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10 **BEFORE THE**
BOARD OF CHIROPRACTIC EXAMINERS
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**
13

14 In the Matter of the Accusation Against:

Case No. AC 2025-2064

15 **JOHN ARTHUR PEART**
334 Shaw Ave., Ste. 121
16 Clovis, CA 93612

ACCUSATION

17 **Chiropractic License No. DC 16803**

18 Respondent.
19
20

21 **PARTIES**

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

25 2. On or about January 1, 1985, the Board issued Chiropractic License Number DC
26 16803 to John Arthur Peart (Respondent). The Chiropractic License was in full force and effect
27 at all times relevant to the charges brought herein, is currently inactive, and will expire on August
28 31, 2026, unless renewed.

1 **JURISDICTION**

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

4 4. Section 477 of the Business and Professions Code (Code) provides, in pertinent part:

5 . . .

6 (b) "License" includes certificate, registration or other means to engage in a
7 business or profession regulated by this code.

8 5. Section 10, subdivision (a) of the Act states:

9 The board may by rule or regulation adopt, amend or repeal rules of
10 professional conduct appropriate to the establishment and maintenance of a high
11 standard of professional service and the protection of the public. Such rules or
12 regulations shall be adopted, amended, or repealed in accordance with the provisions
13 of Chapter 4.5 (commencing with Section 11371) of Part 1 of Division 3 of Title 2 of
14 the Government Code as it now reads or as it may be hereafter amended by the
15 Legislature.

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

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

25 **STATUTORY PROVISIONS**

26 7. Code section 726 provides, in pertinent part:

27 (a) The commission of any act of sexual abuse, misconduct or relations
28 with a patient, client, or customer constitutes unprofessional conduct and
grounds for disciplinary action for any person licensed under this division or
under any initiative act referred to in this division.

...
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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.

REGULATORY PROVISIONS

8. CCR, section 316 provides, in pertinent part:

...

(b) Where a chiropractic license is used in connection with any premises, structure of facility, no sexual acts or erotic behavior involving patients, patrons, or customers, including but not necessarily limited to sexual stimulation, masturbation or prostitution, shall be permitted on said premises, structure or facility.

(c) The commission of any act of sexual abuse, sexual misconduct, or sexual relations by a licensee with a patient, client, customer or employee is unprofessional conduct and cause for disciplinary action. This conduct is substantially related to the qualifications, functions, or duties of a chiropractic license.

...

9. CCR, section 317, provides, in pertinent part:

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:

(a) Gross negligence;

...

(e) Any conduct which has endangered or is likely to endanger the health, welfare, or safety of the public;

...

(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;

...

10. CCR, section 319.1, states:

(a) A licensed doctor of chiropractic shall verbally and in writing inform each patient of the material risks of proposed care. "Material" shall be defined as a procedure inherently involving known risk of serious bodily harm. The chiropractor shall obtain the patient's written informed consent prior to initiating clinical care. The signed written consent shall become part of the patient's record.

(b) A violation of this section constitutes unprofessional conduct and may subject the licensee to disciplinary action.

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1 **COST RECOVERY**

2 11. CCR, section 317.5, subdivision (a), provides, in pertinent part:

3 In any order in resolution of a disciplinary proceeding before the Board of
4 Chiropractic Examiners, the board may request the administrative law judge to direct
5 a licensee found to have committed a violation or violations of the Chiropractic
Initiative Act to pay a sum not to exceed the reasonable costs of the investigation and
enforcement of the case.

6 **FACTUAL ALLEGATIONS**

7 12. D. H. was a chiropractic patient of Respondent for approximately 16 years. D. H.
8 received services from Respondent for her neck and back pain consisting of chiropractic
9 manipulative treatment and adjunct therapies. More recently, Respondent's treatment of D. H.
10 included nutritional supplementation to treat adrenal fatigue after Respondent integrated
11 Nutritional Response Testing (NRT) into his practice located in Clovis, California. D. H.'s
12 husband was also a patient of Respondent's since approximately 2016, including NRT treatment
13 and protocols. Sometime in 2021 or early 2022, as part of treatment, D.H.'s husband confided to
14 Respondent that he thought he might have erectile dysfunction.

15 13. Later in 2022, during Respondent's approximately weekly chiropractic sessions with
16 patient D. H., Respondent began to interact with D. H. in a sexual manner, including but not
17 limited to kissing, fondling, fondling of the genitals during massage, and sexual intercourse. This
18 sexual activity between Respondent and patient D. H. continued during the majority of D. H.'s
19 office visits through approximately May 2023, when Respondent stated to D. H. that he would no
20 longer see or treat her. Respondent made no effort to transfer D. H.'s care to another chiropractic
21 or other healthcare provider.

22 **FIRST CAUSE FOR DISCIPLINE**

23 (Sexual Acts Involving Patient – Conduct on Premises)

24 14. Respondent is subject to disciplinary action under CCR, section 316, subdivision (b),
25 for sexual acts and/or erotic behavior involving a patient, patron or customer permitted at his
26 premises/office facility connected with his chiropractor license, as set forth more specifically in
27 paragraphs 12 and 13, incorporated herein.

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1 **SECOND CAUSE FOR DISCIPLINE**

2 (Unprofessional Conduct - Sexual Abuse, Misconduct and/or Relations with Patient)

3 15. Respondent is subject to disciplinary action under Code section 726, subdivision (a)
4 and CCR, section 316, subdivision (c), in that he committed acts of sexual abuse, sexual
5 misconduct, and/or sexual relations with a patient/client/customer, as set forth more specifically
6 in paragraphs 12 through 14, incorporated herein.

7 **THIRD CAUSE FOR DISCIPLINE**

8 (Unprofessional Conduct - Gross Negligence)

9 16. Respondent is subject to disciplinary action under CCR, section 317, subdivision (a),
10 in that he committed acts of gross negligence through his sexual misconduct with, and
11 abandonment of, a patient/client/consumer, as set forth more specifically in paragraphs 12
12 through 15, incorporated herein.

13 **FOURTH CAUSE FOR DISCIPLINE**

14 (Unprofessional Conduct - Conduct Endangering Health, Safety or Welfare)

15 17. Respondent is subject to disciplinary action under CCR, section 317, subdivision (e),
16 in that his sexual misconduct with, and abandonment of, a patient/client/consumer, is conduct that
17 endangers health, safety and/or welfare, as set forth more specifically in paragraphs 12 through
18 16, incorporated herein.

19 **FIFTH CAUSE FOR DISCIPLINE**

20 (Unprofessional Conduct - Immoral, Dishonest, and/or Corrupt Acts)

21 18. Respondent is subject to disciplinary action under CCR, section 317, subdivision (k),
22 in that his sexual misconduct with, and abandonment of, a patient/client/consumer, constitutes
23 immoral, dishonest, and/or corrupt acts, as set forth more specifically in paragraphs 12 through
24 17, incorporated herein.

25 **PRAYER**

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

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1 1. Revoking or suspending Chiropractic License Number DC 16803, issued to John
2 Arthur Peart;

3 2. Ordering John Arthur Peart to pay the Board of Chiropractic Examiners the
4 reasonable costs of the investigation and enforcement of this case, pursuant to Title 16, California
5 Code of Regulations, section 317.5 and if placed on probation, the costs of probation monitoring;
6 and,

7 3. Taking such other and further action as deemed necessary and proper.
8

9 DATED: 9/17/2025

Signature on File

KRISTIN WALKER

Executive Officer

Board of Chiropractic Examiners

Department of Consumer Affairs

State of California

Complainant

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