

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation)
Against:)
)
)
)
JONATHAN WILMER HECHANOVA, M.D.)
)
Physician's and Surgeon's)
Certificate No. A 109886)
)
Respondent)
_____)

Case No. 800-2015-012806

DECISION

The attached Stipulated Surrender of License is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on January 13, 2017

IT IS SO ORDERED January 9, 2017 .

MEDICAL BOARD OF CALIFORNIA

By: 

Kimberly Kirchmeyer
Executive Director

1 KAMALA D. HARRIS
Attorney General of California
2 JANE ZACK SIMON
Supervising Deputy Attorney General
3 State Bar No. 116564
EMILY L. BRINKMAN
4 Deputy Attorney General
State Bar No. 219400
5 455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
6 Telephone: (415) 703-5544 (Simon)
(415) 703-5742 (Brinkman)
7 Facsimile: (415) 703-5480
Attorneys for Complainant

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

12 In the Matter of the Accusation Against:

Case No. 800-2015-012806

13 **JONATHAN WILMER HECHANOVA, M.D.**
14 5104 Sevilla Avenue NW
Albuquerque, NM 87120

**STIPULATED SURRENDER OF
LICENSE**

15
16 Physician's and Surgeon's Certificate No. A109886

17 Respondent.

18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 PARTIES

21 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
22 of California (Board.) She brought this action solely in her official capacity and is represented in
23 this matter by Kamala D. Harris, Attorney General of the State of California, by Jane Zack
24 Simon, Supervising Deputy Attorney General and Emily L. Brinkman, Deputy Attorney General.

25 2. Respondent Jonathan Wilmer Hechanova, M.D. (Respondent) is represented in this
26 proceeding by Carlo A. Spiga, Law Office of Carlo A. Spiga, 655 N. Central Avenue Suite 1700,
27 Glendale, CA 91203.

1 3. On November 4, 2009, the Medical Board of California issued Physician's and
2 Surgeon's Certificate No. A109886 to Respondent. At all relevant times, said certificate has been
3 current and valid .

4 4. Respondent has received, read, discussed with counsel and understands the
5 Accusation which is presently on file and pending in case number 16-2013-231223 (Accusation)
6 a copy of which is attached as Exhibit A. Respondent also has carefully read, discussed with
7 counsel and understands the effects of this Stipulated Surrender of License (Stipulation.)

8 5. Respondent is fully aware of his legal rights in this matter, including the right to a
9 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
10 his own expense; the right to confront and cross-examine the witnesses against him; the right to
11 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
12 the attendance of witnesses and the production of documents; the right to reconsideration and
13 court review of an adverse decision; and all other rights accorded by the California
14 Administrative Procedure Act and other applicable laws.

15 6. For the purpose of resolving the charges and allegations in the Accusation,
16 without the expense and uncertainty of further proceedings, Respondent agrees that cause exists
17 to discipline his California physician's and surgeon's certificate. Respondent lives and practices
18 in New Mexico and has no present plans to relocate to California; he wishes to surrender his
19 California license at this time.

20 7. Pursuant to section 2224(b) of the Business and Professions Code, this Stipulation
21 for Surrender of License shall be subject to the approval of the Board. Respondent understands
22 and agrees that the Medical Board's staff and counsel for Complainant may communicate directly
23 with the Board regarding this Stipulation without notice to or participation by Respondent or his
24 counsel. By signing this Stipulation, Respondent understands and agrees that he may not
25 withdraw his agreement or seek to rescind the Stipulation prior to the time the Board considers
26 and acts upon it. In the event that this Stipulation is rejected for any reason by the Board, it will
27 be of no force or effect for either party. The Board will not be disqualified from further action in
28 this matter by virtue of its consideration of this Stipulation.

1 be delivered to the Board any license and wallet certificate in my possession before the effective
2 date of the decision.

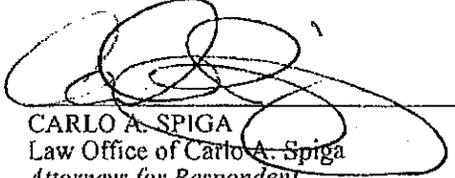
3 DATED: 12/19/2016


4 JONATHAN WILMER HECHANOVA, M.D.
5 Respondent

6 APPROVAL

7 I have read and fully discussed with Respondent Jonathan Wilmer Hechanova, M.D. the
8 terms and conditions and other matters contained in the above Stipulated Surrender of License. I
9 approve its form and content.

10 DATED: 12/19/2016


11 CARLO A. SPIGA
12 Law Office of Carlo A. Spiga
13 Attorneys for Respondent

14 ENDORSEMENT

15 The foregoing Stipulated Surrender of License is hereby respectfully submitted for
16 consideration by the Medical Board of California.

17 DATED: 12/19/16

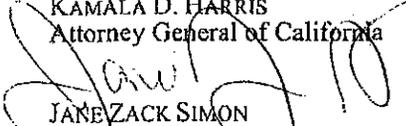
KAMALA D. HARRIS
Attorney General of California

18 JANE ZACK SIMON
19 Supervising Deputy Attorney General
20 EMILY L. BRINKMAN
21 Deputy Attorney General
22 Attorneys for Complainant

EXHIBIT A

1 KAMALA D. HARRIS
Attorney General of California
2 JANE ZACK SIMON
Supervising Deputy Attorney General
3 EMILY L. BRINKMAN
Deputy Attorney General
4 State Bar No. 219400
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-5742
6 Facsimile: (415) 703-5843
E-mail: Emily.Brinkman@doj.ca.gov
7 Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO May 24 2016
BY: [Signature] ANALYST

8 BEFORE THE
9 MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
10 STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 800-2015-012806

12 **JONATHAN WILMER HECHANOVA,**
13 **M.D.**

ACCUSATION

13 5104 Sevilla Avenue NW
14 Albuquerque, NM 87120

15 **Physician's and Surgeon's Certificate**
No. A109886,

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

20 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
21 capacity as the Executive Director of the Medical Board of California, Department of Consumer
22 Affairs (Board).

23 2. On or about November 4, 2009, the Medical Board issued Physician's and Surgeon's
24 Certificate Number A109886 to Jonathan Wilmer Hechanova, M.D. (Respondent). The
25 Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the
26 charges brought herein and will expire on June 30, 2017, unless renewed.

27 ¶

28 ¶

JURISDICTION

1
2 3. This Accusation is brought before the Board,¹ under the authority of the following
3 laws. All section references are to the Business and Professions Code unless otherwise indicated.

4 4. Section 2227 of the Code provides that a licensee who is found guilty under the
5 Medical Practice Act may have his or her license revoked, suspended for a period not to exceed
6 one year, placed on probation and required to pay the costs of probation monitoring, or such other
7 action taken in relation to discipline as the Board deems proper.

8 5. Section 2305 of the Code states:

9 "The revocation, suspension, or other discipline, restriction or limitation imposed by
10 another state upon a license or certificate to practice medicine issued by that state, or the
11 revocation, suspension, or restriction of the authority to practice medicine by any agency of the
12 federal government, that would have been grounds for discipline in California of a licensee under
13 this chapter [Chapter 5, the Medical Practice Act] shall constitute grounds for disciplinary action
14 for unprofessional conduct against the licensee in this state."

15 6. Section 141 of the Code states:

16 "(a) For any licensee holding a license issued by a board under the jurisdiction of the
17 department, a disciplinary action taken by another state, by any agency of the federal government,
18 or by another country for any act substantially related to the practice regulated by the California
19 license, may be a ground for disciplinary action by the respective state licensing board. A
20 certified copy of the record of the disciplinary action taken against the licensee by another state,
21 an agency of the federal government, or another country shall be conclusive evidence of the
22 events related therein.

23 "(b) Nothing in this section shall preclude a board from applying a specific statutory
24 provision in the licensing act administered by that board that provides for discipline based upon a
25

26
27 ¹ The term "Board" means the Medical Board of California. "Division of Medical
28 Quality" or "Division" shall also be deemed to refer to the Board (Bus. & Prof. Code section 2002).

1 disciplinary action taken against the licensee by another state, an agency of the federal
2 government, or another country."

3 **CAUSE FOR DISCIPLINE**

4 **(Discipline, Restriction, or Limitation Imposed by Another State)**

5 7. On or about March 13, 2015, Respondent and the New Mexico Medical Board (New
6 Mexico Board) entered into a Stipulation of Licensure (Stipulation). According to the Stipulation,
7 the New Mexico Board determined that Respondent was safe to practice medicine if he was under
8 the care of a monitored treatment program. As part of the Stipulation, Respondent agreed to the
9 following terms and conditions: a) abstain from the use of mind-altering substances, alcoholic
10 beverages, or controlled substances (except those legitimately prescribed by a licensed physician);
11 b) enter a treatment contract within 30 days of the Stipulation; c) appear quarterly before the New
12 Mexico Board; and d) submit quarterly reports. On or about February 17, 2016, the New Mexico
13 Board issued an Order releasing Respondent from the terms of the Stipulation and returned his
14 license to unrestricted. Copies of the New Mexico Board's Stipulation and Order are attached as
15 Exhibit A.

16 8. Respondent's conduct and the action of the New Mexico Board as set forth in
17 paragraph 7, above, and within the action New Mexico Board documents, constitute
18 unprofessional conduct within the meaning of section 2305 and conduct subject to discipline
19 within the meaning of section 141(a).

20 **PRAYER**

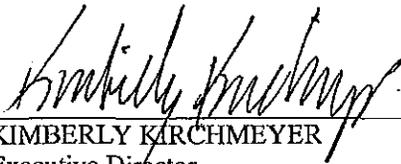
21 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
22 and that following the hearing, the Medical Board of California issue a decision:

- 23 1. Revoking or suspending Physician's and Surgeon's Certificate Number A109886,
24 issued to Jonathan Wilmer Hechanova, M.D.;
- 25 2. Revoking, suspending or denying approval of Jonathan Wilmer Hechanova, M.D.'s
26 authority to supervise physician assistants, pursuant to section 3527 of the Code;
- 27 3. Ordering Jonathan Wilmer Hechanova, M.D., if placed on probation, to pay the Board
28 the costs of probation monitoring; and

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

DATED: May 24, 2016


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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Exhibit A

New Mexico Medical Board Stipulation and Order



New Mexico Medical Board
2055 S. Pacheco Street, Bldg. 400
Santa Fe, NM 87505
505-476-7220
Fax: 505-476-7267

April 12, 2016

I, Sondra Frank, Executive Director of the New Mexico Medical Board, as a custodian of this record, certify that it is a true and exact copy of all public documents, accurately recorded, maintained and reproduced by this agency. The documents are in reference to:

Jonathan Hechanova, MD
MD2013-0303
Public Documents

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the seal of the New Mexico Medical Board to be affixed, the day and year first above written.

SEAL

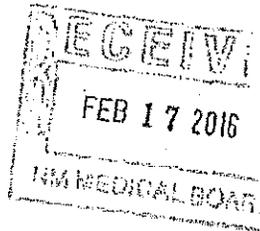
A handwritten signature in cursive script, appearing to read "S. Frank", is written over a horizontal line.

Sondra Frank, J.D.
Executive Director
Records Custodian

BEFORE THE NEW MEXICO MEDICAL BOARD,

IN THE MATTER OF)
Jonathan Hechanova, M.D.)
Medical License #MD2013-0303,)
Respondent.)

Case No. 2015-002



ORDER OF RELEASE

THIS MATTER came before the New Mexico Medical Board ("Board") upon Jonathan Hechanova, M.D.'s ("Respondent") request to be released from his Stipulation of Licensure.

WHEREAS Respondent has an active license to practice medicine in the state of New Mexico; and

WHEREAS in March 2015, Respondent entered into a Stipulation of Licensure with the Board which placed certain terms and conditions upon Respondent's license to practice medicine; and

WHEREAS in November 2015, Respondent requested to be released from the Stipulation of Licensure on January 28, 2016 when he was successfully dismissed from his New Mexico Monitored Treatment Program Contract; and

WHEREAS the Board has determined that Respondent has met all the terms and conditions set forth in the Stipulation of Licensure,

IT IS THEREFORE ORDERED that the stipulations placed on Respondent's license to practice medicine in Case No. 2015-002 are hereby removed and Respondent shall have an unrestricted license to practice medicine in New Mexico.

Dated: 2/17/16

NEW MEXICO MEDICAL BOARD

By: [Signature]
Steve Jenkusky, MD, Chair

BEFORE THE NEW MEXICO MEDICAL BOARD

IN THE MATTER OF)
Jonathan Hechanova, M.D.)
License No. MD2013-0303,) Case No. 2015-002
Respondent.)

STIPULATION OF LICENSURE

THIS Stipulation of Licensure is between Jonathan Hechanova, M.D. ("Respondent") and the New Mexico Medical Board ("Board").

Respondent is subject to the jurisdiction of the Board pursuant to the Medical Practice Act, NMSA 1978, §§ 61-6-1 through -35; the Impaired Health Care Provider Act, §§ 61-7-1 through -12; and the New Mexico Medical Board rules and regulations, Title 16, Chapter 10, NMAC.

THIS MATTER came before the Board on February 19, 2015, upon the recommendation that Respondent be monitored by the New Mexico Monitored Treatment Program ("MTP").

WHEREAS the Board has determined that Respondent is safe to practice medicine if under the care of a monitored treatment program;

WHEREAS, in order to assist Respondent in his continued rehabilitation, Respondent shall comply with the following terms and conditions:

1. Respondent shall abstain completely from the use of mind-altering substances, or alcoholic beverages, or controlled substances except as legitimately prescribed by a licensed physician;
2. Respondent shall enter into a treatment contract with, and as determined by, the MTP within thirty (30) days of signing this Stipulation of Licensure and shall comply fully with the recommendations, terms and conditions required of Respondent by the Program;

3. If the Board is notified that Respondent has violated any of the MTP contract terms, the Board shall constitute it as a violation of this Agreement;

4. Respondent hereby waives any right to confidentiality he may have with respect to information gathered by the Monitored Treatment Program with regard to the Board's access to MTP information. Respondent hereby authorizes the MTP to release any and all information to the Board;

5. Respondent shall appear before the Board on a quarterly basis or upon the Board's request;

6. Respondent shall submit quarterly reports to the Board attesting to his compliance with this stipulation. Such quarterly reports shall be on a form provided by Board staff and sent to Respondent;

7. Respondent shall, at all times, comply with all federal, state and local laws and all rules governing the practice of medicine;

8. If the Board has reasonable cause to believe that Respondent has violated any of the terms of this stipulation, the Board may immediately and summarily suspend his license to practice as a physician in New Mexico pursuant to Subsection C of 16.10.5.15 NMAC. A breach of any term of this stipulation shall constitute conduct unbecoming in a person licensed to practice medicine as set forth in NMSA 1978, § 61-6-15(D)(29). The Board shall, within 10 days of a summary suspension, issue a Notice of Contemplated Action, and Respondent will be entitled to a formal hearing on the Notice in accordance with the Uniform Licensing Act, NMSA 1978, §§ 61-1-1 through -33.

9. Respondent understands that this stipulation is made pursuant to NMSA 1978, § 61-6-15(B), and Board Rule 16.10.5.15 NMAC. Respondent further understands that entering into this

stipulation results in a waiver of his rights under the Uniform Licensing Act, Medical Practice Act, and the Impaired Health Care Provider Act, including the right to appeal and any claim she may have regarding these matters;

10. Respondent knows and understands his right to consult with an attorney and Respondent's signature below signifies that Respondent has either consulted with an attorney or Respondent waives his right to counsel.

11. Respondent understands that this stipulation will be reported to the National Practitioners Data Bank;

12. The conditions and terms set forth in this stipulation will remain in effect unless and until removed or amended by the Board.

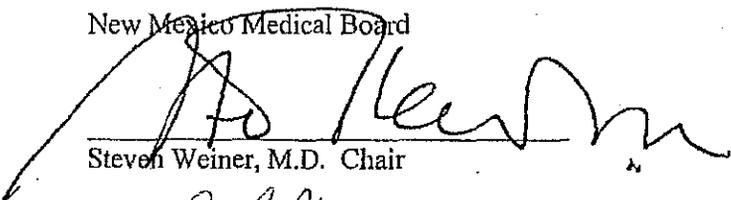
13. This stipulation incorporates any and all agreements, covenants and understandings between Parties. No prior agreement or understanding, verbal or otherwise of the Parties or their agents or assignees shall be valid or enforceable unless embodied in this Stipulation.

IT IS SO STIPULATED BY Jonathan Hechanova, M.D., Respondent, and the New Mexico Medical Board.

Dated: 03/13/15

Dated: 3/9/2015

New Mexico Medical Board



Steven Weiner, M.D. Chair



Jonathan Hechanova, M.D., Respondent