

## News Release — December 23, 2002

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### MEDICAL BOARD OF CALIFORNIA

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December 23, 2002

## Medical Board of California Arrests Santa Clarita Resident For Unlicensed Practice of Medicine

**SACRAMENTO**—The Medical Board of California's Operation Safe Medicine (OSM), in conjunction with the Federal Bureau of Investigation, served a search warrant on December 19, 2002 at the Santa Clarita residence of an unlicensed person, Todd Cameron Bertrang, for agreeing to perform female circumcisions. The procedure is an extremely painful, traumatizing mutilation of females that leaves them permanently disfigured. He also performs a similar procedure on males. He was charged with violating Business and Professions Code section 2053, a felony, by risking great bodily harm, serious injury or death by practicing medicine without a license. Bertrang was arrested and booked into Santa Clarita Los Angeles Sheriff's Department and will appear in court on January 21, 2003.

The Medical Board of California continues to analyze evidence obtained during the execution of the search warrant. The Board's Chief of Enforcement Dave Thornton said, "The mission of the Medical Board is consumer protection. Stopping the unlicensed practice of medicine in California is a high priority with the Medical Board. We encourage anyone with information regarding additional victims of Todd Bertrang, or any other criminal activity connected to Bertrang, to contact the Medical Board's Cerritos Office at (562) 860-2819."

The case was referred to the Medical Board by a physician from Northern California who received information that Bertrang was performing clitoridectomies on women in Southern California. The FBI, who had received a similar complaint, also was investigating Bertrang. A joint investigation with the FBI resulted in a search warrant being obtained for the Santa Clarita residence, along with an arrest warrant for Bertrang. The investigation has revealed that Bertrang attracted potential patients through Web sites and may have performed various unlicensed procedures that include male and female circumcisions at his residence since 1997. These are procedures that can result in serious injury to patients who are not in a medical setting.

This arrest is the tenth in 2002 by investigators of Operation Safe Medicine, a special unit of the Medical Board composed of trained investigators who seek to protect a significant portion of the population by reducing access to individuals who are unlicensed and a danger to the public when they attempt medical treatment. OSM commenced in January 2001, and works closely with local and federal law enforcement agencies. The staff of investigators target the known areas where the unlicensed practice of medicine flourishes in Orange County and the greater Los Angeles area. The investigators also work other areas of the state as needed and provide training to other Medical Board enforcement staff in how to spot and respond to suspected illegal practices.

OSM is part of the Medical Board's efforts to steer consumers away from unlicensed practitioners, whose treatment of patients has resulted in harm and even death in Southern California. The Board encourages the public to confirm they are receiving healthcare from licensed individuals by calling its Consumer Information Line at (916) 263-2382 or visiting its Web site at [www.medbd.ca.gov](http://www.medbd.ca.gov).

The Medical Board of California is the state agency responsible for licensing and regulating physicians in this state.

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## News Release — December 23, 2002

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### MEDICAL BOARD OF CALIFORNIA

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December 23, 2002

## Medical Board Accusation Leads to Surrender of Whittier Physician's Medical License

**SACRAMENTO**—Facing a formal Accusation of unprofessional conduct by the Medical Board of California, former Whittier physician Reuben L. Hilde, Jr., M.D. has surrendered his license to practice medicine. The stipulated surrender of his medical license was ordered on November 27, 2002 and became effective on December 4, 2002.

The Medical Board accused Hilde of unprofessional conduct for violating Business and Professions Code sections 2234(b), (c), (d) and (e) in that he committed acts constituting gross negligence, incompetence, repeated negligent acts, acts of dishonesty, aided the unlicensed practice of medicine, failed to maintain adequate and accurate records, used alcohol dangerous to self or public, and violated drug statutes in his care and treatment of up to 11 patients.

Hilde performed surgery on patients in an unaccredited surgical facility; administered heavy sedation/general anesthetic, when in many cases the patient paid separately for anesthesiologist services; failed to generate adequate anesthesia and accurate operative records on patients to whom he administered heavy sedation/general anesthetics; failed to monitor and record oxygen saturation in preparation for surgery; and failed to conduct and document adequate preoperative physical examinations before administering sedation and anesthetic.

Further, Hilde failed to defibrillate two patients who went into ventricular fibrillation and ultimately died. He failed to provide accurate clinical information regarding a patient's blood loss to paramedics and emergency room physicians, altered the operating room record on a patient after initiation of a malpractice suit, and at an unknown date subsequent to the patient's death, removed a chart note and created and falsely date-stamped a replacement note. He used the services of untrained staff to perform surgery that required anaesthesia and sedatives that had the probability of placing the patient at risk for loss of life-preserving protective reflexes. He falsely informed a patient that he had staff privileges at Eisenhower Hospital.

Hilde was further subject to disciplinary action for unprofessional conduct for his use of alcohol in violation of Business and Professions Code section 2239. He was stopped by the CHP for driving his car at 110 miles per hour in a 65 miles-per-hour zone and failed a sobriety test. In the CHP's search of his vehicle, a Smith and Wesson handgun was found in a briefcase and a partially full glass of wine was on the front, passenger-side floor. Subsequently, a four-count criminal complaint was filed against him in the Riverside County Superior Court.

Lastly, Hilde was charged with violating drug statutes in violation of Business and Professions Code section 2238 after the Drug Enforcement Administration performed a drug audit of his surgical facility in

Rancho Mirage and agents found a number of controlled substances among the drugs he maintained at the facility. He does not have DEA registration to maintain controlled substances at this facility and they were seized.

Hilde signed a Stipulation for Surrender of License and waived his rights to a hearing. After the Medical Board formally accepted the surrender of his license on December 4, 2002, Hilde lost all rights and privileges to practice as a physician and surgeon in the State of California.

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[www.medbd.ca.gov](http://www.medbd.ca.gov)

Information about specific physicians: (916) 263-2382

Complaint line: (800) 633-2322

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## News Release — December 3, 2002

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### MEDICAL BOARD OF CALIFORNIA

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December 3, 2002

## Medical Board of California Investigation Leads to Surrender of Grass Valley Resident Charged With Felony Unlicensed Cancer Treatment

**SACRAMENTO**—Following an investigation by the Medical Board of California in cooperation with the Nevada County Sheriff's Office into allegations of the unlicensed practice of medicine and related charges, Ralph Johnson, 62, of Grass Valley was charged with grand theft; unlicensed cancer treatment; unlawful sale of unapproved drug or device; and cancer cure or substance fraud. This morning, Johnson surrendered to Nevada County officials and was taken into custody. Following a morning court appearance, he was released on his own recognizance.

- Grand theft: Johnson is charged with willfully and unlawfully taking money and personal property exceeding \$400 from a local breast cancer patient whom he had allegedly contacted and told he could cure.
- Unlicensed cancer treatment: He is charged with undertaking to treat and alleviate cancer by the use of drugs ("herbal medicines") on this patient, without holding a physician's license.
- Unlawful sale of unapproved drug or device: He is charged with willfully and unlawfully selling the patient an unapproved device to be used in the cure of cancer, specifically, a small black box later identified by a Department of Health Services' biomedical engineer as a "harmonic pulser," which is not legal for sale in California. It has not been shown to be safe or effective for use in the treatment of any disease.
- Cancer cure or substance fraud: He is charged with willfully and unlawfully and with the intent to defraud, falsely representing and providing for compensation a device and treatment as effective to diagnose and cure cancer. In fact, it is alleged he told the patient she did not have cancer, and caused her to delay further diagnosis and treatment, which eliminated several medical options for her.

Johnson is scheduled for a felony conference on December 19 at the Nevada County Courthouse.

The Medical Board urges Californians to seek diagnosis and treatment for any ailment only from licensed practitioners. To confirm that a person is licensed as a physician in this state, please contact the Board at (916) 263-2382, or visit the Board's Web site at [www.medbd.ca.gov](http://www.medbd.ca.gov). To report unlicensed activity, call the Board's complaint line at (800) 633-2322.

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# News Release — November 6, 2002

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## MEDICAL BOARD OF CALIFORNIA

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November 6, 2002

### **Medical Board Seeks Temporary Restraining Order Against Two Redding Physicians**

**SACRAMENTO**-The Medical Board of California announced today its intention to seek a Temporary Restraining Order from the Shasta County Superior Court prohibiting Chae Hyun Moon, M.D. and Fidel Realyvasquez, M.D. from practicing medicine, pending its further investigation into charges that the two physicians performed unnecessary, life-threatening surgeries on perhaps dozens of unsuspecting patients. The Board has requested that the Office of the Attorney General file court documents seeking the order immediately. Based on information received from the FBI's and its own investigation into Moon and Realyvasquez, the Board is requesting a restraining order while it completes its investigation into allegations against the two physicians.

With the information that has been brought to its attention, the Board has probable cause to believe that the invasive coronary procedures were unnecessarily performed on many known and unknown Moon and Realyvasquez patients since 1995. Based upon this information and the FBI's investigation, the Board expects that patient records, tests and other documentation will show that many patients did not suffer from any significant coronary artery disease which required immediate, invasive coronary procedures and that these procedures were performed unnecessarily.

"After reviewing the allegations already brought forward, I believe that the continued practice of medicine by these physicians poses an unacceptable risk to the health and safety of the public," said Ron Joseph, Executive Director of the Medical Board.

The FBI is currently conducting an investigation of the two physicians for conspiracy to commit healthcare fraud, false statements relating to healthcare matters, and healthcare fraud. Both physicians are practicing medicine at the Redding Medical Center in Redding, California, which is a 238-bed, general hospital.

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[www.medbd.ca.gov](http://www.medbd.ca.gov)

Information about specific physicians: (916) 263-2382

Complaint line: (800) 633-2322

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# News Release — November 4, 2002

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## MEDICAL BOARD OF CALIFORNIA

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November 4, 2002

### **Medical Board Accusation Leads to Surrender of Indio Physician's Medical License**

**SACRAMENTO**-Facing a formal Accusation of negligent care by the Medical Board of California, Indio physician Gerald John Scallion, M.D. has surrendered his license to practice medicine. The stipulated surrender of his medical license was ordered on October 29, 2002 and is effective November 5, 2002.

The Medical Board accused Scallion of violating Business and Professions Code sections 2234 (b), (c), and (d) and 2266 in the care and treatment of three patients. Scallion performed laparoscopic cholecystectomy surgery and damaged the bile duct structure on two patients, showing a lack of education, training, knowledge or skill to perform this procedure. Family members of one patient repeatedly left messages complaining of post surgical complications, yet he failed to respond, resulting in emergency surgery to repair damage from the bile leak and also requiring followup reconstructive surgery. Scallion referred the second patient with bile duct injury to another hospital for reconstructive surgery.

A third patient was referred to Scallion with a mammogram result revealing a microcalcification. He examined the patient and recommended excisional biopsy of the area. He performed the biopsy and the resulting pathology report found a non-spreading cancer in one breast. At a follow-up appointment, Scallion again neglected to advise this patient of various options of treatment including the advantages of total mastectomy and a quadrant excision, nor did he discuss post operative radiation therapy or possible hormonal therapy.

In all three cases, Scallion was accused of unprofessional conduct including gross negligence, repeated negligent acts, incompetence and failure to maintain adequate and accurate records. He agreed that should he ever apply for relicensure in California, the charges and allegations in the Accusation will be considered true and correct.

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## News Release — October 15, 2002

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### MEDICAL BOARD OF CALIFORNIA

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October 15, 2002

## Medical Board Accusation Leads to Surrender of San Diego Physician's Medical License

**SACRAMENTO**-Facing a formal Accusation of wrongdoing by the Medical Board of California, San Diego physician Howard I. Heilbrunn, M.D. has surrendered his license to practice medicine. The stipulated surrender of his medical license was ordered on October 3, 2002 and became effective October 10, 2002.

The Medical Board accused Heilbrunn of violating Business and Professions Code section 2234 (b) and (d) in that he was grossly negligent and incompetent in his care and treatment of an elderly patient over a period of five years from 1992 to 1995. He failed to consider the diagnosis of a primary lung carcinoma or a metastasis in an older female with a history of heavy smoking and prior breast cancer. He also failed to have the patient undergo a timely CT scan after first learning of the mass in the left medial portion of the lung.

Despite a radiologist's reading of the same patient that noted a possible large mass in the lower chest area, not present in a previous examination but which could be further evaluated with a CT scan, Heilbrunn never ordered the CT scan. Over the next five months, two more chest x-rays were taken revealing a small mass in the lung. Again, he saw the patient and made no note of the x-ray finding. Six months later, Heilbrunn saw the patient and ordered a routine x-ray which he noted showed what he assumed was a hiatal hernia. Approximately one year later, suffering a GI bleed, the patient was referred for more x-rays that revealed a mass in the lower lung. Heilbrunn did not learn of the lung mass for another month at which time he discussed with the family the possibility of carcinoma. The patient died five months later from large cell lung cancer.

Heilbrunn signed a Stipulated Settlement and Disciplinary Order agreeing that at a hearing the Board could establish a factual basis for the charges in the Accusation and therefore surrendered his license to avoid further expense and possible disciplinary action.

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Information about specific physicians: (916) 263-2382

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## News Release — October 8, 2002

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### MEDICAL BOARD OF CALIFORNIA

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October 8, 2002

## Bill Sponsored by Medical Board Will Bring Physicians to Underserved Areas of the State

**SACRAMENTO**-Following months of intensive work with interested parties, AB 982 (Firebaugh), co-sponsored by the Medical Board of California, was passed by the Legislature and signed by Governor Davis. The new law, which will become effective January 1, 2003, encourages physicians and dentists to practice in underserved locations in California by authorizing a plan for repayment of their student loans in exchange for their service in a designated underserved area for a minimum of three years.

In passing the Community Healthcare Service Expansion Act, the Legislature recognized the necessity of improving conditions which lead to healthcare disparities in the state, including those disparities arising from cultural and linguistic barriers. At the same time, the Legislature acknowledged the difficulty of many culturally or linguistically competent physicians to practice in underserved areas because of the heavy debt load that they carry from acquiring a medical education.

Physicians will be eligible for loan repayments of up to \$105,000 per provider, paid from specially established funds within the Medical Board. The new law requires that most participants be selected from the specialty areas of family practice, internal medicine, pediatrics, and obstetrics/gynecology. Eligible areas of the state will be those medically underserved areas as determined by the Health Manpower Policy Commission.

The role of the Medical Board will be to establish the loan repayment program, and work with the Office of Statewide Health Planning and Development (OSHPD), medical communities, medical schools, healthcare advocates representing ethnic communities and other state agencies in establishing program guidelines and recruiting applicants and clinics.

The Board of Dental Examiners may be reached at (916) 263-2300.

The Medical Board has committed to begin implementation of this important new law as soon as possible. To keep current with the Board's progress by registering for the Medical Board's mailing list, please contact this e-mail address: [MDLoan@medbd.ca.gov](mailto:MDLoan@medbd.ca.gov).

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# News Release — September 18, 2002

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## MEDICAL BOARD OF CALIFORNIA

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September 18, 2002

### Medical Board Revokes License of Sonora Physician

**SACRAMENTO**-The Medical Board of California has revoked the medical license of Brian David Goldfine, M.D., of Palm Desert. The decision becomes effective September 26, 2002.

Goldfine was placed on probation by the Medical Board effective January 7, 1999 after agreeing with the Board's charges that he was guilty of repeated negligent acts involving the diagnosis and treatment of several patients. More recently, the Board filed a petition to revoke his probation and his license after he failed to comply with terms of his probation. These include his failure to: submit a plan of practice in which his practice would be monitored by another physician; submit certifications of completion of 40 hours of continuing medical education for the years 2000 and 2001; furnish a declaration stating compliance with probationary conditions for the quarter ending March 31, 2002; and pay probation monitoring costs for the years 2000 and 2001.

After agreeing to 13 conditions of probation in the Decision and Order that became effective in 1999, Goldfine now has lost his license to practice medicine in California for violating four of the 13 terms and conditions of his five-year probation, as described above. On April 15, 2002, the Medical Board filed a Petition to Revoke Probation, and when Goldfine failed to file a timely Notice of Defense, he automatically waived his right to a hearing on the merits of the Petition, and his license was revoked by default.

Goldfine had been on probation for violating Business and Professions Code section 2234(c) by committing repeated negligent acts in the care and treatment of several patients.

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# News Release — August 20, 2002

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## MEDICAL BOARD OF CALIFORNIA

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August 20, 2002

### Medical Board Revokes License of Sonora Physician

**SACRAMENTO**-The Medical Board of California has revoked the medical license of Vernon D. Rickard, M.D., of Sonora. The decision becomes effective September 11, 2002.

The Board's Division of Medical Quality adopted the Proposed Decision of Administrative Law Judge Karl S. Engeman to revoke Rickard's license. After a hearing on the case, Judge Engeman found that Rickard was negligent in the prescribing of drugs due to the failure to obtain an adequate history or examination of two patients before prescribing controlled substances, guilty of gross negligence with a third patient for whom he made a psychiatric diagnosis without foundation, and guilty of gross negligence and sexual misconduct with a fourth patient.

The fourth patient had sought Rickard's help with chest pains, fearing she was having a heart attack. Rickard treated her with nitroglycerine tablets and a "stress relief massage," which included holding his hands above her face to "draw out stress," as well as a manual massage of her body, including inappropriate, unprofessional, and blatantly sexual touching. Judge Engeman termed Rickard's conduct a sexual assault, and further concluded that Rickard had lied under oath in his characterization of the patient as a "deranged drug addict" and in his response when asked to explain a very incriminating tape-recorded conversation after the above-described incident with this patient.

Rickard also was ordered, within 90 days of the effective date of this decision, to reimburse the Board's Division of Medical Quality its costs of investigation and prosecution in the amount of \$29,461.

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## News Release — August 16, 2002

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### MEDICAL BOARD OF CALIFORNIA

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August 16, 2002

## Medical Board of California Arrests Unlicensed Downey Practitioner

**SACRAMENTO**-Investigators for the Medical Board of California's Operation Safe Medicine served a felony warrant on Eva C. Melendez, on August 13, 2002, for at least 20 violations of the Business and Professions Code, the Health and Safety Code and the Penal Code. Board investigators arrested her at her residence in Downey and she was taken to the Downey Police Department. On August 9, a criminal complaint was filed by the Medical Board with the Los Angeles District Attorney's Office, the District Attorney then filed an arrest warrant with the Monrovia Court, and an arrest warrant was issued the same day. She was being held on a \$275,000 bail, following her arrest.

Melendez faces felony charges for practicing or attempting to practice medicine without a license and there being a risk of great bodily harm or death (Business and Professions Code section 2053, 7 counts); unlawful dispensing of dangerous drugs or devices without a prescription (Health and Safety Code section 11352.1(b), 2 counts); possession of hypodermic needles/syringes (Business and Professions Code section 4140, 2 counts); practicing cosmetology without a license (Business and Professions Code section 7317, 2 counts); perjury (Penal Code section 118, 4 counts); and grand theft (Penal Code section 487, 3 counts).

Information provided by the United States Probation Department reported that Melendez previously had been arrested in Arizona by the FBI and convicted of three felonies for charges of bank fraud, wire fraud, and aiding and abetting.

The Medical Board has requested Melendez be required to pay restitution totaling \$1,750 to two former patients and pay cost recovery as part of the adjudication or settlement process.

Operation Safe Medicine is a special unit of the Medical Board composed of trained investigators who seek to protect a significant portion of the population by reducing access to individuals who are incompetent and unlicensed to provide medical care.

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## News Release — July 23, 2002

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### MEDICAL BOARD OF CALIFORNIA

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July 23, 2002

## Medical Board of California Arrests Unlicensed Santa Ana Practitioner

**SACRAMENTO**—Investigators for the Medical Board of California served a search warrant on July 17, 2002 at the Samuel Clinic at 1329 E. 1st Street in Santa Ana and arrested Noe Alonzo Villalobos for practicing medicine without a license and dispensing drugs. Villalobos worked for Alonzo Lockhart, M.D., who is a general practitioner.

This case was referred to the Medical Board by the Santa Ana Police Department, which had received information that Villalobos was practicing medicine without a license. An undercover investigator for the Medical Board went to the clinic, and was both examined by the unlicensed Villalobos and issued by him prescriptions for Allegra capsules (an allergy medication) and Biaxin (an antibiotic).

Information regarding this case has been referred by the Medical Board to the Orange County District Attorney for the consideration of filing criminal charges against both men—unlicensed activity for Villalobos and aiding and abetting the unlicensed practice of medicine for Lockhart.

This investigation was handled by staff of the Medical Board's Operation Safe Medicine (OSM), a special unit of trained investigators who seek to protect the public by reducing access to individuals who are incompetent and unlicensed to provide medical care. Begun in January 2001, this unit of Medical Board investigators handles the identification, investigation and referral for prosecution of operators in and of both legal and illegal clinics and the personnel who hold themselves out to the public as qualified medical practitioners. OSM staff has concentrated in areas of the state where illegal activity flourishes, particularly in Orange County and the greater Los Angeles area.

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## News Release — July 2, 2002

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### MEDICAL BOARD OF CALIFORNIA

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July 2, 2002

## Medical Board Revokes License of Former Newport Beach Physician

**SACRAMENTO**-The Medical Board of California has revoked the medical license of Patrick Ziad Abuzeni, M.D., formerly of Newport Beach. The revocation was effective June 24, 2002.

After a hearing, Administrative Law Judge Roy W. Hewitt recommended that Abuzeni's license be revoked, and the Board adopted his decision. Judge Hewitt concluded that Abuzeni, in the care and treatment of one patient, committed several separate acts of gross negligence and repeated negligent acts; demonstrated incompetence; failed to maintain adequate and accurate records; and knowingly signed a document directly related to the practice of medicine which falsely represented the existence of a state of facts.

Abuzeni twice participated in performing a breast augmentation procedure that is an extreme departure from the standard of care. This procedure, "BAMBI" (Bilateral Augmentation Mammoplasty by Injection), involves harvesting fat from areas of a patient's body and injecting the fat into the patient's breasts to enlarge them. In consultation with another physician, Abuzeni, when performing the first BAMBI procedure on the patient, also performed an experimental procedure involving platelet-rich plasma using the patient as her own "control" subject by treating one breast differently from the other.

While Abuzeni discussed the BAMBI procedure with the patient, the judge found that, given what Abuzeni told her, he did not in fact obtain her "consent." Abuzeni failed to inform the patient that the fat injected in her breasts during the BAMBI procedure may become calcified and indistinguishable from cancerous growths on mammography, rendering mammography ineffective as a screening device for breast cancer. The judge similarly concluded that the procedure involving the use of her blood was not adequately disclosed to her. These and other failures by Abuzeni to fully inform the patient of the risks of procedures he performed were found to be extreme departures from the standard of care.

The judge further found that Abuzeni signed his operative report inaccurately, incompletely, and that it falsely represented the surgical procedures performed. The judge also found that Abuzeni's act of performing a thigh-lift procedure on the patient, even though he had not even seen one performed before, and without proper supervision, constituted an extreme departure from the standard of care.

Harm done to the patient included one breast being smaller than the other; and blistering, discoloration, necrosis, and extensive scarring of the patient's thighs resulting from Abuzeni's negligently performed thigh lift and his inadequate post-operative care and monitoring of the patient.

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## News Release — June 27, 2002

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### MEDICAL BOARD OF CALIFORNIA

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June 27, 2002

## Medical Board Accusation Leads to Surrender of Burbank Physician's Medical License

**SACRAMENTO**-Facing a formal Accusation of wrongdoing by the Medical Board of California, Burbank physician Jack Eglin, M.D. has surrendered his license to practice medicine. The stipulated surrender of his medical license was ordered on June 10, 2002, and becomes effective July 5, 2002.

Eglin was formally accused by the Medical Board of:

- Dishonesty, false medical records, fraudulent medical records and Medi-Cal fraud
  - Eglin placed his license in "retired" status in 1990, which exempted him by law from paying a renewal fee to the Medical Board, on the condition he customarily provide his services free of charge and in no event make more money in a single calendar year than would result in his income being such as to make him ineligible for full social security benefits. In parts of 1999 and 2000, even though his license was in retired status, he treated over 200 patients per month and earned about \$10,000 per month.
  - From December 1999 to August 2000, Eglin engaged in various illegal billing practices for Medi-Cal reimbursement.
- Gross negligence, repeated negligent acts and incompetence
  - From December 1999 to August 2000, he allowed medical assistants to perform Pulmonary Function Tests without physician supervision; he allowed them to perform ultrasound tests and interpreted them even though he is not competent to do so; and he inadequately supervised his physician assistant and other employees.
- Failure to maintain adequate and accurate medical records.
  - From December 1999 to August 2000, he maintained charts that failed to document medical indication for tests performed and services rendered; in January 2001 he was unable to read entries in his medical records or to identify the types of services and tests he performs or prescribes, the services he billed to Medi-Cal, and whether any other physicians were working at his office.

The surrender by Eglin of his license terminates his ability to practice medicine in California indefinitely.

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## News Release — May 29, 2002

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### MEDICAL BOARD OF CALIFORNIA

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May 29, 2002

## Medical Board Obtains Temporary Restraining Order Suspending Practice of San Diego Physician

**SACRAMENTO**-The Medical Board of California has obtained a temporary restraining order prohibiting any medical practice by Egisto Salerno, M.D., of San Diego. In response to a Petition for Temporary Restraining Order submitted on behalf of the Board by Deputy Attorney General Beth Faber Jacobs, and as stipulated to by Salerno, San Diego County Superior Court Judge Thomas C. Hendrix ordered the temporary suspension of Salerno's medical license on May 21, 2002, and it became effective the next day.

In her Petition, Ms. Jacobs alleged that on April 22, 2002, Salerno illegally ingested cocaine, became violent and threatened to kill his wife with a loaded weapon, threatened to kill his mother-in-law, and had a paranoid psychotic event where he believed numerous people were in his house trying to kill him, although only his wife was there. When arrested by the police, he had a loaded semi-automatic handgun on him, a baggie of cocaine in his underwear, cocaine and marijuana in other places in his home, numerous other unregistered weapons and 300 rounds of ammunition in his home, and he admitted to having used cocaine that day, according to the Petition.

Felony charges were filed against Salerno, including possession of cocaine and a loaded operable firearm and unlawful use and being under the influence of cocaine while in the immediate possession of a loaded, operable firearm. After pleading not guilty, he was released on \$160,000 bail. His next scheduled criminal proceeding is a hearing in San Diego Superior Court set for July 10, 2002.

Salerno already has been disciplined by the Medical Board. On May 18, 2001, the Board found he had engaged in unprofessional conduct and violated Business and Professions Code section 2234(b) (gross negligence) and 2266 (failure to maintain adequate and accurate medical records) and placed him on two years' probation. Shortly, the Board will file new administrative charges to revoke his probation and take additional licensing discipline based on Salerno's April 22 misconduct.

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## News Release — May 21, 2002

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### MEDICAL BOARD OF CALIFORNIA

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May 21, 2002

## Medical Board Accusation Leads to Surrender of Del Mar Physician's Medical License

**SACRAMENTO**-Facing a formal Accusation of wrongdoing by the Medical Board of California, Del Mar psychiatrist Harold H. Bloomfield, M.D. has surrendered his license to practice medicine. The stipulated surrender of his medical license was ordered on May 20, 2002, and will become effective on May 28, 2002.

Bloomfield was accused by the Medical Board of violating Business and Professions Code section 2234 (b), (c), (d), and (e) in that he committed acts of unprofessional conduct, gross negligence, repeated negligent acts, incompetence, and dishonesty during contacts with four female patients. He placed illegal drugs into drinks he prepared for these patients without their knowledge or consent; touched one patient in a sexual and illegal manner; had inappropriate conversations of a personal and sexual nature with three of the patients; and provided prescription drugs that were medically contraindicated for two of the patients.

Last December, the Medical Board obtained a full suspension of Bloomfield's license, which required that he stop practicing medicine immediately. In his surrender, Bloomfield acknowledged that last January, he plead guilty in criminal court in San Diego to two felony counts of furnishing a controlled substance, Ecstasy, in violation of Health and Safety Code section 11154, and last March he was sentenced to five years' probation. At the request of the Medical Board, a condition of that probation was that he not practice medicine for five years. The surrender by Bloomfield of his license terminates his ability to practice medicine in California indefinitely.

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The Medical Board of California is the state agency responsible for licensing and regulating physicians in this state.

[www.medbd.ca.gov](http://www.medbd.ca.gov)

Information about specific physicians: (916) 263-2382

Complaint line: (800) 633-2322

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## News Release — May 16, 2002

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### MEDICAL BOARD OF CALIFORNIA

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May 16, 2002

## Medical Board Obtains Order Prohibiting Richmond Physician from Practicing Medicine

**SACRAMENTO**-The Medical Board of California persuaded a Superior Court Judge of Contra Costa County to prohibit Richmond physician Clarence Feagin, M.D. from practicing medicine. The action by Judge John Kennedy was made effective May 15, 2002, and will last until the conclusion of criminal proceedings that are pending against Feagin, or until further order of the court.

A Deputy Attorney General representing the Medical Board requested the order in light of criminal charges pending against Feagin that are substantially related to the duties and functions of a physician-multiple counts of sexual battery and sexual exploitation of a patient. The patient was a 23 year-old woman who sought his treatment for a work-related injury. After she consulted with Feagin at his office, he went to a private home looking for her on two occasions and forcibly attempted to have sex with her there. He employed information he had obtained in his role as her physician to locate her, used his status as her physician to get into a private home to see her, and he threatened her with loss of her Workers' Compensation benefits if she did not agree to have sex with him.

In addition to these criminal charges, Feagin was arrested for rape by the Petaluma Police Department in May 1996. This arrest led to criminal charges of rape by two different women, of which he ultimately was acquitted after a jury trial. The Board also has information about numerous other complaints of sexual misconduct by Feagin which involved patients or colleagues in medical settings. In view of his history and the pending criminal charges, the Medical Board's representative persuaded Judge Kennedy to prohibit Feagin from practicing medicine as a condition of bail.

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## News Release — May 13, 2002

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### MEDICAL BOARD OF CALIFORNIA

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May 13, 2002

## Gary Gitnick, M.D. Elected New President of Medical Board of California

**SACRAMENTO**-The Medical Board of California has elected as its new President Gary Gitnick, M.D., of Los Angeles to be President at its meeting in Orange County on May 9, 2002. He succeeds outgoing President Bernard S. Alpert, M.D., of San Francisco.

Dr Gitnick, Professor of Medicine and Chief of the Division of Digestive Diseases at the University of California, Los Angeles School of Medicine, was appointed to the Medical Board in April 2000 by Governor Gray Davis. He heads the largest gastroenterology division in the world with 60 full-time faculty members, 200 employees and a multimillion dollar budget.

Dr. Gitnick is the founder and president of the Fulfillment Fund, a nonprofit organization composed of over 1,000 adult volunteers who each year serve as mentors for over 3,000 bright, disadvantaged or disabled students, motivate them to complete school, broaden their socioeconomic horizons, and facilitate their higher education through motivational and tutoring programs and through college scholarships. The Fulfillment Fund is the largest private provider of college scholarships in California.

Upon his election, Dr. Gitnick immediately announced his ambitious plans for comprehensive assessment of the operations of the Medical Board. He urged the Board's members and staff to "avoid arrogance and strive for mutual respect and integrity," and outlined the following six-point plan to be implemented by the creation of new Board committees, emphasizing "the Board's first priority - patient protection."

- Development of an outstanding public notification system, to advance the Board's media relations and public outreach
- Strict oversight of the Board's licensing and enforcement functions to assure that they are operating at full capacity to protect patients
- Development, working with the Legislature, of a plan for the provision of healthcare for all Californians, regardless of economic status
- Recertification plans for specialty boards and schools certified by the Medical Board, to assess their continuing relevance and efficacy
- Provision of a patient information system regarding the malpractice insurance status of physicians

- Recognition of excellence in the healthcare delivery system by individual physicians, exemplified by volunteerism, heroism, service beyond the call of duty, brilliance in medicine, or other acts of excellence

Dr. Gitnick received his Bachelor of Science and Doctor of Medicine degrees at the University of Chicago, after which he completed an internship at Johns Hopkins University Hospital. From there he completed Internal Medicine and Gastroenterology subspecialty training at the Mayo Clinic and also spent three years as a Research Associate at the National Institutes of Health. He joined the faculty at the University of California, Los Angeles in 1969. He was Chief of Staff of the UCLA Medical Center and was Medical Director of the UCLA Health Care Programs. He has produced over 300 publications and is the author or editor of 62 books including the textbooks "Principles and Practices of Gastroenterology and Hepatology" and "Diseases of the Liver and Biliary Tract."

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## News Release — April 15, 2002

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### MEDICAL BOARD OF CALIFORNIA

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April 15, 2002

## Hearing on Colton Physician's Practice Restriction Scheduled for April 16

**SACRAMENTO**-The Medical Board of California will seek a complete suspension of the license of Jon Steven Opsahl, M.D., of Colton, at the San Diego Office of Administrative Hearings on April 16, 2002, at 11 a.m. On December 4, 2001, Opsahl stipulated to a partial Interim Suspension Order (ISO), requested by a Deputy Attorney General on behalf of the Medical Board. The Order prohibits Opsahl from prescribing Cipro over the Internet for Anthrax without a good faith prior examination of patients; and from prescribing prescription drugs, including over the Internet, without a good faith prior examination and medical indication therefor.

In its earlier Petition, the Medical Board alleged that Opsahl had prescribed over 1,000 Cipro tablets to patients over the Internet for Anthrax, without first performing a good faith physical examination, as required by Business and Professions Code sections 2242(a) and 2242.1, a new law which specifically prohibits anyone from prescribing drugs over the Internet without a good faith physical examination and a medical indication, and gives the Medical Board the authority to fine a person found to have violated this law up to \$25,000 per occurrence. At the hearing on April 16, the Attorney General's Office on behalf of the Board will allege that Opsahl has failed to comply with the ISO by continuing to prescribe over the Internet since December 4, 2001; that prior to the ISO he prescribed dangerous drugs to patients over the Internet without a good faith examination; and that he lied about his Internet prescribing practices when interviewed by Board investigators.

Opsahl asked Administrative Law Judge Stephen Hjelt that he be allowed to testify at the April 16 hearing, and Judge Hjelt has granted that request.

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To check on the license status of a particular physician, visit the Board's Web site at [www.medbd.ca.gov](http://www.medbd.ca.gov), or call the Medical Board's Consumer Information Line at (916) 263-2382.

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## News Release — March 25, 2002

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### MEDICAL BOARD OF CALIFORNIA

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March 25, 2002

## Medical Board Investigators Arrest Unlicensed Individual in L.A.

**SACRAMENTO**-Investigators for the Medical Board of California arrested Humberto Roque Equihua, who is not licensed to practice medicine, on March 21, 2002 after he treated a patient in Los Angeles. The patient was given two injections by Equihua, who also called in prescriptions for Ibuprofen and prednisone using the name of a properly licensed physician. When the patient's infection worsened, the patient saw a licensed physician, who advised him to contact the Medical Board.

The case was filed with the Los Angeles District Attorney's Office, and Equihua was charged with violating Business and Professions Code sections 2053 (unlicensed practice risking great bodily harm, serious illness or death); and 4140 (illegal possession of a hypodermic needle or syringe). He was booked into the Los Angeles County Jail.

Patients who believe they have been treated by unlicensed individuals are encouraged to contact the Medical Board of California's toll-free complaint line at (800) 633-2322. To determine if an individual is a licensed physician, please contact the Board at (916) 263-2382, or visit the Board's Web site at [www.medbd.ca.gov](http://www.medbd.ca.gov).

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The Medical Board of California is the state agency responsible for licensing and regulating physicians in this state.

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## News Release — March 18, 2002

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### MEDICAL BOARD OF CALIFORNIA

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March 18, 2002

## Medical Board Investigation Leads to Arrest of Unlicensed Practitioner in Ventura

**SACRAMENTO**—Acting on an anonymous tip, investigators for the Medical Board of California conducted an undercover operation which led to the arrest of Kathleen Hopkins, an unlicensed individual. A Medical Board investigator was examined and sold a controlled substance, phentermine, for weight loss by Hopkins at a diet clinic on Telegraph Road in Ventura. Although additional controlled substances and medical equipment were found and seized from the clinic, no physician was associated with it.

Hopkins was booked into the Ventura County Jail with the assistance of the Ventura Police Department. She was charged with violating:

- Health and Safety Code section 11379, furnishing a controlled substance without a prescription by a physician;
- Health and Safety Code section 11378, possessing for sale a controlled substance;
- Health and Safety Code section 11377, possessing a controlled substance;
- Health and Safety Code section 11352.1, operating a location that dispenses controlled substances or dangerous drugs; and
- Business and Professions Code section 2052, practicing medicine without a license.

Patients who believe they have been treated by unlicensed individuals are encouraged to contact the Medical Board of California's toll-free complaint line at (800) 633-2322. To determine if an individual is a licensed physician, please contact the Board at (916) 263-2382, or visit the Board's Web site at [www.medbd.ca.gov](http://www.medbd.ca.gov).

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## News Release — January 25, 2002

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### MEDICAL BOARD OF CALIFORNIA

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January 25, 2002

## Medical Board of California Arrests Orangevale Unlicensed Midwife in Infant Harm Case

**SACRAMENTO** —Medical Board of California investigators arrested unlicensed midwife Denise Haycock on January 11, 2002 after her participation in the delivery of an infant who suffered extreme brain damage during her home birth. Haycock attended the birth as a midwife, but she is not licensed.

Haycock allegedly failed to note a high-risk factor during gestation and did not respond properly to signs of fetal distress during the delivery. She provided all the prenatal care to the mother prior to delivery. She was arrested at her home on a felony warrant of practicing medicine without a license and causing serious injury to a person. Additional misdemeanor charges of the unlicensed practice of medicine and midwifery are also pending. The prosecution is being handled by the Sacramento County District Attorney's Office.

The parents of the infant said they thought Haycock was licensed to practice midwifery in California, but she is not. To legally provide prenatal care and attend a birth, midwives must be licensed in this state. There are two kinds of licensed midwives—those licensed by the Board of Registered Nursing and those licensed by the Medical Board of California. Unlicensed medical practitioners pose a risk of causing serious injury to anyone they treat. Parents are urged to confirm a midwife is licensed before hiring one.

To determine if a midwife is licensed, contact the Board of Registered Nursing at (916) 324-2715 and the Medical Board of California at (916) 263-2382. If a person offering services is not licensed, please contact the Medical Board's toll-free complaint line at (800) 633-2322.

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The Medical Board of California is the state agency responsible for licensing and regulating physicians and non-nurse, licensed midwives in California. Please visit the Board's Web site at [www.medbd.ca.gov](http://www.medbd.ca.gov).

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