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

11 In the Matter of the Accusation Against:	Case No. AC 2026-2074
12 SHAMUS SEAN SHERIDAN	ACCUSATION
13 26900 Newport Rd., Suite 110	
14 Menifee, CA 92584	
15 Chiropractic License No. DC 18955	
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, Department of Consumer Affairs.

21 2. On or about January 22, 1988, the Board issued Chiropractic License Number DC
22 18955 to Shamus Sean Sheridan (Respondent). The Chiropractic License was in full force and
23 effect at all times relevant to the charges brought herein and will expire on March 31, 2026,
24 unless renewed.

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1 **JURISDICTION**

2 3. This Accusation is brought before the Board of Chiropractic Examiners (Board),
3 Department of Consumer Affairs, under the authority of the following sections of the
4 Chiropractic Act (Act).¹

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

8 5. California Code of Regulations, title 16, section 355.1 states:

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

14 **REGULATORY PROVISIONS**

15 6. California Code of Regulations, title 16, section 317, states:

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

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

19 (a) Gross negligence;

20 (b) Repeated negligent acts;

21 (c) Incompetence;

22 ...

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

24 (w) Not referring a patient to a physician and surgeon or other licensed health
25 care provider who can provide the appropriate management of a patient's physical or
26 mental condition, disease or injury within his or her scope of practice, if in the course
27 of a diagnostic evaluation a chiropractor detects an abnormality that indicates that the

27 ¹ The Chiropractic Act, an initiative measure approved by the electors on November 7,
28 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.

1 patient has a physical or mental condition, disease, or injury that is not subject to
2 appropriate management by chiropractic methods and techniques. This subsection
3 shall not apply where the patient states that he or she is already under the care of such
4 other physician and surgeon or other licensed health care provider who is providing
5 the appropriate management for that physical or mental condition, disease, or injury
6 within his or her scope of practice.

7 7. California Code of Regulations, title 16, section 318, states:

8 (a) Chiropractic Patient Records. Each licensed chiropractor is required to
9 maintain all active and inactive chiropractic patient records for five years from the
10 date of the doctor's last treatment of the patient unless state or federal laws require a
11 longer period of retention. Active chiropractic records are all chiropractic records of
12 patients treated within the last 12 months. Chiropractic patient records shall be
13 classified as inactive when there has elapsed a period of more than 12 months since
14 the date of the last patient treatment.

15 All chiropractic patient records shall be available to any representative of the
16 Board upon presentation of patient's written consent or a valid legal order. Active
17 chiropractic patient records shall be immediately available to any representative of
18 the Board at the chiropractic office where the patient has been or is being treated.
19 Inactive chiropractic patient records shall be available upon ten days notice to any
20 representative of the Board. The location of said inactive records shall be reported
21 immediately upon request.

22 Active and inactive chiropractic patient records must include all of the
23 following:

- 24 (1) Patient's full name, date of birth, and social security number (if available);
- 25 (2) Patient gender, height and weight. An estimated height and weight is
26 acceptable where the physical condition of the patient prevents actual measurement;
- 27 (3) Patient history, complaint, diagnosis/analysis, and treatment must be signed
28 by the primary treating doctor. Thereafter, any treatment rendered by any other doctor
must be signed or initialed by said doctor;
- (4) Signature of patient;
- (5) Date of each and every patient visit;
- (6) All chiropractic X-rays, or evidence of the transfer of said X-rays;
- (7) Signed written informed consent as specified in Section 319.1.

COST RECOVERY

8. California Code of Regulations, title 16, section 317.5, subdivision (a), states, in
pertinent part:

In any order in resolution of a disciplinary proceeding before the Board of
Chiropractic Examiners, the board may request the administrative law judge to direct
a licentiate found to have committed a violation or violations of the Chiropractic

1 Initiative Act to pay a sum not to exceed the reasonable costs of the investigation and
2 enforcement of the case.

3 **FACTUAL ALLEGATIONS**

4 9. On August 31, 2018, JD presented at the office of Respondent for an
5 evaluation to determine fitness to participate in the Navy Junior Reserve Officers' Training Corp.
6 (NJROTC) program at Paloma Valley High school in Menifee, California. JD was a fourteen-
7 year-old male who had an extensive cardiac condition, which required surgical intervention
8 including the application of an Implantable Cardioverter Defibrillator (ICD). Two forms were
9 completed by JD and his parents consisting of 62 health screening questions prior to the
10 evaluation with Dr. Sheridan. JD's forms indicated that he was "currently under the treatment by
11 a physician," that he had high blood pressure and was on blood pressure medication, and that he
12 had right ventricle-metoprolol. The forms indicated that JD was under the care of Dr. R.

13 10. After performing a consultation and examination, which took approximately 10
14 minutes, Respondent determined JD was medically cleared for unrestricted participation in
15 strenuous activities including the mile run. Respondent failed to refer JD to a pediatric
16 cardiologist for medical clearance and failed to restrict participation in strenuous activities.

17 11. Subsequently, on October 5, 2018, JD suffered cardiac failure while participating in
18 NJROTC training and passed away.

19 **FIRST CAUSE FOR DISCIPLINE**

20 **(Gross Negligence)**

21 12. Respondent is subject to disciplinary action under Cal. Code of Regs. title 16 § 317,
22 subdivision (a) in that Respondent cleared JD for strenuous activity after it was disclosed the JD
23 had an extensive cardiac condition. Complainant incorporates paragraphs 9-11 by reference as if
24 fully set forth herein.

25 **SECOND CAUSE FOR DISCIPLINE**

26 **(Repeated Negligent Acts)**

27 13. Respondent is subject to disciplinary action under Cal. Code of Regs. title 16 § 317,
28 subdivision (b) in that Respondent committed acts constituting repeated acts of negligence.
Complainant incorporates paragraphs 9-11, by reference as if fully set forth herein.

1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Incompetence)**

3 14. Respondent is subject to disciplinary action under Cal. Code of Regs. title 16 § 317,
4 subdivision (c) in that Respondent demonstrated incompetence as stated in paragraphs 9-11,
5 which are incorporated by reference as if fully set forth herein.

6 **FOURTH CAUSE FOR DISCIPLINE**

7 **(Endangering the Public)**

8 15. Respondent is subject to disciplinary action under Cal. Code of Regs. title 16 § 317,
9 subdivision (e) in that Respondent's conduct has endangered or is likely to endanger the health,
10 welfare, or safety of the public by inadequate documentation, failure to escalate a complex case,
11 and failure to refer a high-risk patient to the appropriate doctor for clearance. Complainant
12 incorporates paragraphs 9-11 by reference as if fully set forth herein.

13 **FIFTH CAUSE FOR DISCIPLINE**

14 **(Failure to Create, Document and Retain Accurate Records)**

15 16. Respondent is subject to disciplinary action under Cal. Code of Regs. title 16 § 318,
16 subdivision (a) in that Respondent's did not create and retain accurate and complete chiropractic
17 records. Complainant incorporates paragraphs 9-11 by reference as if fully set forth herein.

18 **PRAYER**

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

21 1. Revoking or suspending Chiropractic License Number DC 18955, issued to Shamus
22 Sean Sheridan;

23 2. Ordering Shamus Sean Sheridan to pay the Board of Chiropractic Examiners the
24 reasonable costs of the investigation and enforcement of this case, pursuant to Title 16, California
25 Code of Regulations, section 317.5 and if placed on probation, the costs of probation monitoring;

26 and,

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

DATED: 3/6/2026

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

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