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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 and Petition to
13 Revoke Probation Against:

14 **HOMAN DIBAGO HAR**
15 **630 N. Pacific Coast Highway, Suite 9A**
16 **El Segundo, CA 90265**
17 **Chiropractic License No. DC 30890**

Case No. AC 2016-1068

**ACCUSATION AND PETITION TO
REVOKE PROBATION**

One Respondent.

18 **PARTIES**

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

22 2. On or about March 25, 2008, the Board issued Chiropractic License Number DC
23 30890 to Homan Dibagohar (Respondent). The Chiropractic License was in full force and effect
24 at all times relevant to the charges brought herein and will expire on October 31, 2026, unless
renewed.

25 3. In a disciplinary action titled, *In the Matter of the Accusation Against Homan*
26 *Dibagohar*, Case No. AC 2016-1068, the Board issued a Decision and Order effective September
27 24, 2017, in which Respondent's Chiropractic License was revoked.

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1 **REGULATORY PROVISIONS FOR ACCUSATION**

2 8. California Code of Regulations, title 16, section 316, subdivision (c), states:

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

7 This section shall not apply to sexual contact between a licensed chiropractor and his
8 or her spouse or person in an equivalent domestic relationship when that chiropractor
9 provides professional treatment.

10 9. California Code of Regulations, title 16, section 317, states:

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

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

15 . . .

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

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20 10. California Code of Regulations, title 16, section 318, subdivision (a), states, in
21 pertinent part:

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

29 All chiropractic patient records shall be available to any representative of the Board
30 upon presentation of patient's written consent or a valid legal order. Active
31 chiropractic patient records shall be immediately available to any representative of
32 the Board at the chiropractic office where the patient has been or is being treated.
33 Inactive chiropractic patient records shall be available upon ten days [sic] notice to
34 any representative of the Board. The location of said inactive records shall be
35 reported immediately upon request.

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1 **COST RECOVERY FOR ACCUSATION**

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

4 In any order in resolution of a disciplinary proceeding before the Board of
5 Chiropractic Examiners, the board may request the administrative law judge to direct
6 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.

7 **FACTUAL ALLEGATIONS**

8 12. On or about June 4, 2025, V.B. submitted a complaint to the Board indicating she was
9 the victim of Respondent's sexual abuse and misconduct while V.B. was employed at
10 Respondent's office in El Segundo, California.

11 13. On or about May 9, 2025, V.B. interviewed with Respondent in-person for a position
12 at his office. Respondent told V.B. he was looking for an assistant or apprentice.

13 14. On or about May 19, 2025, V.B. began employment at Respondent's office as the
14 only employee. That same day, Respondent took V.B. to a back room, took off his shirt, turned
15 off the lights, and had V.B. perform a massage on him.

16 15. V.B. had no training or experience in massage therapy. Respondent instructed V.B.
17 how she should perform the massage and commented that she was strong and naturally talented.
18 Respondent instructed V.B. to stand over him with her pelvis near his face doing a thrusting
19 motion. V.B. massaged Respondent multiple times throughout the day. V.B. perceived the
20 massages to be more sexual than therapeutic.

21 16. Later that day, Respondent asked V.B. if he could perform an adjustment on her.
22 Respondent asked V.B. to sign a patient consent form, then V.B. went into the room, Respondent
23 turned off the lights, and V.B. laid down on the table. Respondent indicated he was going to
24 loosen V.B.'s psoas muscle, but V.B. did not understand what he meant. Respondent then slid his
25 hand into V.B.'s underwear and inserted his finger into her vagina. Respondent then grabbed
26 V.B.'s upper thigh and knee and moved her leg open while pushing against her pelvis, causing
27 her pain that lasted for several days.

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1 Respondent, through his attorney, refused to provide patient records to the Board during its
2 investigation. Paragraph 19 is incorporated by reference as if fully set forth herein.

3 **FOURTH CAUSE FOR DISCIPLINE**

4 **(Unprofessional Conduct)**

5 23. Respondent is subject to disciplinary action under section 10 of the Act, in
6 conjunction with California Code of Regulations, title 16, section 317, for engaging in
7 unprofessional conduct. Paragraphs 12 through 19 are incorporated by reference as if fully set
8 forth herein.

9 **JURISDICTION FOR PETITION TO REVOKE PROBATION**

10 24. This Petition to Revoke Probation is brought before the Board under Probation Term
11 and Condition Number 12 of the Decision and Order *In the Matter of the Petition for*
12 *Reinstatement of Revoked License of Homan Dibagohar*, Case No. AC 2016-1068. That term and
13 condition states:

14 If petitioner violates probation in any respect, the Board, after giving petitioner notice
15 and the opportunity to be heard, may revoke probation and carry out the disciplinary
16 order that was stayed. If an Accusation or Petition to Revoke Probation is filed
17 against petitioner during probation, the Board shall have continuing jurisdiction until
18 the matter is final, and the period of probation shall be extended until the matter is
19 final.

18 If petitioner has not complied with any term or condition of probation, the Board shall
19 have continuing jurisdiction over petitioner, and probation shall automatically be
20 extended until all terms and conditions have been met or the Board has taken other
21 action as deemed appropriate to treat the failure to comply as a violation of probation,
22 to terminate probation, and to impose the penalty which was stayed.

21 **CAUSE TO REVOKE PROBATION**

22 **(Failure to Obey All Laws)**

23 25. At all times after the effective date of Respondent's probation, Condition 5 stated:

24 Petitioner shall obey all federal, state and local laws, and all statutes and regulations
25 governing the practice of chiropractic in California. A full and detailed account of
26 any and all arrests and or convictions for any violations of law shall be reported by
27 petitioner to the Board in writing within 72 hours of occurrence. To permit
28 monitoring of compliance with this term, petitioner shall submit completed
fingerprint cards and fingerprint fees within 45 days of the effective date of this
decision, unless previously submitted as part of the licensure application process.
Petitioner shall submit a recent 2" x 2" photograph of himself within 45 days of the
effective date of the final decision.

