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

12 In the Matter of the Accusation Against:

Case No. AC 2026-2094

13 **JOHN A. NICOLA**
14 **44342 Mesquite Drive**
Indian Wells, CA 92210

ACCUSATION

15 **Chiropractic License No. DC 13627**

16 Respondent.

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18 **PARTIES**

19 1. Kristin Walker (Complainant) brings this Accusation solely in her official capacity as
20 the Executive Officer of the Board of Chiropractic Examiners (Board), Department of Consumer
21 Affairs.

22 2. On or about July 3, 1980, the Board issued Chiropractic License Number DC 13627
23 to John A. Nicola (Respondent). The Chiropractic License was in full force and effect at all times
24 relevant to the charges brought herein and will expire on November 30, 2026, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following sections of the Chiropractic Act (Act).¹

4. Section 10 of the Act states, in pertinent part, that the Board may suspend or revoke a license to practice chiropractic or may place the license on probation for violations of the rules and regulations adopted by the Board or for any cause specified in the Chiropractic Initiative Act.

5. Business and Professions Code (Code) section 118, subdivision (b), provides that the suspension, expiration, surrender, or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

6. Section 1005 of the Code states:

The provisions of Sections 12.5, 23.9, 29.5, 30, 31, 35, 104, 114, 115, 119, 121, 121.5, 125, 125.6, 136, 137, 140, 141, 143, 163.5, 461, 462, 475, 480, 484, 485, 487, 489, 490, 490.5, 491, 494, 495, 496, 498, 499, 510, 511, 512, 701, 702, 703, 704, 710, 716, 730.5, 731, and 851 are applicable to persons licensed by the State Board of Chiropractic Examiners under the Chiropractic Act.

7. California Code of Regulations (CCR), title 16, section 372 states:

The suspension, expiration, or forfeiture by operation of law of a license issued by the board, or its suspension, or forfeiture by order of the board or by order of a court of law, or its surrender without the written consent of the board shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground.

STATUTORY PROVISIONS

8. Section 490 of the Code provides, in pertinent part, that a board may suspend or revoke a license on the grounds that the licensee has been convicted of a crime substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

¹ The Chiropractic Act, an initiative measure approved by the electors on November 7, 1922, while not included in the Business and Professions Code by the legislature, is set out in West's Annotated California Codes as sections 1000-1 to 1000-19, and is included in Deering's California Codes as Appendix I, for convenient reference.

(7) Conviction of a crime or act involving fiscal dishonesty, theft, fraud or deceit.

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11. CCR, title 16, section 317, in pertinent part, states:

The board shall take action against any holder of a license who is guilty of unprofessional conduct which has been brought to its attention, or whose license has been procured by fraud or misrepresentation or issued by mistake.

Unprofessional conduct includes, but is not limited to, the following:

...

(g) Conviction of a crime which is substantially related to the qualifications, functions or duties of a chiropractor;

(h) Conviction of any offense, whether felony or misdemeanor, involving moral turpitude, dishonesty, physical violence or corruption. The board may inquire into the circumstances surrounding the commission of the crime in order to fix the degree of discipline or to determine if such conviction was of an offense involving moral turpitude, dishonesty, physical violence or corruption. A plea or verdict of guilty, or a plea of nolo contendere is deemed to be a conviction within the meaning of the board's disciplinary provisions, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code. The board may order a license to be suspended or revoked, or may decline to issue a license upon the entering of a conviction or judgement in a criminal matter.

...

(k) The commission of any act involving moral turpitude, dishonesty, or corruption, whether the act is committed in the course of the individual's activities as a license holder, or otherwise;

(l) Knowingly making or signing any certificate or other document relating to the practice of chiropractic which falsely represents the existence or nonexistence of a state of facts;

...

(q) The participation in any act of fraud or misrepresentation;

....

12. CCR, title 16, section 327, states:

(a) When considering the suspension or revocation of a license under Section 490 of the Business and Professions Code on the ground that the person holding the license has been convicted of a crime, the Board shall consider whether the licensee has made a showing of rehabilitation if the licensee completed the criminal sentence at issue without a violation of parole or probation. In making this determination, the Board shall consider the following criteria:

1 (1) Nature and gravity of the crime(s).

2 (2) The length(s) of the applicable parole or probation period(s).

3 (3) The extent to which the applicable parole or probation period was
shortened or lengthened, and the reason(s) the period was modified.

4 (4) The terms or conditions of parole or probation and the extent to which
they bear on the licensee's rehabilitation.

5 (5) The extent to which the terms or conditions of parole or probation
were modified, and the reason(s) for modification.

7 (b) If the licensee has not completed the criminal sentence without a violation
of parole or probation, or the Board determines that the licensee did not make a
showing of rehabilitation based on the criteria in subdivision (a), or the suspension or
revocation is based upon a disciplinary action as described in Section 141 of the
Business and Professions Code, or the suspension or revocation is based upon one or
more of the grounds specified in Section 10(b) of the Chiropractic Initiative Act of
California, the Board shall apply the following criteria in evaluating the licensee's
rehabilitation:

11 (1) Nature and gravity of the act(s), disciplinary action(s), or crime(s);

12 (2) Total criminal record.

13 (3) The time that has elapsed since commission of the act(s), disciplinary
14 action(s), or crime(s).

15 (4) Whether the licensee has complied with any terms of parole,
16 probation, restitution or any other sanctions lawfully imposed against the
licensee.

17 (5) If applicable, evidence of dismissal proceedings pursuant to Section
18 1203.4 of the Penal Code.

19 (6) The criteria in subdivision (a)(1) through (5), as applicable.

20 (7) Evidence, if any, of rehabilitation submitted by the licensee.

21 **COST RECOVERY**

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

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1 **FACTUAL ALLEGATIONS**

2 14. On June 3, 2026, in a criminal proceeding entitled *United State of America v. John*
3 *Nicola, et al.*, United States District Court, Central District of California, case number 2:26-cr-
4 00187, Respondent was convicted on his plea of guilty to violating United State Code, title 18,
5 section 1349 (conspiracy to commit health care fraud). Sentencing is calendared for October 14,
6 2026, at 10:30 a.m.

7 15. The circumstances that led to the above-referenced conviction are as follows. From
8 approximately 2015 through 2019, Respondent worked as a chiropractor at several clinics that
9 offered chiropractic services, which were owned and operated by a co-conspirator. Respondent
10 would create, and cause to be created, fake client notes for beneficiaries, knowing that the
11 services were not actually rendered nor medically necessary. Respondent's co-conspirators would
12 then knowingly and intentionally submit, and cause to be submitted, false and fraudulent claims
13 for reimbursement for medical services to various health insurance companies.

14 **FIRST CAUSE FOR DISCIPLINE**

15 **(Unprofessional Conduct – Conviction of Substantially Related Crime)**

16 16. Respondent has subjected his chiropractic license to disciplinary action under
17 Business and Professions Code section 490 and California Code of Regulations, title 16, section
18 317, subdivision (g), in that he was convicted of a crime that is substantially related to the
19 qualifications, functions and duties of a chiropractor, as more fully set forth in the Factual
20 Allegations, which are incorporated herein by this reference.

21 **SECOND CAUSE FOR DISCIPLINE**

22 **(Unprofessional Conduct – Conviction of Offense Involving Dishonesty)**

23 17. Respondent has subjected his chiropractic license to disciplinary action under
24 California Code of Regulations, title 16, section 317, subdivision (h), in that he was convicted of
25 a crime involving dishonesty, as more fully set forth in the Factual Allegations, which are
26 incorporated herein by this reference.

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1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct – Commission of an Act Involving Dishonesty)**

3 18. Respondent has subjected his chiropractic license to disciplinary action under
4 California Code of Regulations, title 16, section 317, subdivision (k), in that he engaged in the
5 commission of an act involving dishonesty, as more fully set forth in the Factual Allegations,
6 which are incorporated herein by this reference.

7 **FOURTH CAUSE FOR DISCIPLINE**

8 **(Unprofessional Conduct – False Statements)**

9 19. Respondent has subjected his chiropractic license to disciplinary action under
10 California Code of Regulations, title 16, section 317, subdivision (l), in that he knowingly made
11 or signed any certificate or other document relating to the practice of chiropractic which falsely
12 represents the existence or nonexistence of a state of facts, as more fully set forth in the Factual
13 Allegations, which are incorporated herein by this reference.

14 **FIFTH CAUSE FOR DISCIPLINE**

15 **(Unprofessional Conduct – Participation in an Act of Fraud)**

16 20. Respondent has subjected his chiropractic license to disciplinary action under
17 California Code of Regulations, title 16, section 317, subdivision (q), in that he participated in an
18 act of fraud, as more fully set forth in the Factual Allegations, which are incorporated herein by
19 this reference.

20 **PRAYER**

21 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
22 and that following the hearing, the Board of Chiropractic Examiners issue a decision:

23 1. Revoking or suspending Chiropractic License Number DC 13627, issued to
24 Respondent John A. Nicola;

25 2. Ordering Respondent John A. Nicola to pay the Board of Chiropractic Examiners the
26 reasonable costs of the investigation and enforcement of this case, pursuant to Title 16, California
27 Code of Regulations, section 317.5 and if placed on probation, the costs of probation monitoring;
28 and,

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

DATED: 6.19.2026

Signature on File
KRISTIN WALKER
Executive Officer
Board of Chiropractic Examiners
Department of Consumer Affairs
State of California
Complainant

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