, and left the room.

15. Patient 2 disrobed and draped the bottom half of her body with a sheet. Respondent entered the room soon afterward. Respondent questioned Patient 2 regarding the details of her prior pregnancy termination, and thereafter he asked Patient 2 if she had "Jesus in her life". When Patient 2 replied that she was not religious, she alleges that Respondent followed up with asking if she wanted to "go to heaven and avoid the devil." She further alleges that Respondent stated that "the devil is ruling the world" and that "I was like you when I was young and that I will teach you about Christianity". Patient 2 alleges that Respondent continued this line of conversation for approximately 15 minutes, during which he encouraged Patient 2 to attend his Bible study class, offering counseling for women who suffer from guilt following an abortion. Patient 2 alleges that she repeatedly told Respondent that she was not religious. Patient 2 felt that the conversation about religion was due to her history of having an elective abortion. Respondent's conversation with Patient 2 regarding religion, the medical necessity for the conversation on the topic of religion, and the medical outcome of this conversation was never documented in Patient 2's chart by Respondent.

16. Respondent eventually called his medical assistant back to the examination room and proceeded with the Pap smear and pelvic exam. Respondent did not perform a breast exam even though the patient was 63-years-old and had not had a mammogram for 10 years. Patient 2's Pap smear examination was no different than what she had experienced during prior exams.

17. However, according to Patient 2, the bimanual exam was extremely uncomfortable, much more than usual, and she alleges that Respondent did not warn her prior to beginning the exam.

1 18. Patient 2 would not allow Respondent to complete his bimanual exam, and abruptly  
2 left Respondent's office before laboratory studies could be completed. She did not respond to  
3 subsequent calls from Respondent or his office to return to have the lab work done.

4 **FIRST CAUSE FOR DISCIPLINE**

5 **(Unprofessional Conduct)**

6 19. Respondent Lucien O. Cox, M.D. is subject to disciplinary action under section 2234  
7 of the Code in that he committed unprofessional conduct in his care and treatment of two patients.  
8 The circumstances are as follows:

9 20. Allegations of paragraphs 8 through 18 are incorporated herein by reference.

10 **SECOND CAUSE FOR DISCIPLINE**

11 **(Gross Negligence)**

12 21. Respondent Lucien O. Cox, M.D. is subject to disciplinary action under section 2234,  
13 subdivision (b) in that Respondent was grossly negligent in his care and treatment of two patients.  
14 The circumstances are as follows:

15 22. The allegations of the First Cause for Discipline are incorporated herein by reference.

16 23. Respondent committed extreme departures from the standard of care as follows:

17 A) Respondent's religious counseling of Patient 2 after he realized that Patient 2  
18 had an elective abortion was an extreme departure from the standard of care.

19 B) Respondent's failure to perform an appropriate breast cancer screening on  
20 Patient 2 was an extreme departure from the standard of care.

21 C) Respondent's alleged failure to warn Patient 2 prior to performing a bimanual  
22 exam was an extreme departure from the standard of care.

23 D) Respondent's alleged attempt to examine Patient 1's uterus through her rectum  
24 without warning her first was an extreme departure from the standard of care.

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1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Repeated Negligent Acts)**

3 24. Respondent Lucien O. Cox, M.D. is subject to disciplinary action under section 2234,  
4 subdivision (c) of the Code in that he committed repeated negligent acts in the care and treatment  
5 of two patients. The circumstances are as follows:

6 25. The allegations of the First and Second Causes for Discipline are incorporated herein  
7 by reference.

8 **FOURTH CAUSE FOR DISCIPLINE**

9 **(Inadequate or Inaccurate Record Keeping)**

10 26. Respondent Lucien O. Cox, M.D. is subject to disciplinary action under section 2266  
11 of the Code in that Respondent kept inadequate or inaccurate records of his care and treatment of  
12 two patients. The circumstances are as follows:

13 27. The allegations of First, Second, and Third causes for discipline are incorporated  
14 herein by reference.

15 **PRAYER**

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

18 1. Revoking or suspending Physician's and Surgeon's Certificate Number A 34370,  
19 issued to Respondent, Lucien O. Cox, M.D.;

20 2. Revoking, suspending or denying approval of Respondent Lucien O. Cox, M.D.'s  
21 authority to supervise physician assistants and advanced practice nurses;

22 3. Ordering Respondent Lucien O. Cox, M.D. to pay the Board the costs of the  
23 investigation and enforcement of this case, and if placed on probation, the costs of probation  
24 monitoring; and

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

DATED: OCT 24 2024

Jenna Jones for

REJI VARGHESE  
Executive Director  
Medical Board of California  
Department of Consumer Affairs  
State of California

*Complainant*

LA2023601969  
Cox - First Amended Accusation