



MEDICAL BOARD OF CALIFORNIA DISCIPLINE COORDINATION UNIT

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November 6, 2013

NOTICE TO CEASE AND DESIST

Recently, the California Medical Board received information which indicates you have engaged in unprofessional conduct in violation of California law. The information reviewed by the board indicates that you are using Daily Deal sites such as Groupon, Living Social, Amazon, and other marketing arrangements which constitutes fee splitting in violation of Business and Professions Code section 650. The Board advises that you immediately **CEASE AND DESIST** from engaging in these marketing arrangements.

California Business and Professions Code section 650 explicitly prohibits a health care practitioner from offering or delivering any commission, patronage dividend, or other consideration as compensation or inducement for referring a patient. The duties and fee structures that are commonly included in the contractual arrangements between the Internet marketers and the healthcare professionals transforms the role of the Internet companies from that of a marketer to that of a referral agency compensated based on the volume of referrals provided. Therefore, this marketing arrangement is a violation of Business and Professions Code section 650.

You are hereby warned that you must immediately **CEASE AND DESIST** from conducting any Daily Deal marketing arrangements. If the board receives information that you have engaged in unauthorized advertising practices and fee splitting after the date you receive this letter, a disciplinary action will be filed against you by the Office of the California State Attorney General.

I would strongly advise you to contact your attorney to seek advice regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to be "AA" with a long horizontal stroke extending to the right.

Nicole Acosta
MBC Investigator