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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 2098

13 **ALICIA NICOLE TSOUNIS**
1895 E. Roseville Parkway, Suite 190
Roseville, CA 95661

ACCUSATION

14 **Chiropractic License No. DC 33402**

15 Respondent.

16
17 Complainant alleges:

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 October 12, 2015, the Board issued Chiropractic License Number DC
23 33402 to Alicia Nicole Tsounis (Respondent). The Chiropractic License was in full force and
24 effect at all times relevant to the charges brought herein and will expire on November 30, 2026,
25 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 Act.

STATUTORY PROVISIONS

5. Section 15 of the Act states:

Any person who shall practice or attempt to practice chiropractic, or any person who shall buy, sell or fraudulently obtain a license to practice chiropractic, whether recorded or not, or who shall use the title "chiropractor" or "D.C." or any word or title to induce, or tending to induce belief that he or she is engaged in the practice or chiropractic, without first complying with the provisions of this act; "(or any licensee under this act who uses the word "doctor" or the prefix "Dr." without the word "chiropractor," or "D.C." immediately following his or her name) or the use of the letters "M.D." or the words "doctor of medicine," or the term "surgeon," or the term "physician," or the word "osteopath," or the letters "D.O." or any other letters, prefixes or suffixes, the use of which would indicate that he or she was practicing a profession for which he or she held no license from the State of California, or any person who shall violate any of the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars (\$100) and not more than seven hundred fifty dollars (\$750), or by imprisonment in the county jail for not more than six months, or by both fine and imprisonment.

6. Business and Professions Code (Code) section 651 states, in pertinent part:

(a) It is unlawful for any person licensed under this division or under any initiative act referred to in this division to disseminate or cause to be disseminated any form of public communication containing a false, fraudulent, misleading, or deceptive statement, claim, or image for the purpose of or likely to induce, directly or indirectly, the rendering of professional services or furnishing of products in connection with the professional practice or business for which he or she is licensed. A "public communication" as used in this section includes, but is not limited to, communication by means of mail, television, radio, motion picture, newspaper, book, list or directory of healing arts practitioners, Internet, or other electronic communication.

(b) A false, fraudulent, misleading, or deceptive statement, claim, or image includes a statement or claim that does any of the following:

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.

1 (1) Contains a misrepresentation of fact.

2 (2) Is likely to mislead or deceive because of a failure to disclose material facts.

3 ...

4 7. Code section 1054 states:

5 Notwithstanding any other provision of law, the name of a chiropractic
6 corporation and any name or names under which it may be rendering professional
7 services, shall contain the name or the last name of one or more of the present,
8 prospective, or former shareholders, and shall include the word "chiropractic" and the
9 word "corporation" or wording or abbreviations denoting corporate existence.

8 **REGULATORY PROVISIONS**

9 8. California Code of Regulations, title 16 ("Regulation"), section 372 states:

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

18 9. Regulation section 311 states:

19 Constructive educational publicity is encouraged, but the use by any licensee of
20 advertising which contains misstatements, falsehoods, misrepresentations, distorted,
21 sensational or fabulous statements, or which is intended or has a tendency to deceive
22 the public or impose upon credulous or ignorant persons, constitutes grounds for the
23 imposition of any of the following disciplinary penalties:

24 (a) Suspension of said licensee's right to practice in this State for a period not
25 exceeding one (1) year.

26 (b) Placing said licensee upon probation.

27 (c) Taking such other action, excepting the revocation of said licensee's license,
28 in relation to disciplining said licensee as the board in its discretion may deem proper.

10. Regulation section 312 states, in pertinent part:

24 Unlicensed individuals are not permitted to diagnose, analyze, or perform a
25 chiropractic adjustment. An "unlicensed individual" is defined as any person,
26 including a student or graduate of a chiropractic institution, who does not hold a valid
27 California chiropractic license. An exemption is hereby created for student doctors
28 participating in board approved preceptorship programs.

The permitted activities of unlicensed individuals are as follows:

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1 (a) Unlicensed individuals may take the history of a patient. However, this
2 activity is separate from the consultation which at all times must be conducted by the
licensed doctor.

3 (b) Unlicensed individuals may conduct standard neurological, orthopedic,
4 physical and chiropractic examinations, except they may not perform such
5 examinations which require diagnostic or analytic interpretations nor may they render
6 a conclusion either verbally or in writing regarding the patient's physical condition.
As an example, unlicensed individuals may not perform evaluations of heart or lung
soundings. Such individuals shall be at all times under the immediate and direct
supervision of a licensed Doctor of Chiropractic.

7 "Immediate and direct supervision" means the licensed Doctor of Chiropractic
8 shall be at all times on the premises where the examinations are being conducted. The
9 licensed Doctor of Chiropractic shall be responsible for the verification of the
recorded findings and will be solely responsible for rendering a conclusion based on
the findings.

10 (c) Unlicensed individuals may administer physical therapy treatments as an
11 adjunct to chiropractic adjustment, provided the physical therapy treatment is
12 conducted under the adequate supervision of a licensed Doctor of Chiropractic.
Adequate supervision shall include all of the following:

13 (1) The doctor shall be present in the same chiropractic facility with the
14 unlicensed individual at least fifty percent of any work week or portion thereof the
15 said individual is on duty unless this requirement has been waived by the board. The
16 doctor shall be readily available to the said individual at all other times for advice,
assistance and instruction.

17 . . .

18 (e) Unlicensed individuals may not administer X-rays unless they hold a valid
19 X-ray technician certificate from the Department of Health Services, or participate
under the direct supervision of a licensed Doctor of Chiropractic in a training
program approved by that department and set forth in Section 25668.1 of the
California Health and Safety Code. This prohibition, set forth in Section 30403 of
Title 17 of the California Administrative Code includes the following activities:

- 20 (1) Positioning of patient;
21 (2) Setting up of X-ray machines;
22 (3) Pushing a button. . . .

23 11. Regulation section 316, subdivision (a), states, "Every licensee is responsible for the
24 conduct of employees or other persons subject to his supervision in his place of practice, and shall
25 insure that all such conduct in his place of practice conforms to the law and to the regulations
26 herein."

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12. Regulation section 317 states, 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:

...

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

...

(f) 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;

...

(g) The participation in any act of fraud or misrepresentation. . . .

COST RECOVERY

13. Regulation section 317.5 states:

(a) 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 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.

(b) A certified copy of the actual costs, or a good faith estimate of costs where actual costs are not available, signed by the board bringing the proceeding or its designated representative shall be prima facie evidence of reasonable costs of investigation and prosecution of the case. The costs shall include the amount of investigative and enforcement costs up to the date of the hearing, including, but not limited to, charges imposed by the Attorney General.

(c) The administrative law judge shall make a proposed finding of the amount of reasonable costs of investigation and prosecution of the case when requested pursuant to subdivision (a). The board may reduce or eliminate the cost award, or remand to the administrative law judge where the proposed decision fails to make a finding on costs requested pursuant to subdivision (a).

(d) Where an order for recovery of costs is made and timely payment is not made as directed in the board's decision, the board may enforce the order for repayment in any appropriate court. This right of enforcement shall be in addition to any other rights the board may have as to any licensee to pay costs.

(e) In any action for recovery of costs, proof of the board's decision shall be conclusive proof of the validity of the order of payment and the terms for payment.

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1 (f)

2 (1) Except as provided in paragraph (2), the board shall not renew or
3 reinstate any license of any licentiate who has failed to pay all of the costs ordered
under this section.

4 (2) Notwithstanding paragraph (1), the board may, in its discretion,
5 conditionally renew or reinstate for a maximum of one year the license of any
6 licentiate who demonstrates financial hardship and who enters into a formal
agreement with the board to reimburse the board within that one-year period for the
unpaid costs.

7 (g) All costs recovered under this section shall be considered a reimbursement
8 for costs incurred and shall be deposited in the fund of the board recovering the costs.

9 (h) Nothing in this section shall preclude the board from including the recovery
10 of the costs of investigation and enforcement of a case in any stipulated settlement.

11 **FACTUAL BACKGROUND**

12 14. From on or about June through October of 2024, Respondent was the sole owner of
Roseville Spinal Decompression, a Chiropractic office located in Roseville, California.

13 15. On or about September 5, 2024, the Board received a complaint from Respondent's
14 former office assistant, B.R. The complaint alleged that in or between June and September of
15 2024, while B.R. worked as Respondent's office assistant, the following occurred: (1)
16 Respondent trained and directed B.R. to complete duties beyond the scope of her position,
17 including independently completing Department of Transportation (DOT) physical examinations
18 and determinations² and taking x-rays without B.R. having the necessary licensure or
19 certification; (2) B.R. completed most of the DOT physical examinations without Respondent
20 seeing or examining the patients herself; and (3) B.R. completed and submitted the DOT
21 examination findings and determinations directly to DOT through their online reporting software
22 using Respondent's saved login information, which automatically generated Respondent's
23 signature on the forms. The complaint included screenshots of directions provided by
24 Respondent to B.R. regarding processes for scheduling DOT Physical Examinations, as well as
25 Respondent's login usernames and passwords.

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27 ² Established as a separate administration within the DOT, the Federal Motor Carrier
28 Safety Administration (FMCSA), regulates licensure of commercial truck drivers. As part of its
licensure requirements, the FMCA requires physical examinations and determinations for all
individuals who seek to be licensed as commercial truck drivers.

1 16. In response to the complaint, the Board initiated an investigation. As part of its
2 investigation, a Board investigator reviewed the website for Respondent's clinic, Roseville Spinal
3 Decompression, which contained the following information:

4 a. On the landing page, the prominent tagline states, "Non-surgical Spinal
5 Decompression backed by clinical expertise, proven results, and medical professionals who
6 actually care."

7 b. The words "chiropractor" or "chiropractic" do not appear anywhere on the home
8 page.

9 c. On the "About" page, Respondent repeatedly uses the title "Dr. Alicia Tsounis" and
10 "Dr. Tsounis" without immediately following it with "Chiropractor" or "D.C." and states that she
11 "owns two medical clinics."

12 17. On or about October 2, 2024, a Board investigator interviewed B.R., who stated that
13 in or between June and September of 2024, Respondent directed B.R. to perform the following
14 services:

15 a. Conduct DOT/California Driver's License (CDL) physical examinations;

16 b. Determine medical clearance of examinees;

17 c. Upload results and submit determinations to the FMCSA National Registry;

18 d. Issue completed Medical Examiner's Certificates;

19 e. Administer spinal decompression (cervical and lumbar); and,

20 f. Take x-rays (including positioning patients, setting exposure factors, collimating,
21 providing breathing instructions, and activating the machine).

22 18. B.R. stated that after initial training, she was frequently left alone in Respondent's
23 clinic and expected to provide patient care without supervision, which included performing all of
24 the duties listed in paragraph 17 while Respondent was out of the country on a two-week vacation
25 ending on or about September 9, 2024.

26 19. B.R. provided the Board investigator with text messages she exchanged with
27 Respondent where:

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1 a. B.R. informed Respondent that B.R. had accidentally double-exposed a patient during
2 an x-ray; and,

3 b. Respondent replied to B.R., “Hi I’m sorry I’m in a movie.”

4 20. Regarding the DOT/CDL physical examinations that B.R. performed, B.R. stated that
5 she conducted only a minimal and superficial set of tests (height/weight, blood pressure, heart
6 rate, Snellen vision, color vision, peripheral vision, and whisper hearing test). The examination
7 findings were then routinely marked “normal” as a matter of office policy, without any
8 meaningful evaluation by Respondent. Following this process, B.R. entered the data into the
9 FMCSA online platform, clicked “submit,” and transmitted the certification under Respondent’s
10 name and certification number. This action automatically generated a Medical Examiner’s
11 Certificate that the patient then used for employment and licensing purposes as a commercial
12 truck driver.

13 21. On or about December 5, 2025, in response to the Board’s investigation, Respondent
14 provided a written statement in which she admitted:

15 a. For DOT/CDL exams, unlicensed staff members gather height and weight
16 measurements as a baseline comparison for updated height and weight that may be indicated
17 during the exam;

18 b. For DOT/CDL exams, unlicensed staff members would obtain urine samples from the
19 patients, use the dipstick strip testing, and document the dipstick readings;

20 c. Unlicensed staff members conducted blood pressure tests through an electronic
21 monitor and documented the readings;

22 d. Unlicensed staff members are trained to use a Snellen vision chart to gather visual
23 acuity for both corrected and uncorrected visual values at a 10-foot distance and document the
24 acuity values;

25 e. For DOT/CDL exams, unlicensed staff members are trained to conduct the whispered
26 hearing test, whispering a number at a distance of six feet requiring the patient to repeat back the
27 number;

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1 f. Only Respondent and another chiropractor, Dr. F., were certified by the FMCSA to
2 conduct the DOT/CDL exams;

3 g. B.R. was one of the staff members involved in completing patient x-rays, which
4 includes powering on equipment, setting exposure factors based on size of the patient and region
5 being x-rayed, positioning of the tube and bucky, positioning of the patient, and providing
6 breathing instructions for the patient;

7 h. Every staff member is trained on x-ray procedures; and

8 i. Staff members are trained on/involved with keying in x-ray orders in the software
9 program (date, patient name, DOB, and type of x-rays that will be conducted).

10 **FIRST CAUSE FOR DISCIPLINE**

11 **(Illegal Practice)**

12 22. Respondent is subject to disciplinary action under section 10 of the Act, by and
13 through Regulation section 312, in that Respondent engaged in the illegal practice of chiropractic
14 as set forth in paragraphs 14 through 21, and as follows:

15 **Subdivision (a)**

16 a. Respondent failed to conduct the actual consultation for patients seen by B.R., an
17 office assistant, in or between June and September of 2024.

18 **Subdivision (b)**

19 b. Respondent allowed an unlicensed individual, B.R., to perform standard exams
20 (neurological, orthopedic, physical, chiropractic) without immediate direct supervision, and
21 allowed B.R. to interpret findings and diagnose.

22 **Subdivision (c)(1)**

23 c. Respondent allowed an unlicensed individual, B.R., to administer physical therapy
24 treatments when Respondent was not present in the facility.

25 **Subdivisions (e)(1)-(3)**

26 d. Respondent allowed an unlicensed individual, B.R., to administer x-rays without
27 certification or training under direct supervision, including positioning patients, machine setup,
28 and operating/developing films.

1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Responsibility for Conduct on Premises)**

3 23. Respondent is subject to disciplinary action under section 10 of the Act, by and
4 through Regulation section 316, subdivision (a), in that Respondent failed to ensure all employees
5 and supervised individuals in Respondent's practice followed applicable laws and Board
6 regulations as set forth above in paragraphs 14-22, above.

7 **THIRD CAUSE FOR DISCIPLINE**

8 **(Conduct Which Has Endangered Or Is Likely To Endanger The Health, Welfare, Or
9 Safety Of the Public)**

10 24. Respondent is subject to disciplinary action under section 10 of the Act, by and
11 through Regulation section 317, subdivision (e), on the grounds of unprofessional conduct, in that
12 Respondent committed conduct which has endangered or is likely to endanger the health, welfare,
13 or safety of the public as set forth in paragraphs 14 -21, and as follows:

14 a. Respondent allowed an unqualified person, B.R., to perform and certify DOT/CDL
15 examinations, which placed the public at risk through improperly certified commercial drivers
16 operating on California roadways; and,

17 b. Respondent allowed B.R. to perform x-rays on patients without supervision, which
18 resulted in a documented x-ray double-exposure to a patient, thus creating unnecessary radiation
19 risk to the patient.

20 **FOURTH CAUSE FOR DISCIPLINE**

21 **(Knowingly Making Or Signing Any Certificate Or Other Document Relating To The
22 Practice Of Chiropractic Which Falsely Represents The Existence Or Nonexistence Of A
23 State Of Facts)**

24 25. Respondent is subject to disciplinary action under section 10 of the Act, by and
25 through Regulation section 317, subdivision (l), on the grounds of unprofessional conduct, in that
26 Respondent knowingly made or signed FMCSA certifications which falsely represented that
27 Respondent had conducted DOT/CDL exams when, in fact, Respondent's unlicensed employee,
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1 B.R., had completed the exams and electronically submitted them on Respondent's behalf as set
2 forth in paragraphs 14-21, above.

3 **FIFTH CAUSE FOR DISCIPLINE**

4 **(Participation In Any Act Of Fraud Or Misrepresentation)**

5 26. Respondent is subject to disciplinary action under section 10 of the Act, by and
6 through Regulation section 317, subdivision (q), on the grounds of unprofessional conduct, in that
7 Respondent participated in acts of fraud or misrepresentation when she allowed an unlicensed
8 employee, B.R., to conduct DOT/CDL exams, without supervision, and electronically submit the
9 exam results on Respondent's behalf as set forth in paragraphs 14-21, above.

10 **SIXTH CAUSE FOR DISCIPLINE**

11 **(Misleading Advertising)**

12 27. Respondent is subject to disciplinary action under section 10 of the Act, by and
13 through Regulation section 311, in that the statements on the website for Respondent's clinic,
14 Roseville Spinal Decompression, created a strong likelihood that prospective patients will believe
15 Respondent's clinic is staffed by medical physicians (MDs) or provides medical physician-level
16 care when, in fact, no medical physicians are on staff, and all professional services are provided
17 solely by Respondent, a licensed Doctor of Chiropractic. The website's use of the terms "medical
18 professionals" and "medical clinics" without any clarifying language that the practice is
19 chiropractic in nature constitutes a misrepresentation of fact. The facts and circumstances are set
20 forth with more particularity in paragraphs 14-21, above.

21 **SEVENTH CAUSE FOR DISCIPLINE**

22 **(Improper Use of Titles)**

23 28. Respondent is subject to disciplinary action under section 15 of the Act in that the
24 website for Respondent's clinic, Roseville Spinal Decompression, refers to "medical
25 professionals who actually care" and contains the statement on the "About" page of the website
26 that Respondent owns "two medical clinics," without any reference to "chiropractic" or
27 "chiropractor," all of which indicates that Respondent is practicing a profession (that of a medical
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1 doctor) for which she holds no license from the State of California. The facts and circumstances
2 are set forth with more particularity in paragraphs 14-21, above.

3 **EIGHTH CAUSE FOR DISCIPLINE**

4 **(Improper Corporate Name)**

5 29. Respondent is subject to disciplinary action under section 10 of the Act and Code
6 section 1054 in that Respondent's clinic, Roseville Spinal Decompression, does not contain the
7 name of the present shareholder (Respondent) and does not include the word "chiropractic" and
8 the word "corporation" or wording or abbreviations denoting corporate existence. The facts and
9 circumstances are set forth with more practicality in paragraph 16, and all of its subparts, above.

10 **NINTH CAUSE FOR DISCIPLINE**

11 **(False And Misleading Advertising)**

12 30. Respondent is subject to disciplinary action under section 10 of the Act and Code
13 section 651, subdivisions (a) and (b)(1)-(2), in that the combination of the landing page tagline of
14 the website for Respondent's clinic, Roseville Spinal Decompression, referring to "medical
15 professionals who actually care" and the statement on the "About" page of the website that
16 Respondent owns "two medical clinics," without any reference to "chiropractic" or
17 "chiropractor," constitutes a form of public communication containing false, fraudulent
18 misleading, and deceptive statements for the purpose of or likely to induce, directly or indirectly,
19 the rendering of chiropractic services. The facts and circumstances are set forth with more
20 particularity in paragraphs 14-21, above.

21 **PRAYER**

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

- 24 1. Revoking or suspending Chiropractic License Number DC 33402, issued to Alicia
25 Nicole Tsounis;
- 26 2. Ordering Alicia Nicole Tsounis to pay the Board of Chiropractic Examiners the
27 reasonable costs of investigation and enforcement of this case, pursuant to Title 16, California
28 Code of Regulations, section 317.5 and if placed on probation, the costs of probation monitoring;

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and,

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

DATED: 5.15.2026

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

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