

IN THE MATTER OF BOBBAK N. MOZAFARI, D.C. RESPONDENT License Number: S03751	* * * *	BEFORE THE MARYLAND STATE BOARD OF CHIROPRACTIC EXAMINERS Case Number: 24-01C
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CONSENT ORDER

On or about October 8, 2024, the Maryland State Board of Chiropractic Examiners (the “Board”) charged **BOBBAK N. MOZAFARI, D.C.** (the “Respondent”), License Number **S03751**, with violating the Maryland Chiropractic Act (the “Act”) codified at Md. Code Ann., Health Occ. §§ 3-101 *et seq.* (2021 Repl. Vol. & 2023 Supp.) and Md. Code Regs. (“COMAR”) 10.43.13.01 *et seq.*

The Board charged the Respondent with violating the following provisions of the Act and COMAR:

Health Occ. § 3-313. Denials, reprimands, probations, suspensions, and revocations -- Grounds.

- (a) *License to practice chiropractic.* -- Subject to the hearing provisions of § 3-315 of this subtitle, the Board may deny a license to any applicant, reprimand any licensee, place any licensee on probation, with or without conditions, or suspend or revoke a license, or any combination thereof, if the applicant or licensee:
 - (8) Is unethical in the conduct of the practice of chiropractic
 - (19) Violates any rule or regulation adopted by the Board
 - (20) Behaves immorally in the practice of chiropractic
 - (21) Commits an act of unprofessional conduct in the practice chiropractic[.]

COMAR 10.43.13.03. Standards of Practice.

- C. A chiropractor and chiropractic assistant shall:
 - (2) be professional in conduct, with honesty, integrity, self-respect, and fairness;
 - (5) At all times respect the client's dignity, autonomy, and privacy[.]
- D. A license holder or registration holder may not:
 - (2) Knowingly engage in or condone behavior that is fraudulent, dishonest, or deceitful, or involves moral turpitude[.]

COMAR 10.43.13.05. Professional Boundaries.

- A. A chiropractor and chiropractic assistant shall:
 - (1) Maintain professional boundaries, even when the patient initiates crossing the boundaries of the professional relationship; and
 - (2) Respect and maintain professional boundaries and respect the patient's reasonable expectation of professional conduct.
- B. A chiropractor and chiropractic assistant may not:
 - (3) Engage in sexual misconduct that includes, but is not limited to:
 - (a) Therapeutic deception;
 - (b) Non bona fide treatment; or
 - (c) A sexually exploitive relationship[.]

On or about November 14, 2024, the Board held a Case Resolution Conference ("CRC") with the Respondent. Following the CRC, the Board and the Respondent agreed to enter into this Consent Order to resolve the Charges issued in this case.

FINDINGS OF FACT

The Board finds the following facts.

1. At all times relevant, the Respondent was originally licensed to practice chiropractic in Maryland on May 13, 2013, under License Number S03751. The Respondent's license status is active and is set to expire on September 1, 2025.

2. On or about August 11, 2023, the Board received an incident report from a local governmental agency which noted it received a complaint about the Respondent alleging he failed to maintain professional boundaries with two patients and inappropriately touched one patient.

3. Based upon the incident report, the Board initiated an investigation of the Respondent.

4. As part of the investigation, the Board obtained documents including text messages, screenshots from social media, and interviewed witnesses including a local chiropractor ("Chiropractor 1"), Patient A, Patient B, and the Respondent.

5. On September 14, 2023, the Board's Investigator interviewed Chiropractor 1 under oath. Chiropractor 1 stated, in part:

- a. She made a complaint with the local governmental agency in March 2023. She was contacted by a patient ("Individual 1") who advised that her friend, Patient A, visited a chiropractor and was in a bra and underwear without a gown on. Individual 1 said that Patient A was really upset. Chiropractor 1 was taken aback and told Individual 1 that she could give her number to Patient A.
- b. Chiropractor 1 was contacted by Patient A. Patient A was a patient of the Respondent. Patient A told Chiropractor 1 that she was with the Respondent in her bra and underwear and that it was really odd because the Respondent would be with her for over an hour. He would do a lot of treatment on soft

tissue and a lot of it was in the glute area. Patient A told Chiropractor 1 that the Respondent found her on Facebook and added her as a friend. The Respondent privately messaged a topless picture of himself in bed to Patient A.

6. On February 5, 2024, the Board's Investigator interviewed Patient A under oath. Patient A, stated, in part:

- a. She saw the Respondent for chiropractic treatment off and on since 2020. She was diagnosed with spinal stenosis and a bulging disc in the cervical spine and saw the Respondent for chiropractic treatment before having cervical spine surgery in 2022.
- b. In January 2022, she saw the Respondent at his office for a chiropractic appointment. She was in an exam room with the Respondent and the door was closed. While in the room at the end of her appointment, the Respondent told her to come over here and get on your knees. She refused and was getting ready to leave. The Respondent then put his hand in her underwear and put her hand on his genitals. She was in shock and in tears and remembered it being awkward and leaving. After the incident, the Respondent called Patient A, apologized to her, and stated this would never happen again. After this incident, Patient A returned to the Respondent's office for treatment on February 1, 2022 and February 8, 2022, and thereafter requested his advice until on or March 2023.
- c. She communicated with the Respondent using a social media application regarding treatment. The Respondent sent her a picture of himself with his shirt off in bed through the social media application prior to the incident that occurred in January 2022.

7. As part of the investigation, the Board obtained messages sent through a social media application between the Respondent and Patient A. In a series of messages dated January 28, 2022, the Respondent stated, "I feel like a scumbag[.]" and, "knowing how much I affected you makes me sick to my stomach worse than I already felt about it." The Respondent also stated, "[w]hat happened is a first and last time. I'm glad it didn't go further, but I wish it never happened."

8. On November 8, 2023, the Board's Investigator interviewed Patient B under oath. Patient B, stated, in part:

- a. She was the Respondent's patient at least eight years ago and saw him for no more than two months at his office in Montgomery County, Maryland. She saw the Respondent for treatment for her broken knee. Patient B alleged the Respondent made statements to her during the course of treatment and acted in a way that made her uncomfortable.

9. On November 14, 2023, the Board's Investigator interviewed the Respondent, with counsel present, under oath. The Respondent, stated, in part:

- a. He has been licensed since 2009 and own and operates a facility in Montgomery County, Maryland.
- b. He denied making explicit comments to patients.
- c. He was familiar with the complaint from Patient A. He saw her in the office seven times from October 2021 to February 2022. He admitted that on one instance, he crossed a professional boundary with Patient A. During a visit, while in a room, Patient A touched his genitals and he grabbed her butt. Patient A put her hands down his pants and that's when she started to kiss his neck and went for his mouth. She was not forced into it, and he did not bully her or tell her to do it. They had been flirting for two months prior to this unfolding. There were moments that Patient A was flirtatious with him in the office but most of the conversations occurred on a social media application. He did not see her after this encounter but did correspond with her regarding referring her to other medical providers for the pain and discoloration in her leg she was experiencing.

CONCLUSION OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent's actions, as described above, constitute, in whole or in part, a violation of the provisions of the Act and the regulations adopted by the Board as cited above.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is, by a majority of the Board considering this case:

ORDERED that the Respondent's license to practice chiropractic is **SUSPENDED** for a minimum period of **ONE YEAR (1) YEAR with Nine (9) Months Stayed**; and it is further

ORDERED that during the suspension period, the Respondent shall not:

- i. Practice chiropractic;
- ii. Take any actions after the effective date of this Order to hold himself out to the public as a current provider of chiropractic; and
- iii. Perform any other act that requires an active chiropractic license; and it is further

ORDERED that the Respondent shall not apply for early termination of the suspension; and it is further

ORDERED that within Six (6) Months of the Consent Order being executed, the Respondent shall successfully complete one Board-approved course on professional ethics and one board-approved course on professional boundaries offered by Ethics and Boundaries Assessment Services, LLC ("EBAS"). The Respondent understands and agrees that he may not use this coursework required under this Consent Order to fulfill any requirements mandated for licensure renewal. The Respondent shall be solely responsible for ensuring that EBAS furnishes the Board with timely and adequate primary-source written verification that he has completed the courses according to the terms set forth herein. In the event that EBAS is uncooperative with the Respondent, the Respondent may petition the Board along with supporting documentation, at least 15 days prior to the date that the required courses are due under this Consent Order, to submit course verification directly to the Board; and it is further

ORDERED that after the minimum period of suspension imposed by the Consent Order has passed, the Respondent may submit a written petition for termination of suspension. After a determination that the Respondent has complied with the relevant terms of the suspension, the Board may administratively terminate the Respondent's suspension through a subsequent order of the Board; and it is further

ORDERED that upon termination of the suspension, the Respondent shall be placed on **PROBATION** for a minimum period of **FIVE (5) YEARS**. During the probation, the Respondent shall comply with the following terms and conditions of probation:

- i. The Respondent shall comply with the Maryland Chiropractic Act and all laws, statutes and regulations pertaining thereto;
 - ii. For **ONE (1) YEAR**, the Respondent shall not provide any chiropractic treatment to female patients without a chaperone or observer. The chaperone or observer may be selected by the patient. The presence and identity of the chaperone or observer must be documented in the patient's clinical chart. The Board may, in its discretion, conduct random record audits to ensure compliance with this paragraph; and
 - iii. Within Ninety (90) Days of the Consent Order being executed, the Respondent shall pay a monetary penalty of **TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00)**; and it is further
- g. **ORDERED** that after the conclusion of the **FIVE (5) YEAR** probationary period, the Respondent may submit a written petition to the Board requesting termination of the probation. After consideration of the petition, the probation may be terminated through an order of the Board. The Board shall administratively grant the termination of probation if the Respondent has fully and satisfactorily complied with all of the probationary terms and conditions and that there are no pending complaints of a similar nature; and it is further
- h. **ORDERED** that if the Board determines, after notice and an opportunity for an evidentiary hearing before the Board if there is a genuine dispute as to a material fact or a show cause hearing before the Board if there is no genuine dispute as to material fact, that the Respondent has failed to comply with any terms or conditions of the Consent Order, the Board may reprimand the Respondent, place the Respondent on probation with appropriate terms and conditions, impose an additional monetary penalty upon the Respondent, or suspend or revoke the Respondent's license to practice chiropractic in Maryland; and it further
- i. **ORDERED** that the Respondent shall at all times cooperate with the Board and any of its agents or employees, in the monitoring, supervision,

and investigation of the Respondent's compliance with the terms and conditions of this Order; and it is further

- j. **ORDERED** that any time period prescribed in this Consent Order begins when the Consent Order goes into effect. The Consent Order goes into effect upon the signature of the Board's Executive Director; and it is further
- k. **ORDERED** that the Respondent is responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and it is further

ORDERED that this Consent Order is a public document. *See* Md. Code Ann., Gen. Prov. § 4-101 *et seq.* (2021 Repl. Vol. and 2023 Supp.).

01/09/2025
Date

Sharon Oliver
Sharon J. Oliver, MBA
Executive Director
Maryland State Board of Chiropractic Examiners

CONSENT

By this Consent, I, **BOBBAK MOZAFARI, D.C.**, agree and accept to be bound by this Consent Order and its conditions and restrictions. I waive any rights I may have had to contest the Findings of Fact and Conclusions of Law.

For the purposes of licensure, I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections as provided by law. I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I also affirm that I am waiving

my right to appeal and adverse ruling of the Board that might have followed any such hearing.

I sign this Consent Order after having had the opportunity to have consulted with counsel, and I fully understand and comprehend the language, meaning and terms of this Consent Order. I voluntarily sign this Order, and understand its effect.

12/17/24
Date

[Signature]
BOBBAK MOZAFARI, D.C.
Respondent

NOTARY

STATE OF: Maryland

CITY/COUNTY OF: Howard

I HEREBY CERTIFY that on this 17 day of December, 2024, before me, Notary Public of the State and City/County aforesaid, **BOBBAK MOZAFARI, D.C.** personally appeared, and gave oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESSETH my hand and Notary Seal.

[Signature]
Notary Public

My Commission Expires: 12/11/2027

