

1 KAMALA D. HARRIS  
Attorney General of California  
2 E. A. JONES III  
Supervising Deputy Attorney General  
3 JUDITH T. ALVARADO  
Deputy Attorney General  
4 State Bar No. 155307  
California Department of Justice  
5 300 South Spring Street, Suite 1702  
Los Angeles, California 90013  
6 Telephone: (213) 576-7149  
Facsimile: (213) 897-9395  
7 *Attorneys for Complainant*

FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO May 29 2013  
BY Christina Hayden ANALYST

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:

Case No. 11-2012-227398

12 RAUL GALINDO IXTLAHUAC, M.D.

13 664 E. Workman Street  
14 Covina, CA 91723

**A C C U S A T I O N**

15 Physician's and Surgeon's Certificate  
16 No. G 64373,

17 Respondent.

18  
19 Complainant alleges:

20 **PARTIES**

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

23 2. On or about October 17, 1988, the Medical Board of California (Board) issued  
24 Physician's and Surgeon's Certificate number G 64373 to Respondent, Raul Galindo Ixtlahuac,  
25 M.D. That certificate was in full force and effect at all times relevant to the charges brought  
26 herein and will expire on August 31, 2014, unless renewed.

27 **JURISDICTION**

28 3. This Accusation is brought before the Board under the authority of the following

1 laws. All section references are to the Business and Professions Code unless otherwise indicated.

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

6 5. Section 2232 of the Code states:

7 "(a) Except as provided in subdivisions (b), (c) , and (d), the board shall promptly revoke  
8 the license of any person who, at any time after January 1, 1947, has been required to register as a  
9 sex offender pursuant to the provisions of Section 290 of the Penal Code.

10 "(b) This section shall not apply to a person who is required to register as a sex offender  
11 pursuant to Section 290 of the Penal Code solely because of a misdemeanor conviction under  
12 Section 314 of the Penal Code.

13 "(c)(1) Five years after the effective date of the revocation and three years after successful  
14 discharge from parole, probation, or both parole and probation if under simultaneous supervision,  
15 an individual who after January 1, 1947, and prior to January 1, 2005, was subject to subdivision  
16 (a), may petition the superior court, in the county in which the individual has resided for, at  
17 minimum, five years prior to filing the petition, to hold a hearing within one year of the date of  
18 the petition, in order for the court to determine whether the individual no longer poses a possible  
19 risk to patients. The individual shall provide notice of the petition to the Attorney General and to  
20 the board at the time of its filing. The Attorney General and the board may present written and  
21 oral argument to the court on the merits of the petition.

22 "(2) If the court finds that the individual no longer poses a possible risk to patients, and  
23 there are no other underlying reasons for which the board pursued disciplinary action, the court  
24 shall order, in writing, the board to reinstate the individual's license within 180 days of the date of  
25 the order. The board may issue a probationary license to a person subject to this paragraph  
26 subject to terms and conditions, including, but not limited to, any of the conditions of probation  
27 specified in Section 2221.

28 "(3) If the court finds that the individual continues to pose a possible risk to patients, the

1 court shall deny relief. The court's decision shall be binding on the individual and the board, and  
2 the individual shall be prohibited from filing a subsequent petition under this section based on the  
3 same conviction.

4 "(d) This section shall not apply to a person who has been relieved under Section 290.5 of  
5 the Penal Code of his or her duty to register as a sex offender, or whose duty to register has  
6 otherwise been formally terminated under California law."

7 6. Section 2236 of the Code states:

8 (a) The conviction of any offense substantially related to the qualifications, functions, or  
9 duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this  
10 chapter [Chapter 5, the Medical Practice Act]. The record of conviction shall be conclusive  
11 evidence only of the fact that the conviction occurred.

12 (b) The district attorney, city attorney, or other prosecuting agency shall notify the Division  
13 of Medical Quality<sup>[1]</sup> of the pendency of an action against a licensee charging a felony or  
14 misdemeanor immediately upon obtaining information that the defendant is a licensee. The  
15 notice shall identify the licensee and describe the crimes charged and the facts alleged. The  
16 prosecuting agency shall also notify the clerk of the court in which the action is pending that the  
17 defendant is a licensee, and the clerk shall record prominently in the file that the defendant holds  
18 a license as a physician and surgeon.

19 (c) The clerk of the court in which a licensee is convicted of a crime shall, within 48 hours  
20 after the conviction, transmit a certified copy of the record of conviction to the board. The  
21 division may inquire into the circumstances surrounding the commission of a crime in order to fix  
22 the degree of discipline or to determine if the conviction is of an offense substantially related to  
23 the qualifications, functions, or duties of a physician and surgeon.

24 (d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to  
25 be a conviction within the meaning of this section and Section 2236.1. The record of conviction  
26 shall be conclusive evidence of the fact that the conviction occurred.

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27 <sup>1</sup> Pursuant to Business and Professions Code section 2002, "Division of Medical Quality"  
28 or "Division" shall be deemed to refer to the Medical Board of California.

1 **CAUSE FOR MANDATORY REVOCATION OF LICENSE**

2 **(Registration as a Sex Offender)**

3 7. Respondent's Physician's and Surgeon's Certificate number G 64373 is subject to  
4 mandatory revocation under section 2232, subdivision (a), of the Code in that he has been  
5 required to register as a sex offender pursuant to the provisions of section 290 of the Penal Code.  
6 The circumstances are as follows:

7 8. On or about October 5, 2012, in the case of *The People of the State of California v.*  
8 *Raul Galindo Ixtlahuac*, Los Angeles County Superior Court case number KA099628,  
9 Respondent was charged with violating Penal Code section 288.5, subdivision (a), continuous  
10 sexual abuse of a child, a felony, and Penal Code section 289, subdivision (d), sexual penetration  
11 by foreign object on an unconscious individual, a felony.

12 9. On or about December 4, 2012, a Second Amended Complaint was filed against  
13 Respondent adding two additional charges of sexual penetration by foreign object on an  
14 unconscious individual (Penal Code section 289, subdivision (d)), against a second child victim.

15 10. On or about December 4, 2012, Respondent was convicted, by way of plea of nolo  
16 contendere, of the crime of continuous sexual abuse of a child, a felony (Penal Code section  
17 288.5), as to victim Nina Doe and the crime of sexual penetration by foreign object on an  
18 unconscious individual, a felony (Penal Code section 289, subdivision (d)), as to victim Tina Doe.

19 11. Respondent was sentenced on or about January 14, 2013, to serve six years in state  
20 prison for each count, to run concurrently. Respondent was ordered to pay restitution to the  
21 victims and pay additional fines and fees and to submit a biological swabs and samples pursuant  
22 to Penal Code section 296.

23 12. As part of his sentence, Respondent was ordered to register a sex offender pursuant  
24 the provisions of Penal Code section 290.

25 13. As a result of the order to register as a sex offender, Respondent's Physician's and  
26 Surgeon's Certificate number G 64373 is subject to mandatory revocation pursuant to the  
27 provisions of Business and Professions Code section 2232.

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1 **CAUSE FOR DISCIPLINE**

2 (Conviction of a Crime)

3 14. Respondent is subject to disciplinary action under section 2236 in that he was  
4 convicted of a crime substantially related to the qualifications, functions, or duties of a physician.  
5 The circumstances are as follows:

6 15. The allegations set forth in the Cause for Mandatory Revocation of License are  
7 incorporated by reference as if fully set forth herein.

8 **PRAYER**

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

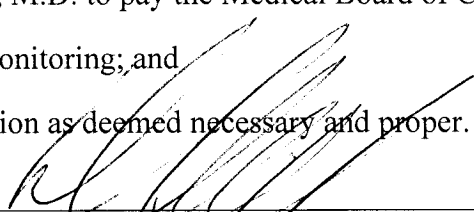
11 1. Revoking or suspending Physician's and Surgeon's Certificate Number G 64373,  
12 issued to Raul Galindo Ixtlahuac, M.D.;

13 2. Revoking, suspending or denying approval of Raul Galindo Ixtlahuac, M.D.'s  
14 authority to supervise physician assistants, pursuant to section 3527 of the Code;

15 3. Ordering Raul Galindo Ixtlahuac, M.D. to pay the Medical Board of California, if  
16 placed on probation, the costs of probation monitoring; and

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

18 DATED: May 29, 2013

19   
20 LINDA K. WHITNEY  
21 Executive Director  
22 Medical Board of California  
23 Department of Consumer Affairs  
24 State of California  
25 Complainant

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