

BEFORE THE COLORADO MEDICAL BOARD
STATE OF COLORADO
CASE NO.: 2016-3857

CEASE AND DESIST ORDER

IN THE MATTER OF THE UNAUTHORIZED AND UNLAWFUL PRACTICE OF
MEDICINE BY CARLOS HERNANDEZ-FERNANDEZ, HERNANDEZ FERNANDEZ
CARE, LLC, also known as HFC.

Respondents.

To:
Carlos Hernandez-Fernandez
424 South Federal Boulevard
Denver Colorado 80219

Carlos Hernandez-Fernandez
3559 S. Newland Street
Denver, Colorado 80235

Hernandez Fernandez Care, LLC
424 South Federal Boulevard
Denver, Colorado 80219

HFC
424 South Federal Boulevard
Denver, Colorado 80219

The Colorado Medical Board (the “Board”), having reviewed all available information in this matter ORDERS Carlos Hernandez-Fernandez, individually, and doing business as Hernandez-Fernandez Care, LLC or H-F Care “Complete Beauty” (collectively, “Respondents”) TO CEASE AND DESIST THE UNAUTHORIZED PRACTICE OF MEDICINE.

The Board HEREBY FINDS:

1. The Board has jurisdiction over Respondents and the subject matter herein, and there exists credible evidence that Respondents have acted without the required license to practice medicine, in violation of Sections 12-36-106(1) and (2) and 12-36-111.3(3), C.R.S.

2. Respondents are not licensed, and have never been licensed to practice medicine in the State of Colorado, as required by Section 12-36-101, C.R.S. *et seq.*

3. Respondent Carlos Hernandez-Fernandez (“Respondent Fernandez”) holds Surgical Assistant License # 1432, issued by the State of Colorado on or about April 26, 2011, and is limited to the practice of a surgical assistant, pursuant to Sections 12-43.2-101(6) and 12-36-106(3)(m), C.R.S.

4. On or about May 14, 2014, Respondent Hernandez filed articles of organization with the Colorado Secretary of State for a domestic entity named Hernandez Fernandez Care LLC with a business address of 424 South Federal Boulevard, Denver, Colorado 80219.

5. Respondents maintain an office located at 424 South Federal Boulevard, Denver, Colorado for the purpose of examining or treating persons seeking medical examinations or treatments.

6. Respondents engaged in the unauthorized or unlicensed practice of medicine when Respondents Hernandez and Hernandez Fernandez Care LLC, also known as HFC and H-F Care “Complete Beauty”:

- a. conducted consultations with persons considering cosmetic surgery and other medical procedures at Hernandez-Fernandez Care LLC;
- b. held themselves/himself out to members of the public as Dr. Hernandez, a plastic surgeon;
- c. maintained an office for the purpose of examining or treating persons seeking medical care;
- d. suggested, recommended, prescribed, or administered plastic surgery or other medical treatment to patients;
- e. administered medications to sedate patients and gave prescription medications to patients;
- f. performed surgical operations on human beings;
- g. performed plastic surgery procedures, including face lift and tummy tuck;
- h. used the website address hernandezfernandezcare.com to advertise medical and surgical methods of treatment;
- i. used Facebook pages titled H-F Care “Complete Beauty”, Plastic Surgery Specialists, and Carlos Hernandez, MD to advertise plastic surgery, rhinoplasty, breast augmentation, and other medical procedures;

j. used the titles Dr. and M.D. to advertise or explain the medical services Respondents offered to provide.

7. In offering and providing surgical and other medical treatment, Respondents are holding themselves out to the public as being able to treat or palliate symptoms associated with a physical condition, suggesting and administering a form of treatment or operation for the intended relief of a physical condition of persons, maintaining an office for the treatment of persons afflicted with a defect of body, and/or performing a surgical operation on human beings.

8. Respondents are not licensed physicians and have not been delegated by a licensed supervising physician to offer or provide surgical treatment.

9. Based on the above, Respondents are practicing medicine as defined in Section 12-36-106(1), C.R.S. without the required license.

10. Respondents' conduct constitutes the unlicensed practice of medicine, in violation of Sections 12-36-106(2).

THE COLORADO MEDICAL BOARD HEREBY ORDERS, pursuant to Section 12-36-111.3(3), C.R.S., that Respondents immediately CEASE AND DESIST offering and providing cosmetic surgical treatment and all other unlawful practice of medicine in violation of Sections 12-36-106(2), C.R.S.

The Board authorized the undersigned representative to sign this Cease and Desist Order on its behalf.

DATED this 4th day of August, 2016.

THE COLORADO MEDICAL BOARD

BY:



Karen McGovern, Program Director

Within ten days after service of this Cease and Desist Order, Respondents may request a hearing on whether such acts or practices in violation of Part 1 of Article 36 of Title 12, C.R.S. have occurred. Such hearing shall be conducted pursuant to §§ 24-4-104 and 24-4-105, C.R.S.