



MEDICAL BOARD OF CALIFORNIA

# NEWS

Volume 149 | Winter 2019

*Protecting consumers by advancing high quality, safe medical care.*

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## THE BOARD'S MISSION

The mission of the Medical Board of California is to protect health care consumers through the proper licensing and regulation of physicians and surgeons and certain allied health care professionals and through the vigorous, objective enforcement of the Medical Practice Act, and to promote access to quality medical care through the Board's licensing and regulatory functions.



Barbara Yaroslavsky, pictured with former Board President David Serrano Sewell, was known for her leadership and hard work on behalf of California's health care consumers. MBC Photo.

## Remembering Barbara Yaroslavsky

**By Susan Wolbarst  
Public Information Officer**

Barbara Yaroslavsky, who passed away recently at the age of 71, dedicated much of her life to public service, including nearly 13 years on the Medical Board of California (Board).

During her tenure on the Board, she served in nearly every capacity, including terms as secretary and vice president before taking the gavel as president from 2009-2012.

She was first appointed to the Board on September 23, 2003, bringing a trove of knowledge and experience gained serving on boards of many non-profits in Southern California. Barbara served on the board

*continued on page 10*



Longtime Medical Board Member Barbara Yaroslavsky poses with a Senate resolution honoring her for her work on behalf of California consumers. MBC Photo.

# Editor's Spotlight

In keeping with tradition, the Winter issue of this publication features a new year's glimpse of legislation affecting physicians, allied health care practitioners, consumers and organizations in 2019 and beyond. I am not certain this year sets a new record, but with 45 new health care-related laws taking effect (of a total 1,016 new California laws passed by the legislature and signed by Governor Jerry Brown Jr.), it is evident that our legislators had a very productive 2018. See our summaries, beginning on page 4.

The Medical Board of California (Board) is kicking off the new year with two new public Board members. Meet Susan Friedman and Laurie Lubiano on page 14.

If one of your new year's resolutions is to give back to your community by volunteering some time in one of the state's underserved areas, the Board has improved its Volunteer Physician Registry (VPR) to make the process of signing up to volunteer faster and easier. Read about the interactive VPR on page 9.

Another interactive computer system, available to help the state's enormous number of Medi-Cal providers enroll in Medi-Cal, is the Provider Application and Validation for Enrollment (PAVE) system offered by the Department of Health Care Services. Find out why using PAVE is superior to using legacy paper forms in an article on page 23.

A new column, Consumers Corner, debuts in this issue on page 16. Check it out for useful health-related information.

Sometimes it is not the destination, it is the journey that proves more impactful. Doctor Manu Raam experienced an unexpected trip out of his 10-year-old childhood comfort zone in Chicago that profoundly changed his perspective. Read more beginning on page 6.

## Need a Speaker?

If you would like a speaker from the Medical Board of California to address your organization, please contact Public Affairs Manager Carlos Villatoro at [Carlos.Villatoro@mbc.ca.gov](mailto:Carlos.Villatoro@mbc.ca.gov)

# MEDICAL BOARD OF CALIFORNIA NEWS

A Publication of the Medical Board of California

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Medical Board of California News is published four times per year by the Medical Board of California. The Board's headquarters are located at:

**2005 Evergreen Street, Suite 1200  
Sacramento, CA 95815**

All editions (Winter, Spring, Summer and Fall) are made available on the Board's website:

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

Additionally, the Winter edition is printed in hard copy for distribution via U.S. Postal Service to those physicians or interested parties without an email address.

Submissions of originally written articles are welcome, but all submissions become the property of the Board and are subject to editing.

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## NEWSLETTER SURVEY

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[Medical Board of California News survey](#)

# PRESIDENT'S MESSAGE

Happy, Healthy New Year!

Instead of tackling new “resolutions” on January 1<sup>st</sup>, the Board continues working toward our ongoing objectives for enhancing consumer protection in California. Here are some of the highlights:

- Built on feedback gathered from the public, our ambitious **Strategic Plan for 2018–21** guides us in meeting our goals for licensing and regulation, outreach, and Board administration. I invite you to read the plan on the Board’s website..
- In our efforts to combat the opioid epidemic, last year the Board reviewed nearly 2,600 public death certificates from 2012 and 2013 to identify physicians who may have inappropriately prescribed opioids to their patients and violated the law. This Death Certificate Project (DCP) is part of the Board’s mission of consumer protection, and in 2019 we will begin reviewing death certificates from subsequent years as well as looking for opportunities to educate physicians regarding the appropriate prescribing of opioids.
- The 2018 development and launch of the **Board’s License Alert mobile app** for Apple iOS devices was a major step forward in our commitment to transparency. The app allows users to “follow” the licenses of up to 16 physicians and receive a notification whenever there is a change to a physician’s name or address, practice status, license expiration, or survey data. In addition, it provides a notification when disciplinary action is taken or enforcement documents are posted. An Android version of the app is expected in 2019.
- Our **new communications plan**, which the Board developed last year, expands our outreach to consumers through multiple social media platforms including Facebook, Twitter, and YouTube. We also launched **our first-ever podcast, “Medical Board Chat,”** which covers a wide variety of topics of interest to licensees and consumers. Listen to it on the Board’s website.



Denise Pines

I am constantly impressed with how hard the Members of our Board work on behalf of the people of California, and I would like to take this opportunity to acknowledge the extraordinary contributions of former Board president Sharon Levine, who left the Board at the end of 2018, and Barbara Yaroslavsky, who passed away in late December. We stand on their shoulders, on the foundation they helped create, as we continue to do our important work.

We are fortunate that two outstanding women will be joining us in that work, and it is my pleasure to welcome Laurie Lubiano and Susan Friedman to the Board. I encourage you to get acquainted with them through their impressive bios, which appear on **page 14** in this issue.

Best and to your health,

*Denise*

P.S. Being more transparent to the public is one of the cornerstones of our Board’s plans. To make good on that promise, for the first time in our history, Members are meeting with patient advocates for a face-to-face discussion. Look for a recap in our next issue.

# Significant Number of New Laws Taking Effect in 2019



(L-R, back) Dr. Randy Hawkins, Dr. Harold Krauss, Mr. David Warmoth, Ms. Kristina Lawson, (L-R, front) Dr. Ronald Lewis, Ms. Denise Pines, Dr. Dev Gnanadev and Dr. Felix Yip pose on the steps of the State Capitol during the Medical Board of California's Legislative Day 2018. Photo by: Carlos Villatoro/Public Information Manager

**By Susan Wolbarst  
Public Information Officer**

A significant number of new laws takes effect in 2019 that provide greater protection for California's health care consumers. Among them is a law requiring physicians and surgeons to notify patients if they have been put on probation by the Medical Board of California (Board) for certain violations and a law establishing new requirements and minimal standards for dentists when using sedation and anesthesia on children. Also included in the new laws is one that allows states to share information collected as part of their prescription drug monitoring programs to assist physicians in knowing what prescriptions are being obtained by their patients.

Unless otherwise specified, the new laws took effect on January 1, 2019.

## **Allied Health Care Professions**

### ***Testing at Clinical Laboratories - AB 613 (Nazarian, Chapter 799)***

Authorizes, until January 1, 2021, an unlicensed person who meets specified criteria to perform a total protein refractometer test using a digital refractometer in a licensed plasma collection center in California.

### ***Veterinarians: Cannabis: Animals - AB 2215 (Kalra, Chapter 819)***

Expands the intent of the Medicinal and Adult-Use Cannabis Regulation and Safety Act to control and regulate cannabis and cannabis products for medicinal use on pets. Defines "cannabis products" to include products intended for medicinal use on a pet. Prohibits a licensed veterinarian from dispensing or administering cannabis or cannabis products and prohibits the Veterinary Medical Board from disciplining, denying, revoking,

or suspending the license of a licensed veterinarian for discussing the use of cannabis on an animal for medicinal purposes. The Veterinary Medical Board has until July 1, 2019, to circulate guidelines on this topic.

#### ***Physical Therapists - AB 2423 (Holden, Chapter 761)***

Exempts physical therapy services as part of an individualized education program or individualized family service plan pursuant to the federal Individuals with Disabilities Education Act from the direct access limitation prohibiting physical therapists from continuing treatment beyond 45 calendar days or 12 visits, whichever occurs first, without first receiving a physician's signed approval of the physical therapist's plan of care.

#### ***Dentistry - SB 501 (Glazer, Chapter 929)***

Establishes new requirements and minimal standards for the use of sedation and anesthesia in pediatric dental procedures.

#### ***Hospital Pharmacies - SB 1254 (Stone, Chapter 697)***

Requires pharmacists at hospital pharmacies to obtain an accurate medication profile or list for each high-risk patient.

### **Health Care Coverage**

#### ***Drug Medi-Cal Treatment Program: Rate Setting Process - AB 349 (McCarty, Chapter 643)***

Grants permanent authority for the Department of Health Care Services (DHCS) to annually establish and update the statewide maximum allowable reimbursement rates for Drug Medi-Cal (DMC) by means of bulletins or similar instructions. Until July 1, 2020, authorizes DHCS to annually establish and update the DMC statewide maximum allowable reimbursement rates by means of bulletins or similar instructions without being required to adopt regulations.

#### ***Health Care Coverage: Cancer Treatment - AB 1860 (Limon and Cervantes, Chapter 427)***

This bill increases the \$200 copayment and coinsurance limit to \$250 for prescribed, orally administered anti-cancer medications used to kill or slow the growth of cancerous cells, deletes the sunset on the law that establishes this limit on the coinsurance and copayment amount for prescribed, orally administered anti-cancer medications, and extends the sunset to January 1, 2024.

#### ***Telehealth: Alcohol and Drug Use Treatment - Medi-Cal - AB 2861 (Salas, Chapter 500)***

Requires a Drug Medi-Cal certified provider to receive reimbursement for individual counseling services provided through telehealth, as defined, by a licensed practitioner of the healing arts or registered or certified alcohol or other drug counselor, when medically necessary and in accordance with the Medicaid state plan, to the extent federal financial participation is available and any necessary federal approvals have been obtained. Requires the Department of Health Care Services (DHCS) to adopt regulations by July 1, 2022 for implementation as specified. Allows DHCS to implement, interpret, or make specific these provisions by means of provider bulletins, written guidelines, or similar instructions from DHCS, until regulations are adopted.

#### ***Health Care Coverage: Prescriptions - AB 2863 (Nazarian, Chapter 770)***

Requires a pharmacy to inform a customer whether the retail price for a prescription drug is lower than the applicable cost-sharing amount for the prescription drug. Prohibits a health plan or health insurer from requiring an enrollee or insured to pay the applicable cost-sharing amount for a prescription medication if the cost-sharing amount is greater than the retail price.

#### ***Health Care Coverage: State of Emergency - AB 2941 (Berman, Chapter 196)***

Requires a health plan or health insurer to provide an enrollee or insured who has been displaced by a state of emergency, as declared by the Governor, access to medically necessary health care services; requires a health plan or health insurer to file specified information with regulators; and includes provisions that may allow out-of-network care or a toll-free number for those affected to address questions, as specified.

*continued on page 17*

# Eye-Opening Detour Shaped Loan Repayment Program Recipient's Career

**By Susan Wolbarst**  
**Public Information Officer**

Growing up in Chicago, Dr. Manu Raam spent his days playing violin and reading textbooks that his grandfather mailed to him from India. Education and compassion were always at the forefront of the family dynamic and reading the textbooks gave him a supplement to the western education he was receiving in America. The textbooks would also give him a glimpse of what was to come for the Stephen M. Thompson Physician Corps Loan Repayment Program Award recipient.

"My grandfather and great uncles extolled the values of helping those less fortunate than ourselves," he said.

Manu's tranquil upbringing in the U.S. would come to a halt when his parents announced that the family was moving back to India. Manu, 33, was in the fourth grade at the time and had no idea what was in store for him back at the family's homeland.

"For the next year, I learned how to navigate a city with a new language, I entered a curriculum three years more advanced than our own, and, most importantly, I came face-to-face with a more striking kind of poverty that pervaded India – from seeing the long-term effects of preventable diseases like polio and childhood blindness to seeing entire families with infant children begging for alms," he said. "We returned (to the U.S.) after one year, but from that point forward, I learned to look deeper for socioeconomic disparities, even in more developed environments such as the U.S."

It was this experience and others that formed the bedrock of Manu's career as a physician in the U.S. He studied biomedical engineering at Case Western Reserve University in Cleveland, Ohio, and applied to medical school during his junior year. Doctor Raam attended medical school nearby at the Cleveland Clinic Lerner College of Medicine. His year in India was not unlike the time he spent studying at Cleveland.

"There were so many daily encounters where we came face-to-face with the urban poverty and socioeconomic issues that are all too common in Cleveland," he said. "My very first patient was trying to rebuild his life after being homeless and contracting HIV, and my OB-GYN and pediatrics clerkships illustrated the constant challenges of child poverty and food insecurity."

Doctor Raam completed his pediatric residency at Children's Hospital Los Angeles, subsequently obtaining employment at Shriners for Children Medical Center.



Manu Raam, M.D.

"I'm the director of the osteogenesis imperfecta program, where we coordinate infusions of bisphosphonate medications to reduce fracture frequency and chronic pain in children with brittle bones," he said. "It's particularly gratifying to watch our children develop through high school graduation and progress through developmental milestones without the pain that previously affected them on a daily basis, especially as many of them were told at birth they wouldn't survive for more than a few months. Through Children's Hospital Los Angeles, I also work in a federally qualified health center providing routine general pediatric care to many underinsured, low-income patients."

The favorite parts of his job include starting pain-relieving treatment for babies with osteogenesis imperfecta affected by aching micro-fractures, picking up undiagnosed mental health issues in adolescents and guiding them to treatment, and diagnosing cases of metabolic bone disease that sometimes went missed for years by others. Doctor Raam's least-favorite part of the job is seeing patients whose treatment or development has been hindered by lack of access to mental health care, therapy or specialists due to inadequate funds or insurance.

Asked what advice he would give a young person who wants to be a doctor, he said, "I always recommend keeping an open mind – there is something to learn from any field you study, whether

medical or not. I studied comparative religion, philosophy, and political science in college as well, and those all provided me with skills to better understand my patients and their lives. Even when I knew I wanted to become a pediatrician, paying full attention during my surgical clerkships gave me a better understanding of how my surgical colleagues and I could most efficiently work with each other in the future."

Receiving a Steven M. Thompson Physician Corps Loan Repayment Award has eased the challenge of living in a city with a high cost of living and choosing a specialty that is compensated less than almost all others in medicine.

"With the Steven M. Thompson Award, as well as the financial support I received from my medical school, I've been fortunate to freely choose the specialty that most closely ties into my desire to help one of the most vulnerable populations in medicine, without a second thought," he said.

When he has free time, Dr. Raam enjoys playing the violin or running long distances. He says each of these activities "...helps me clear my thoughts, almost as a form of meditation."

**"My grandfather and great uncles extolled the values of helping those less fortunate than ourselves."**

- Dr. Manu Raam





## Driving While Impaired

Do you know if your patients are recreational cannabis users? A 2014 nationwide survey by the Centers for Disease Control and Prevention (CDC) reported 7,000 new cannabis users every day. The people at University of California San Diego's Training, Research and Education for Driving Safety (TREDS) program have created a brief user-friendly guide for clinicians and pharmacists called **Cannabis & Driving**. It provides answers for some of the many questions that arise when patients use cannabis before getting behind the wheel.

## FDA Approves HPV Vaccine for 27 to 45-year-olds

A vaccine known as Gardasil 9 has been approved by the U.S. Food and Drug Administration to protect men and women aged 27 to 45 from nine strains of human papillomavirus (HPV). HPV infections can lead to cervical, anal, vaginal, penile, and throat cancers. The CDC said more than 43,000 Americans developed such cancers in 2015. The previous approved HPV vaccine was designed for people aged 15-26 and given in two doses.

The new vaccine will be given in three doses (The Washington Post, October 5, 2018). In a related development, Australia will likely become the first country to eliminate cervical cancer, thanks to a nationwide free HPV vaccination policy beginning with teenage girls in 2007 and expanded to boys, who can carry and transmit the virus and get other HPV-related cancers, in 2013. Cervical cancer is the fourth most common type of cancer in women globally. An estimated 570,000 cases will occur in 2018 (The New York Times, October 3, 2018).

## Tech Med Corner

### Rapid Gene Screen Saving Kids

The California Health and Human Services Agency (CHHS) is investing \$2 million in a pilot project to explore how genetic sequencing can be used to quickly diagnose mysterious ailments in low-income children. The pilot program is designed for infants from Fresno, Oakland, Sacramento, and San Diego, who receive Medi-Cal. The money will be used to diagnose infants such as a recent patient -- a weakening 11-month-old baby suffering from repeated seizures. He was quickly diagnosed and given daily vitamin doses to successfully stop the seizures. "The practical application of genomic sequencing that we're seeing here at Rady Children's (Hospital, in San Diego), using it to actually save babies' lives, is a compelling story and a very good application of very interesting technology," said, Michael Wilkening, secretary of CHHS. (*San Diego Union-Tribune*, September 26, 2018).

### Newly Developed Flu Medicine Can Zap Flu with One Dose

The Food and Drug Administration has approved a new type of flu drug – an endonuclease inhibitor – which reportedly interrupts the process of viral replication in the body. The drug can be taken by anyone over 12 years of age and requires only one dose, which is either one or two pills, depending upon a person's weight. If the drug is taken within 24 hours after symptoms appear, it is said to shorten a flu sufferer's misery by an average of 33 hours. Taken later, the effect is about half as significant. The brand of the new flu medicine is Xofluza and the wholesale price will be \$150, whether the prescription calls for one or two pills.

([www.statnews.com](http://www.statnews.com), October 24, 2018)

# Volunteer Physician Registry Is Now Interactive



A new user-friendly Volunteer Physician Registry is now available on the Medical Board of California's (Board) website, making it easier for California-licensed physicians to provide voluntary services in their community. Additionally, the upgraded registry will let clinics in need of volunteers search the database of volunteer physicians using screening criteria such as a physician's area of medical practice, languages spoken, and the location where the physician wants to volunteer.

While such a registry has existed since 2004, physicians have never been able to enter or edit their own data. Previously, volunteer physicians had to contact Board personnel who then contacted the technology team to enter the data.

The new approach allows physicians to create a profile in the system, and then modify the profile whenever necessary. For example, if a physician takes an extended vacation, he or she can hide his or her profile from public view during the time the physician is unavailable.

In addition, their license status information is updated every day from the BreEZe database. If a physician's license expires, or is canceled, or is suspended, his

or her profile is automatically removed from the search results.

In the profile, the physician will specify which area(s) of medicine he or she is willing to practice as a volunteer, which geographic location he or she is willing to volunteer in (within California only), the languages he or she speaks, and contact information (i.e., address, phone number, or email) to reach the physician.

Information supplied when registering must match the information the Board has on file for a physician, creating an added security layer.

To register for the Volunteer Physician Registry visit [www.mbc.ca.gov/VPR](http://www.mbc.ca.gov/VPR).

*continued from page 1*

of the Los Angeles Free Clinic, L.A.'s Best, the Undergraduate Student Scholarship Committee at the University of California San Diego, the Jewish Public Affairs Committee, the Executive Committee of the Jewish Labor Committee; and the Executive Board of the Jewish Community Relations Council.

Barbara took a leadership role on many critical issues the Board grappled with over her 13-year period, including pain management, access to care, enforcement, licensed midwives, opioid misuse and abuse, and providing education to physicians and consumers to promote appropriate prescribing.

She was known as a consistent champion of consumer protection who always brought the consumer's perspective to the Board.

"Barbara influenced the policy direction taken by the Board in a very positive way," Executive Director Kimberly Kirchmeyer said. "She spoke up for the consumer and worked hard to make improvements in consumers' health care interactions. She dedicated her life to helping those around her. She was a leader, advocate, mentor, and friend. She will be greatly missed but will stay with us always."

As an example, Ms. Kirchmeyer pointed out that Barbara was instrumental in getting regulations adopted that require all physicians licensed in California to post a notice to consumers in their offices. The notice includes the information that physicians are regulated by the Board and tells patients how to contact the Board. These consumer-driven initiatives led the way for other regulatory boards to adopt similar regulations.

As co-chair of the Board's Prescribing Task Force, her leadership was instrumental in drafting the

Board's revised Guidelines for Prescribing Controlled Substances for Pain.

Barbara also served as a member of the Board's Midwifery Task Force Committee, helping to lay the groundwork for the Midwifery Advisory Council (MAC). She was an appointee and elected member of the MAC from its inception in 2007, assisting the organization as it matured into a cohesive group that could meet the expectations of licensed midwives, the Board, and the Legislature.

"Barbara Yaroslavsky was one of the most committed individuals I have ever met," said Board President Denise Pines. "She loved people and lived her life helping the least of us and the work she championed at the Board will live on."

When she was honored by Board Members at the end of her service to the Board on May 5, 2016, then-President David Serrano Sewell noted that she had served on and led virtually every standing committee and demonstrated focused commitment to the Board's primary mission of consumer protection.

At the same meeting, other Board Members described her as welcoming and generous with sharing her institutional knowledge when they joined the Board. They praised her dedication, civic work, depth of knowledge, passion, and fearlessness. She responded with some parting advice to her colleagues: "Take your job very seriously. What you do is really, really important. It's not only important for you personally, what's more important is for the people you'll never see, the voices you'll never hear from."

At the time of her death, Barbara was a public member of the Board of Registered Nursing, to which she was appointed June 1, 2016, by the Senate Rules Committee.



By Alexandria Schembra, Associate Governmental Program Analyst

#### Questions Received from the Web

##### **Where can I get new, compliant prescription pads?**

As of January 1, 2021, all prescription forms for schedule II, III, IV, or V controlled substances must include a uniquely serialized number and the California Department of Justice (DOJ) is required to link those numbers to all CURES reports. This requirement was set to take effect on January 1, 2019, but a subsequent bill (AB 149, Cooper) with an urgency clause will amend AB 1753 (Low, Chapter 479) to provide a two-year transition period, if passed, for changing over to the new forms. The forms must be obtained from a DOJ-approved security prescription printer and DOJ has a list of approved security prescription printers physicians may choose from. The list, [available here](#), lists printers alphabetically and provides some additional information on the new requirements. For a complete listing of the features required to be printed on prescription forms, visit the Medical Board's website at [http://www.mbc.ca.gov/Licensees/Prescribing/Prescription\\_Pads\\_101.aspx](http://www.mbc.ca.gov/Licensees/Prescribing/Prescription_Pads_101.aspx).

##### **As a physician, am I allowed to use cannabis for recreational or medicinal purposes?**

The Board does not have a policy regarding a physician's use of cannabis for medicinal and/or recreational purposes, but views the use of cannabis like it does the use of other controlled substances and alcohol. The Board must follow the law, which authorizes the Board to take disciplinary action if a physician is impaired. If a physician is convicted for a marijuana-related crime, be it a misdemeanor or felony, the Board would adhere to its mission of consumer protection and treat the conviction as is it does any crime committed by physicians. The Board would look into the circumstances surrounding the conviction and take the appropriate action to protect the public. Moreover, the Board is alerted when a physician is arrested, including for driving under the influence, and the Board would look into the circumstances leading to the arrest and take appropriate action for public protection.

##### **What are the requirements for the new law regarding naloxone (AB 2760)?**

The law requires prescribers to offer a prescription for naloxone hydrochloride or another drug approved by the United States Food and Drug Administration for the complete or partial reversal of opioid depression to a patient when certain conditions are met. The law also requires prescribers, consistent with the existing standard of care, to provide education to patients, persons designated by the patient, or for minor patients, to their parents or guardian, regarding overdose prevention and the use of naloxone hydrochloride or another drug approved by the United States Food and Drug Administration for the complete or partial reversal of opioid depression. Please see the [Board's frequently asked questions](#) for more information.

#### **Have a question?**

If you have a question, write to [Webmaster@mbc.ca.gov](mailto:Webmaster@mbc.ca.gov). Although only some questions may be featured here in "YOU ASKED FOR IT," all questions will receive an email response, so let us hear from you.

# Mandatory Reporting Requirements for Physicians

## Reporting to the Board

### **Physicians**

Physicians without malpractice insurance must report a settlement (over \$30,000), judgment (any amount) or arbitration award (any amount) within a specific time frame. The same holds true for attorneys who represent physicians without malpractice insurance.  
[www.mbc.ca.gov/Forms/Reporting/enf-801.pdf](http://www.mbc.ca.gov/Forms/Reporting/enf-801.pdf)  
(Business and Professions Code §801.01)

Physician Reporting - Criminal Actions: An indictment or information charging a felony or any conviction of any felony or misdemeanor must be reported within 30 days.

[www.mbc.ca.gov/Forms/Reporting/enf-802.pdf](http://www.mbc.ca.gov/Forms/Reporting/enf-802.pdf)  
(Business and Professions Code §802.1)

Transfer to Hospital from, or Death of Patient in Outpatient Surgery Setting: Physicians performing a medical procedure outside of a general acute care hospital resulting in patient death must report within 15 days. Physicians performing a medical procedure outside of a general acute care hospital resulting in a patient transfer to a hospital for treatment of more than 24 hours must be reported within 15 days.

[www.mbc.ca.gov/Forms/Reporting/patient\\_death.pdf](http://www.mbc.ca.gov/Forms/Reporting/patient_death.pdf)  
[www.mbc.ca.gov/Forms/Reporting/enf-2240b.pdf](http://www.mbc.ca.gov/Forms/Reporting/enf-2240b.pdf)  
(Business and Professions Code §2240)

Notification of Name Change : Name changes must be reported within 30 days.

[www.mbc.ca.gov/Licensees/Name\\_Change.aspx](http://www.mbc.ca.gov/Licensees/Name_Change.aspx)  
(Business and Professions Code §2021(c))

Address of Record: A change of address must be reported within 30 days.

[www.mbc.ca.gov/Licensees/Address\\_of\\_Record.aspx](http://www.mbc.ca.gov/Licensees/Address_of_Record.aspx)  
(Business and Professions Code §2021(b))

Email address: Any physician with an email account is required to notify the Board of his or her email address.

<http://www.mbc.ca.gov/Forms/Licensees/07a-08.pdf>  
(Business and Professions Code §2021(d))

### **Others**

Insurers' report of Malpractice Settlement or Arbitration Award within a specific time frame.  
[www.mbc.ca.gov/Forms/Reporting/enf-801.pdf](http://www.mbc.ca.gov/Forms/Reporting/enf-801.pdf)  
(Business and Professions Code §801.01)

Self-insured employers of physicians report of settlement, judgment or arbitration award within a specific time frame.  
[www.mbc.ca.gov/Forms/Reporting/enf-801.pdf](http://www.mbc.ca.gov/Forms/Reporting/enf-801.pdf)  
(Business and Professions Code §801.01)

State or local government agencies that self-insure physicians, report of settlement, judgment or arbitration award within specific time frame:

[www.mbc.ca.gov/Forms/Reporting/enf-801.pdf](http://www.mbc.ca.gov/Forms/Reporting/enf-801.pdf)  
(Business and Professions Code §801.01)

Peer Review/Health Facility Reporting:

[www.mbc.ca.gov/Forms/Reporting/enf-805.pdf](http://www.mbc.ca.gov/Forms/Reporting/enf-805.pdf)  
(Business and Professions Code §805)  
[www.mbc.ca.gov/Forms/Reporting/enf-805-01.pdf](http://www.mbc.ca.gov/Forms/Reporting/enf-805-01.pdf)  
(Business and Professions Code §805.01)

Reporting for coroners:

[www.mbc.ca.gov/Forms/Reporting/coroner\\_report.pdf](http://www.mbc.ca.gov/Forms/Reporting/coroner_report.pdf)  
(Business and Professions Code §802.5)

Reporting requirements for court clerks and prosecuting agencies:

[www.mbc.ca.gov/Forms/Reporting/enf-805-01.pdf](http://www.mbc.ca.gov/Forms/Reporting/enf-805-01.pdf)  
(Business and Professions Code §§803, 803.5 and 803.6)

Accredited Outpatient Surgery Settings must report adverse events to the Board no later than five days after the adverse event is detected, or, if that event is an ongoing urgent or emergent threat to the health and safety of patients, personnel or visitors, not later than 24 hours after adverse event is detected.

[www.mbc.ca.gov/Consumers/Outpatient\\_Surgery/outpatient\\_adverse\\_event\\_form.pdf](http://www.mbc.ca.gov/Consumers/Outpatient_Surgery/outpatient_adverse_event_form.pdf)  
(Business and Professions Code §2216.3)

Reporting Transfer of Planned Out-of-Hospital Births: A hospital shall report each transfer by a licensed midwife of a planned out-of-hospital birth to the Medical Board of California and the California Maternal Quality Care Collaborative.

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# Medical Board Chat: Licensing Changes

Major changes are on the horizon for medical school graduates who seek licensure in California. Effective January 1, 2020, medical school graduates, regardless of where they graduated from medical school, will need to complete 36 months of postgraduate training before licensure in California.

Carlos Villatoro, Public Information Officer, recently had the opportunity to talk about the licensing changes and more in the latest edition of "Medical Board Chat," the Board's official podcast. His guest on "Medical Board Chat" ([available for streaming on the Board's website](#)) was April Alameda, the Board's Chief of Licensing. April sat with him to talk about the upcoming changes and what it means for medical school graduates, the timelines involved, the new Postgraduate Training License that will be required of all trainees, and how the Board will help education programs.



Visit the Board's [website to listen to the podcast](#). Follow the Board on [Twitter](#) and like the Board on [Facebook](#) for future updates on this issue and much more.

## What You Need to Know about CURES

The Controlled Substance Utilization Review (CURES) was certified for statewide use by the Department of Justice (DOJ) on April 2, 2018. On October 2, 2018, the mandatory consultation of CURES before prescribing, ordering, administering, or furnishing a Schedule II-IV controlled substance became effective for all prescribers.

To assist prescribers, the Medical Board of California (Board) has compiled a list of frequently asked questions (FAQs) that cover the ins and outs of the requirement. You can access the FAQs on the Board's website:

[http://www.mbc.ca.gov/Licensees/Prescribing/CURES/CURES\\_FAQ.pdf?utm\\_source=link&utm\\_medium=website\\_homepage&utm\\_campaign=CURES&utm\\_content=faq](http://www.mbc.ca.gov/Licensees/Prescribing/CURES/CURES_FAQ.pdf?utm_source=link&utm_medium=website_homepage&utm_campaign=CURES&utm_content=faq)

**MEDICAL BOARD OF CALIFORNIA**  
Protecting consumers by advancing high quality, safe medical care.  
Governor Edmund G. Brown Jr., State of California | Business, Consumer Services and Housing Agency | Department of Consumer Affairs

**Controlled Substance Utilization Review and Evaluation System (CURES)  
Mandatory Consultation – Frequently Asked Questions**

- 1. What does 'mandatory use of' or 'consultation of' CURES mean?**  
This requirement means that unless an exemption exists in law, a physician must query the CURES database and run a Patient Activity Report (PAR) on each patient the first time a patient is prescribed, ordered, or administered a Schedule II-IV controlled substance. The PAR must be run within twenty-four hours, or the previous business day, before prescribing, ordering, or administering the controlled substance. In addition, a physician must also query the database at least once every four months if the controlled substance remains a part of the patient's treatment plan. Please go to the Board's [website](#) for more information.
- 2. What does 'first time' mean?**  
'First time' is defined as the initial occurrence in which a health care practitioner intends to prescribe, order, administer, or furnish a Schedule II-IV controlled substance to a patient and has not previously prescribed a controlled substance to the patient.

# Medical Board Welcomes Two New Members

## Susan Friedman

Susan Friedman was appointed to the Medical Board of California as a public member by Governor Edmund G. Brown, Jr. in December 2018.

Ms. Friedman is an Emmy-award winning network news producer who has reported both breaking news and features. For more than 25 years she worked for NBC Nightly News, the Today Show and Dateline covering earthquakes, floods, fires, cults, politics, the war in Bosnia, the catastrophe of Kosovo, the "Troubles" in Northern Ireland, prison riots in Turkey, the death of Princess Diana, the 25<sup>th</sup> anniversary of the end of the war in Vietnam and several stories on returning Iraq War and Afghanistan veterans. In addition, Ms. Friedman always maintained an interest in medical stories and, as examples, investigated stem cells, lack of medical school education in reading mammograms, trauma care in some emergency rooms, and radically different prices for the ten most frequently prescribed prescriptions in hospitals.



Ms. Friedman won a Knight Fellowship and took a six-month leave of absence to train journalists in the newly emerging democracies of Romania, Slovakia and Hungary. Through the International Center for Journalism she continued working with journalists covering sex trafficking in the Balkans, Georgia and Azerbaijan.

She is Vice-chair of the Los Angeles County Commission on Mental Health, a founding board member of The Alliance for Children's Rights, former President of the Los Angeles County Commission on Children and Families, and a past chair of the west coast White House Fellows regional commission.

## Laurie Rose Lubiano, J.D.

Laurie Rose Lubiano was appointed to the Medical Board in 2018 by Governor Edmund G. Brown, Jr. Ms. Lubiano is an attorney licensed to practice law in the State of California and before the U.S. Patent & Trademark Office. She has been IP & Product Counsel for the Climate Corporation since 2017, where she handles a variety of matters including intellectual property, commercial agreements, international expansion and privacy compliance. Ms. Lubiano earned a Bachelor of Arts in Molecular & Cell Biology from U.C. Berkeley and a law degree from The University of The Pacific, McGeorge School of Law.



Ms. Lubiano is a board member for the Mission Hiring Hall in San Francisco and a member of the National Asian Pacific American Bar Association and Asian American Bar Association of the Greater Bay Area. She is also the current President of the Filipino Bar Association of Northern California (FBANC) and founding member of the National Filipino American Lawyers Association. Ms. Lubiano also served on the Planning Commission for the City of Daly City for over 4 years.

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**[www.mbc.ca.gov/Forms/Licensees/midwives\\_out-of-hospital\\_delivery.pdf](http://www.mbc.ca.gov/Forms/Licensees/midwives_out-of-hospital_delivery.pdf)**  
**(Business and Professions Code §2510)**

### Reporting to Other Entities

Live births must be registered with the local registrar of births and deaths for the district in which the birth occurred within 10 days following the date of the event.

**[\(Health and Safety Code §102400\)](#)**

Medical and health section data and the time of death shall be completed and attested to by the physician last in attendance, or, in some cases, by a licensed physician assistant. Physicians, or licensed physician assistants in certain cases, will state conditions contributing to death (except in cases to be investigated by the coroner) and the hour and day the death occurred on a certificate of death and indicate the existence of cancer. (Health and Safety Code §§[102795](#) and [102825](#))

Certificates of fetal death must be completed by the physician, if any in attendance, within 15 hours after the delivery. **[\(Health and Safety Code §102975\)](#)**

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# Reporting Adverse Vaccination Events

The national Vaccine Adverse Event Reporting System (VAERS) was established in 1990 to detect possible safety problems in U.S. licensed vaccines. The Centers for Disease Control and Prevention (CDC) and the U.S. Food and Drug Administration (FDA) co-manage VAERS.

“Anyone can report an adverse event to VAERS. Healthcare professionals are required to report certain adverse events and vaccine manufacturers are required to report all adverse events that come to their attention,” according to the [VAERS website](#).

For specific guidance on what must be reported, please see the [VAERS Table of Reportable Events Following Vaccination \(RET\)](#). An RET footnote says, “In addition, healthcare professionals are encouraged to report any clinically significant or unexpected events (even if not certain the vaccine caused the event) for any vaccine, whether or not it is listed on the RET.”

For more information, email [info@VAERS.org](mailto:info@VAERS.org) or call 1-800-822-7967.

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Diseases reportable by physicians, physician assistants, nurses, midwives and others in California:  
<https://www.cdph.ca.gov/Programs/PSB/Pages/CommunicableDiseaseControl.aspx>

Reportable to the local health officer for jurisdiction where patient resides.

([Title 17 California Code of Regulations §2500](#))

Injuries by deadly weapon or criminal act:  
[leginfo.legislature.ca.gov/faces/codes.xhtml  
\(Penal Code §11160\)](https://leginfo.legislature.ca.gov/faces/codes.xhtml?lawCode=Penal&sectionNum=11160)

Reportable to local law enforcement.

Child abuse:  
[leginfo.legislature.ca.gov/faces/codes.xhtml  
\(Penal Code §§ 11165.7\(a\)\(21\), 11165.9, 11166\(a\)\(c\)\)](https://leginfo.legislature.ca.gov/faces/codes.xhtml?lawCode=Penal&sectionNum=11165.7(a)(21),%2011165.9,%2011166(a)(c))

Reportable to local law enforcement, county probation department or county welfare department.

Adult/Elder abuse:  
[leginfo.legislature.ca.gov/faces/codes.xhtml  
\(Welfare and Institutions Code §15630\)](https://leginfo.legislature.ca.gov/faces/codes.xhtml?lawCode=WelfInst&sectionNum=15630)

Reportable to local law enforcement or an adult protective service agency.

Injuries resulting from neglect or abuse:  
[leginfo.legislature.ca.gov/faces/codes.xhtml  
\(Penal Code §11161.8\)](https://leginfo.legislature.ca.gov/faces/codes.xhtml?lawCode=Penal&sectionNum=11161.8)

Reportable to local law enforcement and the county health department.

Lapses of Consciousness:  
[leginfo.legislature.ca.gov/faces/codes.xhtml  
\(Health and Safety Code §103900\)](https://leginfo.legislature.ca.gov/faces/codes.xhtml?lawCode=HealthSafety&sectionNum=103900)

Reportable to local health officer.

Pesticide poisoning/illness:  
[leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=HSC&sectionNum=105200  
\(Health and Safety Code §105200\)](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC&sectionNum=105200)

Physicians must report pesticide illnesses to the local health officer by telephone within 24 hours.

Miscellaneous Reporting Requirements:  
Reporting requirements for lost or stolen controlled substances or prescription forms, reporting obligations for illegal use of your DEA number:  
[www.mbc.ca.gov/Licensees/Prescribing/  
Prescription\\_Pads\\_101.aspx](https://www.mbc.ca.gov/Licensees/Prescribing/Prescription_Pads_101.aspx)

## Additional Requirements

Required written information physicians must provide to patients: <http://www.mbc.ca.gov/Publications>

A Patient’s Guide to Blood Transfusion  
[\(Health and Safety Code §1645\)](#)

A Woman’s Guide to Breast Cancer Treatment  
[\(Health and Safety Code §109275\)](#)

Gynecologic Cancers...What Women Need to Know  
[\(Health and Safety Code §109278\)](#)

Professional Therapy Never Includes Sex  
[\(Business and Professionals Code §728\)](#)

## A Primer on the Medical Board of California's Complaint Process

Consumers often ask the Medical Board of California (Board) about its complaint process with some of the most common questions being what happens after a complaint is filed, and how involved is a consumer throughout the process.

For starters, consumers are encouraged to file complaints with the Board as soon as possible after the incident(s) in question occurred. By law, the Board cannot review matters that occurred more than seven years ago, except in special circumstances. The Board handles complaints involving allopathic medical doctors (MD), licensed midwives, research psychoanalysts and student research psychoanalysts, outpatient surgery settings (within the Board's jurisdiction) and polysomnographic technicians, technologists, and trainees only. It does not handle complaints involving registered nurses, dentists, chiropractors, osteopathic physicians (DO), and other health care workers, unless they are practicing outside their scope of practice.

The types of complaints the Board handles include substandard care (misdiagnosis, negligent treatment, delay in treatment, etc.); prescribing issues (violation of drug laws, excessive/under prescribing); sexual misconduct; impairment (drug, alcohol, mental, physical); unlicensed practice, or aiding and abetting unlicensed practice; unprofessional conduct (breach of confidence, record alteration, filing fraudulent insurance claims, misleading advertising, arrest or conviction); and office practice issues (failure to provide medical records to patient, failure to sign death certificate, patient abandonment).

The Board has no authority over office issues such as a medical provider's "bedside manner" or the demeanor of his or her office staff, length of time to see the doctor once you arrived, nor prices charged. The Board will not intervene to obtain a refund from a medical provider, unless there is a double payment by an insurance company. Complaints must be in writing unless there are extenuating circumstances.

Complaints may be filed:

- Online at <http://www.mbc.ca.gov/Breeze/Complaints.aspx>.
- By mail (Medical Board of California, Central Complaint Unit, 2005 Evergreen Street, Suite 1200, Sacramento, CA 95815); get fill-in forms in English and Spanish at [http://www.mbc.ca.gov/Consumers/Complaints/Submit\\_By\\_Mail.aspx](http://www.mbc.ca.gov/Consumers/Complaints/Submit_By_Mail.aspx),
- Via fax, using the Board's Consumer Complaint Form described above, at 916-263-2435.

To have a Consumer Complaint Form mailed to you, please phone 916-263-2382 or 1-800-633-2322. It is important to include all information that may assist in investigating the treatment provided. Please be sure to include patient records, photographs, audiotapes, correspondence, billing statements, proof of payments, and any other relevant records. Once you file your complaint, a control number is assigned to the case and this number should be used in any correspondence with the Board.

### **What Happens After I File a Complaint and How Involved will I be in the Process?**

After you file a complaint, you will receive an acknowledgement that your complaint was received. Your complaint will be reviewed by a Board analyst, who will gather necessary information to evaluate it. You may be contacted if the analyst determines that more information or clarification is needed to process your complaint. For instance, you may be asked to sign an "Authorization for the Release of Medical Information," if one was not included with your complaint. To avoid delay, it's important to sign and return the medical release form as soon as possible.

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***Medi-Cal: Medically Necessary Services - SB 1287  
(Hernandez, Chapter 855)***

Defines in state law, for individuals under age 21 enrolled in Medi-Cal, a service as medically necessary or a medical necessity by reference to the federal Medicaid standard, which requires coverage when the service would correct or ameliorate defects and physical and mental illnesses.

**Medical Education**

***Physicians and Surgeons: Continuing Education - AB 1791 (Waldron and Gipson, Chapter 122)***

Allows for an optional continuing medical education (CME) course in integrating HIV/AIDS pre-exposure prophylaxis and post-exposure prophylaxis medication maintenance and counseling in primary care settings.

***Physicians and Surgeons: Continuing Education; Opiate-Dependent Patient Treatment and Management - AB 2487 (McCarty, Chapter 301)***

Allows physicians licensed after January 1, 2019, to opt to complete a one-time mandatory 12-hour CME course on the treatment and management of opiate-dependent patients, which must include eight hours of training in buprenorphine treatment or other similar medicinal treatment for opioid use disorders, in lieu of the existing required CME on pain management. Physicians are required to take one of these two CME courses.

**Medical Practice and Ethics**

***Patient Records: Addenda - AB 2088  
(Santiago, Chapter 275)***

Permits a minor patient to provide a written addendum to his or her medical records if the patient believes the records are incomplete or incorrect.

***Mental Health: Detention and Evaluation-AB 2099 (Gloria, Chapter 258)***

Requires a copy of the application that permits an individual to be involuntarily detained, as specified, to be treated as the original for purposes of evaluation and treatment.

***Maternal Mental Health - AB 2193  
(Maienschein, Chapter 755)***

Requires, by July 1, 2019, a licensed health care practitioner who provides prenatal or postpartum care for a patient to ensure that the mother is offered screening or is appropriately screened for maternal mental health conditions. Also requires health insurers

and health care service plans to develop maternal mental health clinical case management programs, as specified.

***Child Abuse: Sexual Assault: Mandated Reporters: Statute of Limitations - AB 2302 (Baker, Chapter 943)***

Extends the criminal statute of limitations in cases involving the failure to report any incident known or reasonably suspected by a mandated reporter to be sexual assault to five years, commencing on the date the offense occurred.

***Pupil Health: Mental and Behavioral Health Services: Telehealth Technology: Guidelines - AB 2315 (Quirk-Silva, Chapter 759)***

Requires the California Department of Education, in consultation with the Department of Health Care Services and appropriate stakeholders with experience in telehealth, to develop guidelines on or before July 1, 2020, for the use of telehealth technology to provide mental health and behavioral health services to pupils on public school campuses, including charter schools.

***Health Care Facilities: Voluntary Psychiatric Care - AB 2983 (Arambula, Chapter 831)***

Prohibits a general acute care hospital or acute psychiatric hospital from requiring a person who voluntarily seeks care to be in custody pursuant to section 5150 of the Lanterman-Petris-Short Act (commonly referred to as a 5150 hold) as a condition of admittance.

***Maternal Mental Health Conditions - AB 3032  
(Frazier, Chapter 773)***

Establishes the Maternal Mental Health (MMH) Conditions Education, Early Diagnosis, and Treatment Act, and requires hospitals that have a perinatal unit to develop and implement a program to provide education and information to appropriate health care professionals and patients about MMH conditions.

***Consent by Minors to Treatment for Intimate Partner Violence -AB 3189 (Cooper, Chapter 1003)***

Allows minors to consent to medical care for injuries caused by intimate partner violence and imposes a number of requirements on the health practitioners who provide care to them.

## **Advance Health Care Directives - AB 3211 (Kalra, Chapter 287)**

Revises and recasts the statutory provisions governing the content of the Advance Health Care Directive form with regard to organ donation.

## **Health Care: Mammograms - SB 1034 (Mitchell, Chapter 332)**

Extends the sunset date until January 1, 2025, on existing law requiring health facilities where mammography is performed, to provide a notice informing the patient that she has dense breasts if a patient is categorized by the facility as having dense breasts.

## **Medi-Cal: Oral Interpretation Services - SB 1423 (Hernandez, Chapter 568)**

Revises existing law relating to Medi-Cal managed care (MCMC) and mental health plan oral interpretation services for an individual who is limited-English-proficient (LEP) to require that an interpreter must have the ability to provide effective, accurate, and impartial interpreter services to and from the language spoken by the LEP beneficiary and in English, using any necessary specialized vocabulary, terminology, and phraseology, and makes other clarifying changes.

## **Health – Stem Cell Therapies Notice - SB 1495 (Committee on Health, Chapter 424)**

Makes technical and clarifying changes to SB 512 from last year, regarding stem cell therapies not approved by the U.S. Food and Drug Administration (FDA). While SB 512 required health care practitioners performing a stem cell therapy not approved by the FDA to communicate this to patients on a notice displayed in his or her office, as specified, this bill specifies that the stem cell therapies that require a notice do not include therapies that meet the criteria of the Code of Federal Regulations, Title 21, Sections 1271.10 and 1271.15, which are those that do not require FDA premarket review or clearance, but are still regulated by the FDA, or those that qualify for an exception, as specified. This bill also contains other technical cleanup not related to the Board.

## **Prescription Drugs/Controlled Substances**

### **Cannabidiol - AB 710 (Wood, Chapter 62)**

Allows a physician, pharmacist, or other authorized healing arts licensee acting within his or her scope of practice, to prescribe, furnish, or dispense cannabidiol, if it is excluded from Schedule I of the federal Controlled Substances Act (Act) and

placed on a schedule other than Schedule I, or if a product composed of cannabidiol is approved by the federal Food and Drug Administration (FDA) and either placed on a schedule of the Act other than Schedule I or is exempted from the Act. If a physician, pharmacist, or other authorized healing arts licensee prescribes, furnishes, or dispenses cannabidiol in accordance with federal law, they shall be deemed to be in compliance with state law. An urgency statute, the law took effect when signed.

### **Controlled Substances: CURES Database - AB 1751 (Low, Chapter 478)**

Allows information sharing between California's prescription drug monitoring program (PDMP), the Controlled Substances Utilization Review and Evaluation System (CURES), and other states' PDMPs. Requires the Department of Justice (DOJ) to adopt regulations by July 1, 2020 regarding the access and use of information within CURES. Allows the DOJ to enter into an interstate data sharing agreement, as specified.

### **Controlled Substances: CURES Database - AB 1753 (Low, Chapter 479)**

Authorizes the Department of Justice (DOJ) to cap the number of security printers approved to manufacture regulated prescription pads to three and allows the DOJ to reduce or limit the number of printers to no fewer than three through regulation. Requires that all prescription forms be uniquely serialized and requires that the DOJ link prescription pad serial numbers to corresponding records in CURES.

### **Controlled Substances: CURES Database - AB 2086 (Gallagher, Chapter 274)**

Allows a prescriber to access the CURES database for a list of patients for whom that prescriber is listed as a prescriber.

### **Law Enforcement Agencies: Opioid Antagonist - AB 2256 (Santiago, Chapter 259)**

Authorizes a pharmacy or wholesaler to furnish naloxone hydrochloride (naloxone) or another opioid antagonist to law enforcement agencies, under specified conditions.

### **Emergencies: Health Care - AB 2576 (Aguiar-Curry, Chapter 716)**

This bill authorizes a community clinic licensed by the Board of Pharmacy (BOP) to furnish drugs or devices without a prescription during a state of emergency, and authorizes the BOP to waive specified provisions of the Pharmacy Practice Act for up to 90 days

following the termination of a declared emergency. Permits the Governor, during a state of emergency, to direct all state agencies to utilize, employ, and direct state personnel, equipment and facilities to allow community clinics and health centers to provide and receive reimbursement for services provided during or immediately following an emergency, as specified.

***Prescription Drugs: Prescribers: Naloxone Hydrochloride and other FDA-Approved Drugs - AB 2760 (Wood, Chapter 324)***

Requires a prescriber to offer a prescription for naloxone or another drug approved by the Food and Drug Administration (FDA) for the complete or partial reversal of opioid depression, if the prescription dosage for the patient is 90 or more morphine milligram equivalents of an opioid medication per day, or if an opioid medication is prescribed concurrently with a prescription for a benzodiazepine, or if the patient presents with an increased risk for overdose, including a patient history of overdose, a patient with a history of substance use disorder, or a patient at risk for returning to a high dose of opioid medication to which the patient is no longer tolerant. Requires a prescriber to provide education to a patient, or the patient's parent or guardian, or designee, on overdose prevention and the use of naloxone or other similar drug approved by the FDA. Lastly, this bill specifies that a prescriber who fails to offer a prescription or provide education, as required by this bill, must be referred to the appropriate licensing board solely for the imposition of administrative sanctions deemed appropriate by that board.

***Health Care Practitioners: Prescriptions: Electronic Data Transmission - AB 2789 (Wood, Chapter 438)***

Requires all prescriptions issued by licensed prescribers, on or after January 1, 2022, to be issued as electronic data transmission prescriptions (e-prescriptions), with specified exemptions.

***Pharmacy: Safe Storage Products - AB 2859 (Caballero, Chapter 240)***

Requires certain pharmacies that dispense Schedule II, III, or IV controlled substances to display safe storage products, as defined, for sale on the building premises in a place located close to the pharmacy.

***Prescription Drugs - SB 1021 (Wiener, Chapter 787)***

Prohibits health plan contracts and health insurance policies from having utilization management policies or procedures which rely on a multi-tablet drug

regimen over a single-tablet drug regimen for the prevention of HIV infection and AIDS; extends the January 1, 2020 sunset on law that caps cost sharing for a covered outpatient prescription drug at \$250/\$500 per 30-day supply, as specified, as well as other formulary requirements; and codifies a regulation that prohibits an enrollee or insured from being charged more than the retail price for a prescription drug when the applicable copayment or coinsurance is a higher amount.

***Controlled Substances: Schedule II Drugs: Opioids - SB 1109 (Bates, Chapter 693)***

Requires existing pain management continuing education courses to include the risks of addiction associated with the use of Schedule II drugs. Also requires a warning label on all Schedule II controlled substance prescription bottles on the associated addiction and overdose risks. Requires a prescriber to discuss specified information with the minor or the minor's parent or guardian before prescribing an opioid for the first time. Lastly, requires youth sports organizations to annually give the Opioid Factsheet for Patients to each athlete, and for the athlete's parent or guardian to sign a document acknowledging receipt of the fact sheet before participation in an organized sports team.

***Pharmacy: Automated Drug Delivery Systems - SB 1447 (Hernandez, Chapter 666)***

Revises requirements for the operation and licensing of an automated drug delivery system after July 1, 2019.

**Public Health**

***Reporting Valley Fever - AB 1787 (Salas, Chapter 229)***

Requires the California Department of Public Health (CDPH) to collect data on Valley Fever by April 15 of each year from the California Reportable Disease Information Exchange or any other electronic data system.

***Valley Fever Education, Early Diagnosis, and Treatment Act - AB 1790 (Salas, Chapter 338)***

Requires CDPH to conduct a Valley Fever awareness campaign to communicate with local health jurisdictions, providers, and the public about Valley Fever, as specified.

### ***Maternal Mental Health: Federal Funding -***

#### ***AB 1893 (Maienschein, Chapter 140)***

Requires the CDPH to investigate and apply for federal funding opportunities to support maternal mental health, as specified. Requires CDPH to notify the Legislature of its efforts to secure and utilize federal funds it receives. This bill sunsets on January 1, 2023.

### ***Childhood Lead Poisoning Prevention - SB 1041***

#### ***(Leyva, Chapter 690)***

Requires CDPH to annually notify health care providers who perform periodic health assessments for children about, and requires those health care providers to inform parents and guardians about, the risks and effects of childhood lead exposure and the requirement that children enrolled in Medi-Cal receive blood screening tests. Requires CDPH to include additional publicly releasable information about the number of children enrolled in Medi-Cal who have and have not received blood lead screening tests.

## **State Administration**

### ***Medical Board of California: Adjudication: Expert Testimony - AB 505 (Caballero, Chapter 469)***

Allows an administrative law judge (ALJ) to extend the deadline for the exchange of expert witness reports, upon a motion and based upon a showing of good cause. This bill specifies that the ALJ may extend the timeline for the exchange for a period not to exceed 100 calendar days cumulatively, but in no case would this bill allow the exchange to take place less than 30 calendar days before the hearing date, whichever comes first.

### ***Licensing Boards: Denial of Application: Revocation or Suspension of Licensure: Criminal Conviction - AB 2138 (Chiu and Low, Chapter 995)***

Effective July 1, 2020, limits the current discretion given to boards, bureaus and committees within the Department of Consumer Affairs to apply criminal conviction history for a license denial. Amends the definition of a conviction in existing law to mean a judgment following a plea or verdict of guilty or a plea of nolo contendere or finding of guilt. No longer allows a conviction that has been dismissed under Penal Code Section 1203.4 to fall under the definition of a conviction. Only allows a board to deny a license on the grounds that the applicant has been convicted of a crime or has been subject to formal discipline if the applicant has been convicted of a crime for which the applicant is presently incarcerated or for

a conviction occurring within the preceding seven years (the seven year limitation would not apply to a conviction for a serious felony, as defined in Penal Code Section 1192.7), or if the applicant has been subjected to formal discipline by a board within the preceding seven years from the date of application based on professional misconduct that would have been cause for discipline before that board and that is substantially related to the qualifications, functions, or duties of the business or profession for which the present application is made. Does not allow prior disciplinary action by a board within the preceding seven years to be the basis for denial of a license if the basis for that disciplinary action was a conviction that has been dismissed pursuant to the Penal Code, or a comparable dismissal or expungement. Among other provisions, also prohibits regulatory boards from requiring an applicant to self-disclose criminal history information and requires boards to collect and publish demographic data regarding applicants who are denied licensure or who have licenses revoked or suspended.

### ***Health Care Service Plans: Disciplinary Actions***

#### ***AB 2674 - (Aguilar-Curry, Chapter 303)***

Requires the Department of Managed Health Care (DMHC) to review complaints filed by a provider who believes a plan is engaging in an unfair payment pattern, and authorizes DMHC to conduct an audit and an enforcement action pursuant to existing regulations.

### ***Healing Arts Licensees: Probation Status: Disclosure - SB 1448 (Hill, Chapter 570)***

Known as the Patient's Right to Know Act of 2018, requires - on and after July 1, 2019 - physicians and surgeons to notify patients of their probationary status for cases that involve: the commission of any act of sexual abuse, misconduct, or relations with a patient or client as defined in Business and Professions Code Sections 726 or 729; drug or alcohol abuse directly resulting in harm to patients, or to the extent that such use impairs the ability of the licensee to practice safely; criminal conviction involving harm to patient health; and inappropriate prescribing resulting in harm to patients and a probationary period of five years or more. Also requires podiatrists, acupuncturists, chiropractors and naturopathic doctors to notify patients of their probationary status before seeing a patient for the first time, as specified. Also requires the Board, on and after July 1, 2019, to provide the following information for licensees on probation and licensees practicing under probationary licenses,

*continued on next page*

# Be Cautious When Advertising Specialty Certification



Physicians are urged to be careful when using the term “board certified” on websites, business cards, or other forms of advertising.

It is unlawful to use the term “board certified” unless an individual has been certified by a board that is an American Board of Medical Specialties (ABMS) member board or a specialty board approved by the Medical Board of California; a board or association with equivalent requirements approved by the physician’s and surgeon’s licensing board prior to January 1, 2019; or a board or association with an Accreditation Council for Graduate Medical Education approved postgraduate training program that provides complete training in that specialty or subspecialty ([Business and Professions Code §651](#)).

The Medical Board of California has approved the following four specialty boards:

- American Board of Facial Plastic and Reconstructive Surgery (Approved: February 3, 1995)
- American Board of Pain Medicine (Approved: February 2, 1996)
- American Board of Sleep Medicine (Approved: February 6, 1998)

- American Board of Spine Surgery (Approved: May 10, 2002)

Unless physicians are certified by a specialty board, as defined by law, physicians are prohibited from using the term “board certified” in their advertisements. The law does not, however, prohibit the advertising of specialization, regardless of board certification status, nor does it prohibit the use of *diplomate, member, approved by*, or any other term that is subject to interpretation by prospective patients (B&P Code §651), [Title 16 California Code of Regulations §1363.5](#)).

False and deceptive advertising violations can result in discipline against a medical license. It is unlawful for any medical professional to make a deceptive advertising claim or representation pertaining to the type of service provided that is beyond their scope of practice or based on false credentials.

Physicians have been disciplined for advertising misleading and deceptive statements regarding their training, such as marketing their credentials from a prestigious hospital when they never actually finished their training.

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in plain view on the licensee’s profile page on the Board’s website: for probation imposed pursuant to a stipulated settlement, the causes alleged in the operative accusation along with a designation identifying those causes by which the licensee has expressly admitted guilt and a statement that

acceptance of the settlement is not an admission of guilt; for probation imposed by an adjudicated decision of the Board, the causes for probation stated in the final probationary order; for a licensee granted a probationary license, the causes for which a probationary license was imposed; the length of the probation and end date; and all practice restrictions placed on the license by the Board.

# PAVE Smooths Out Processing Speed Bumps In Medi-Cal Provider Application Process

The Provider Application and Validation for Enrollment (PAVE) system is the Department of Health Care Services' (DHCS) interactive web-based system created to help California's roughly 200,000 Medi-Cal providers enroll in Medi-Cal and securely manage their Medi-Cal accounts online.

DHCS funds health care services for more than 13 million Medi-Cal recipients. About one in three Californians receives health care services paid via Medi-Cal, either directly or through a managed care plan.

DHCS receives about 6,000 provider applications per month; about 52 percent come in through PAVE and the rest on legacy paper forms.

"PAVE is superior to paper forms in several ways," said Tanya L. Homman, Chief of the Provider Enrollment Division (PED) at DHCS. "For example, about 80 percent of the paper forms are incomplete as submitted," she said. Those submitting incomplete forms are sent a deficiency letter, describing the problem(s). Providers then have 60 days to review the deficiency letters, change their forms, and mail them back to DHCS.

However, the PAVE system guides the user and requires applicants to answer all questions before submitting. There may still be errors – most often with attaching an incorrect document – but the number of PAVE applications that need additional work is only 32 percent, and DHCS can follow up online through the PAVE system to correct them rather than sending a letter. The result is a faster process. Processing paper applications takes 90-180 days, while PAVE submissions are being processed within 51 days.

PAVE also offers a help desk, and in-context tutorial videos for users. One of them, "Getting Started," runs four and a half minutes and is a great beginning point.

"I'm not saying everything is perfect," Homman said. "The system has the ability for users to rate the system and it's now getting 4.4 out of 5 stars."

In the near future, provider applicants will need to enroll using PAVE, as paper applications will no longer be available.

To sign up in PAVE, visit the PAVE Portal at <https://pave.dhcs.ca.gov/sso/login.do>.

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This initial phase in the Central Complaint Unit includes gathering medical records, a response from the subject medical provider, and any additional information necessary to determine if a violation of the law occurred. In quality of care cases, after all the information has been gathered, a medical consultant will review the matter to determine if there is a departure from the standard of care. If no violation is found, or if there is insufficient evidence to proceed, the complaint will be closed, and you will be notified.

In contrast, when a medical consultant determines that a violation may have occurred and more investigation is needed, the matter is referred to the Division of Investigation, Health Quality Investigation Unit (HQIU), within the Department of Consumer Affairs. Cases that are of an urgent nature may be referred immediately for investigation by HQIU.

You will receive notification from the Board if your complaint is referred to HQIU for further investigation. The investigation process is lengthy and thorough, and, consistent with due process of law, is conducted in a non-biased manner to determine whether the Board can prove that a violation occurred by "clear and convincing evidence." During this investigation, you will be contacted if the investigator needs additional information.

If, after investigation, disciplinary action is not warranted, or the allegations cannot be proven, the case will be closed. However, if action is warranted, an accusation, which is the charging document identifying the allegations against the medical provider, will be filed by the Attorney General's Office (AGO). You will receive notification from the Board informing you whether your complaint has been closed at this stage or referred to the AGO to determine whether an accusation should be filed

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# Information About Workers' Compensation Fraud

Workers' compensation fraud costs the citizens of California billions of dollars each year. It is more than an employee exaggerating a medical condition. Workers' compensation fraud also occurs when health care providers bill for services never performed, when employers under-report payroll, and when attorneys or claims adjusters facilitate claimant fraud. While not targeted to any specific entities or individuals, this notice reminds everyone of the serious consequences of fraud.

## Medical Provider Fraud

- Billing fraud
- Employing individuals to solicit new patients
- Unnecessary treatment or self-interested referrals
- Failing to report a work injury

## Claims Adjuster Fraud

- Causing payments to be made to non-existent claimants or medical providers
- Referring patients or clients to medical providers or attorneys for compensation
- Issuing excessive payments to an attorney or medical provider in return for a kick-back
- Backdating documents in an attempt to avoid penalties for delays in benefit payments or altering documents to support an unjustified denial of a claim

## Employer Fraud

- Premium fraud: when an employer schemes to defraud their workers' compensation insurer by paying less for workers' compensation insurance. Examples include under-reporting payroll, misclassifying employees' job descriptions, or paying an employee's medical provider directly for medical treatment for a work-related injury

- Failing to secure workers' compensation insurance coverage

## Attorney Fraud

- Facilitating claimant, employer, or insurer fraud
- Engaging in client solicitation
- Receiving a fee for referring clients to a medical provider

## Workers' Compensation Fraud is a Crime

It is a felony to make a false or fraudulent material statement to obtain or deny any compensation. It is a crime to knowingly assist, conspire with, or solicit any person in an unlawful act of workers' compensation insurance fraud. It is also a crime to make or cause to be made a knowingly false or fraudulent statement with regard to entitlement to benefits with the intent to discourage an injured worker from claiming benefits or pursuing a claim. Workers' compensation fraud may be punished by imprisonment in county jail for over one year, or in a state prison for two to five years. A fine may also be imposed not exceeding \$150,000, or double the amount of the fraud, whichever is greater. If someone is convicted of workers' compensation fraud, the court is required to order restitution, including restitution for any medical evaluation or treatment services obtained or provided. A person convicted of workers' compensation fraud may be charged the costs of the investigation and is ineligible to receive or retain any compensation, where that compensation was owed or received as a result of workers' compensation fraud.

## Reporting Workers' Compensation Fraud

For more information about workers' compensation fraud, or to report workers' compensation fraud, please call the Department of Insurance's fraud hotline number: (800) 927-4357. You can also access the Fraud Division's website at: <http://www.insurance.ca.gov/0300-fraud/0100-fraud-division-overview/> to obtain more information and locate the telephone number for the Fraud Division office nearest to you.

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against the provider. After the AGO's review, you will be notified regarding the AGO's decision on whether to file an accusation.

Most cases settle without the need to go to a hearing. For the cases that proceed to hearing, the assigned attorney will determine how to present the case, and whether it is necessary to call you as a witness.

In most cases, you will not be called to testify at hearing. Following the conclusion of the case, you will be provided a copy of the final decision by the Board, including whether the accusation was withdrawn or dismissed, or discipline was imposed.

Is there a topic you would like for us to discuss on a future Consumer Corner? Email the editor at [susan.wolbarst@mbc.ca.gov](mailto:susan.wolbarst@mbc.ca.gov) and tell us.

# ADMINISTRATIVE ACTIONS

August 1, 2018 – October 31, 2018

## Physicians and Surgeons

### **AL-MONDHIRY JAFAR HAMID, M.D. (A 158337), Los Angeles, CA**

Physician has a condition affecting his ability to practice medicine safely. Probationary license issued, placed on three years' probation with terms and conditions including, but not limited to, completing a clinical diagnostic evaluation, notification of employer, submitting to biological fluid testing, attending substance abuse support group meetings, obtaining a worksite monitor, and abstaining from the use of controlled substances and alcohol. August 31, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOCS%5c20180824%5cDMRAAAGL1%5c&did=AAAGL180824170718979.DID>

### **ALTCHEK, MARK J., M.D. (G 43919), San Francisco, CA**

Committed acts of repeated negligence in the care and treatment of three patients and failed to maintain adequate and accurate medical records in the care and treatment of two patients. Revoked, stayed, placed on five years' probation with terms and conditions including, but not limited to, completing a clinical competence assessment program prior to practicing medicine and completing a professional enhancement program, a medical record keeping course, a prescribing practices course, and an education course.

September 7, 28

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOCS%5c20180810%5cDMRAAAGL5%5c&did=AAAGL180810183501983.DID>

### **ANDERSON, LAUREN CONSTANCE, M.D. (C158959), Natchitoches, LA**

Physician has a condition affecting her ability to practice medicine safely. Probationary license issued, placed on five years' probation with terms and conditions including, but not limited to, completing a clinical diagnostic

## Explanation of disciplinary language and actions

**“Effective date of decision”** — Example: “March 14, 2012” at the bottom of the summary means the date the disciplinary decision goes into operation.

**“Gross negligence”** — An extreme deviation or departure from the standard of care.

**“Incompetence”** — Lack of knowledge or skills in discharging professional obligations.

**“Judicial review pending”** — The disciplinary decision is being challenged through the court system, i.e., Superior Court, Court of Appeal, or State Supreme Court. The discipline is currently in effect.

**“Probationary License”** — A conditional license issued to an applicant with probationary terms and conditions. This is done when cause exists to deny the license application, but limitations can be put in place to protect the public.

**“Public Letter of Reprimand”** — A lesser form of discipline that can be negotiated after or in lieu of the filing of formal charges. The reprimand may include educational and clinical training requirements.

**“Revoked”** — The right to practice is ended due to disciplinary action. The license is invalidated, voided, annulled, or rescinded.

**“Revoked, stayed, 5 years’ probation with terms and conditions, including 60 days suspension”** — “Stayed” means the revocation is postponed. Professional practice may continue so long as the licensee complies with specified probationary terms and conditions which, in this example, includes 60 days of actual suspension from practice. Violation of any term of probation may result in the revocation that was postponed.

**“Stipulated Decision or Settlement”** — A form of plea bargaining. The case is formally negotiated and settled prior to hearing.

**“Surrender”** — To resolve a disciplinary action, the licensee has given up his or her license — subject to acceptance by the Board.

**“Suspension from practice”** — The licensee is prohibited from practicing for a specific period of time.

evaluation, notification of employer, submitting to biological fluid testing, attending substance abuse support group meetings, obtaining a worksite monitor, and abstaining from the use of controlled substances and alcohol. October 11, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20181004%5cDMRAAAGL9%5c&did=AAAGL181004204527341.DID>

**BACAY, MARIA ISABEL ARUIZA, M.D. (A 51759), Manteca, CA**

Committed acts of repeated negligence and failure to maintain adequate and accurate medical records in the care and treatment of six patients. Revoked, stayed, placed on five years' probation with terms and conditions including, but not limited to, prohibited from ordering, prescribing, dispensing, administering, furnishing, or possessing any controlled substances listed in Schedule II and from issuing an oral or written recommendation or approval to possess or cultivate marijuana; maintaining a record of all controlled substances ordered, prescribed, dispensed, administering, or possessed; completing an education course, a prescribing practices course, a medical record keeping course, and a clinical competence assessment program; and obtaining a practice monitor. October 5, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180910%5cDMRAAAGL1%5c&did=AAAGL180910171801007.DID>

**BAJAJ, AKASH, M.D. (A 83927), Marina Del Rey, CA**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for repeated acts of negligence and failure to maintain adequate and accurate medical records. August 9, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180809%5cDMRAAAGL1%5c&did=AAAGL180809153552865.DID>

**BATIN, FRANCES PATRICIA, M.D. (G 66244), Loma Linda, CA**

No admissions but charged with gross negligence and incompetence in the care and treatment of one patient, and repeated negligent acts and failure to maintain adequate and accurate medical records in the care and treatment of three patients. Revoked, stayed, placed on four years' probation with terms and conditions including, but not limited to, completing an education course, a prescribing practices course, and a medical record keeping course, and prohibited from engaging in the solo practice of medicine. October 12, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180913%5cDMRAAAGL2%5c&did=AAAGL180913164325590.DID>

**BENZOR, JOANNE MARIAN (G 53502), Riverside, CA**

Failed to comply with the terms of her Board-ordered probation by failing to submit to biological fluid testing, failed to maintain a valid license, and failed to participate in an interview with the Board. Revoked.

August 31, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180802%5cDMRAAAGL5%5c&did=AAAGL180802170331472.DID>

**BERNARDO, BITUIN TOLENTINO (A 40293), Tulare, CA**

No admissions but charged with having a condition affecting her ability to practice medicine safely. Surrender of License. October 29, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20181022%5cDMRAAAGL1%5c&did=AAAGL181022192613176.DID>

**BRANCATO, SAM JOSEPH, M.D. (C 157659), San Diego, CA**

Physician has a condition affecting his ability to practice medicine safely. Probationary license issued, placed on three years' probation with terms and conditions including, but not limited to, obtaining a worksite monitor and prohibited from engaging in the solo practice of medicine. August 1, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180725%5cDMRAAAGL2%5c&did=AAAGL180725165235063.DID>

**BUCHNER, WILLIAM HOWARD, JR., M.D. (A 109750), San Diego, CA**

No admissions but charged with gross negligence in the care and treatment of one patient and repeated negligent acts and failure to maintain adequate and accurate records in the care and treatment of two patients. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited to, completing an education course, a medical record keeping course, and an ethics course; obtaining a practice monitor; prohibited from engaging in the solo practice of medicine; and prohibited from holding any type of ownership interest in any medical clinic. October 12, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180913%5cDMRAAAGL2%5c&did=AAAGL180913164152158.DID>

**BUDHRAM, HAROLD S., M.D. (G 31973), Shasta Lake, CA**

No admissions but charged with gross negligence in the care and treatment of seven patients, repeated negligent acts in the care and treatment of two patients, failure to maintain adequate and accurate medical records in the care and treatment of three patients, and failure to establish written protocols and procedures of a furnishing nurse practitioner and physician assistant. Revoked, stayed, placed on five years' probation with terms and conditions including, but not limited to, prohibited from ordering, prescribing, dispensing, administering, furnishing, or possessing Fentanyl and Dilaudid and from issuing an oral or written recommendation or approval to possess or cultivate marijuana; maintaining a record of all controlled substances ordered, prescribed, dispensed, administered, or possessed; completing an education course, a prescribing practices course, a medical record keeping course, an ethics course, and a clinical competence assessment program; and obtaining a practice monitor. October 10, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180910%5cDMRAAAGL1%5c&did=AAAGL180910171330864.DID>

**BUI, THOMAS THANH, M.D. (A 105271), Irvine, CA**

No admissions but charged with gross negligence, repeated negligent acts, and failure to maintain adequate and accurate medical records in the care and treatment of one patient. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited to, completing a prescribing practices course, an education course, and a clinical competence assessment program; obtaining a practice monitor; and prohibited from engaging in the solo practice of medicine. August 31, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180801%5cDMRAAAGL3%5c&did=AAAGL180801165402393.DID>

**BUNCKE, GEOFFREY H., M.D. (G 56613), Portland, OR**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for being disciplined by Oregon for an inappropriate boundary violation that breached well recognized standards of medical ethics and caused emotional and mental harm to a patient. September 25, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180925%5cDMRAAAGL1%5c&did=AAAGL180925153520652.DID>

**BURKE, JASON RUSSELL, M.D. (A 86929), Las Vegas, NV**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for being disciplined by Nevada for failing to maintain adequate medical records related to the diagnosis, treatment and care of a patient. October 25, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20181025%5cDMRAAAGL1%5c&did=AAAGL181025160616886.DID>

**BUTLER, DERRICK LAMONT, M.D. (A 67268), Los Angeles, CA**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for gross negligence and repeated negligent acts in the care and treatment of one patient. October 16, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20181016%5cDMRAAAGL2%5c&did=AAAGL181016184702322.DID>

**CHOI, SEUNG HO, M.D. (G 61099), Los Angeles, CA**

No admissions but charged with gross negligence, repeated negligent acts and failure to maintain adequate and accurate medical records in the care and treatment of three patients. Physician must complete a prescribing practices course and a medical record keeping course. Public Reprimand. August 10, 2018  
<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180713%5cDMRAAAGL1%5c&did=AAAGL180713194206305.DID>

**COLEMAN, PATRICK SCOTT, M.D. (G 74120), Santa Rosa, CA**

No admissions but charged with gross negligence and repeated negligent acts in the care and treatment of one patient. Physician must complete an education course. Public Reprimand. September 7, 2018  
<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180809%5cDMRAAAGL1%5c&did=AAAGL180809153936505.DID>

**DALY, JOSEPH TERENCE, M.D. (G 26296), Rancho Santa Fe, CA**

No admissions but charged with repeated negligent acts in the care and treatment of three patients and failure to maintain adequate and accurate medical records in the care and treatment of two patients. Physician must complete a medical record keeping course. Public Reprimand. September 7, 2018  
<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180808%5cDMRAAAGL14%5c&did=AAAGL180808225218738.DID>

**DOONAN, BRYAN CHARLES, M.D. (A 78014), Newport Beach, CA**

No admissions but charged with repeated negligent acts, prescribing without an appropriate prior medical examination or indication, excessive prescribing, and failure to maintain adequate and accurate medical records in the care and treatment of three patients. Physician must complete an education course, a prescribing practices course, a medical record keeping course, and an ethics course. Public Reprimand. October 12, 2018  
<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180914%5cDMRAAAGL3%5c&did=AAAGL180914163404346.DID>

**DOWLING, MARK CHRISTOPHER (G 80355), Stockton, CA**

Failed to comply with the terms of his Board-ordered probation by testing positive for cocaine. Revoked. September 7, 2018  
<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180809%5cDMRAAAGL12%5c&did=AAAGL180809232147811.DID>

**ELKINS, JOAN SUSAN (A 45804), Kennebunk, ME**

No admissions but charged with being convicted of violating a condition of custodial release by consuming alcohol and operating a vehicle while under the influence of alcohol (using alcohol in such a manner as to be dangerous or injurious to herself, another person, or to the public; and dishonesty). Surrender of License. September 21, 2018  
<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180914%5cDMRAAAGL7%5c&did=AAAGL180914234934248.DID>

**EMER, JASON JOEL, M.D. (A 123791), West Hollywood, CA**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for being disciplined by Illinois for arranging coverage by another resident without clearing this with his program director, and posting before and after photographs of patients without advising his supervising physician. September 21, 2018  
<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180921%5cDMRAAAGL3%5c&did=AAAGL180921194045375.DID>

**ESSER, JAMES M., M.D. (G 67335), Clearwater Beach, FL**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for being disciplined by North Carolina for failing to identify or recommend follow-up for a 5-centimeter mass in a

patient's chest and for failing to detect and report the presence of a left pleural effusion that was likely an associated finding. August 27, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180827%5cDMRAAAGL1%5c&did=AAAGL180827170143129.DID>

**FENISON, ANTHONY TYRON, M.D. (G 73330), Moreno Valley, CA**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for failing to appropriately supervise a physician assistant. August 27, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180827%5cDMRAAAGL1%5c&did=AAAGL180827170225362.DID>

**FERIA-ARIAS, ENRIQUE (A 151961), Sacramento, CA**

Unable to satisfy the terms and conditions of his Board-ordered probation. Surrender of License.

August 24, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180824%5cDMRAAAGL1%5c&did=AAAGL180824171100339.DID>

**FOHRMAN, EDWARD B., M.D. (A 65434), Canyon Country**

No admissions but charged with using alcohol and/or drugs in such a manner as to be dangerous or injurious to himself, another person, or to the public. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited to, abstaining from the use of controlled substances and alcohol, submitting to biological fluid testing, attending substance abuse support group meetings, and obtaining a worksite monitor. August 3, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180705%5cDMRAAAGL3%5c&did=AAAGL180705185735291.DID>

**FROST, JEFFREY BRIAN, M.D. (G 29711), Grass Valley, CA**

No admissions but charged with repeated negligent acts and failure to maintain adequate and accurate medical records in the care and treatment of six patients. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited to, maintaining a record of all controlled substances ordered, prescribed, dispensed, administered, or possessed and any recommendation or approval to possess or cultivate marijuana; completing an education course, a prescribing practices course and a medical record keeping course; and obtaining a practice monitor. August 3, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180705%5cDMRAAAGL3%5c&did=AAAGL180705185247039.DID>

**FULLER, TOVA FRANI, M.D. (A 158475), San Francisco, CA**

Physician has a condition affecting her ability to practice medicine safely. Probationary license issued, placed on three years' probation with terms and conditions including, but not limited to, obtaining medical treatment and prohibited from engaging in the solo practice of medicine. September 7, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180831%5cDMRAAAGL1%5c&did=AAAGL180831172331799.DID>

**GANDINGCO, WINNIE JOYCE, M.D. (A 102158), Sacramento, CA**

Committed acts of repeated negligence in the care and treatment of two patients and failure to maintain adequate and accurate medical records in the care and treatment of one patient. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited to, completing an education course and a medical record keeping course, and obtaining a practice monitor. October 12, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180914%5cDMRAAAGL3%5c&did=AAAGL180914163710189.DID>

**GESCHWIND, JEAN FRANCOIS HE (A 52326), Westport, CT**

Convicted of four counts of felony mail fraud and disciplined by Connecticut due to the criminal conviction.

Revoked. September 14, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180816%5cDMRAAAGL3%5c&did=AAAGL180816171236929.DID>

**GILL, ZORA S., M.D. (A 38733), Bakersfield, CA**

No admissions but charged with repeated negligent acts and failure to maintain adequate and accurate medical records in the care and treatment of two patients. Physician must complete an education course and a medical record keeping course. Public Reprimand. August 24, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180725%5cDMRAAAGL6%5c&did=AAAGL180725174621274.DID>

**GRiffin, WILLIAM M., M.D. (G 65062), Angels, Camp, CA**

Committed an act of gross negligence in the care and treatment of one patient. Physician must complete an education course. Public Reprimand. August 24, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180725%5cDMRAAAGL4%5c&did=AAAGL180725174421547.DID>

**HALL, PRUDENCE ELIZABETH, M.D. (G 41661), Santa Monica, CA**

No admissions but charged with gross negligence, repeated negligent acts, and failure to maintain adequate and accurate medical records in the care and treatment of two patients. Revoked, stayed, placed on four years' probation with terms and conditions including, but not limited to, completing an education course, an ethics course, and a clinical competence assessment program; obtaining a practice monitor; and prohibited from representing herself as a specialist in obstetrics/gynecology or endocrinology. August 31, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180803%5cDMRAAAGL7%5c&did=AAAGL180803175758274.DID>

**HANNA, ANTOINE A., M.D. (A 43969), Oxnard, CA**

No admissions but charged with gross negligence, repeated negligent acts, and failure to maintain adequate and accurate medical records in the care and treatment of two patients, and failing to perform a physical examination or obtain written clearance prior to performing an elective cosmetic surgery in the care and treatment of one patient. Revoked, stayed, placed on thirty-five months' probation with terms and conditions including, but not limited to, completing an education course and a medical record keeping course.

October 18, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180918%5cDMRAAAGL3%5c&did=AAAGL180918185751704.DID>

**HEDAYATZADEH, MARJAN, M.D. (A 105645), Greenwich, CT**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for being disciplined by Connecticut for failing to make an adequate assessment of fetal well-being, failing to perform an ultrasound study of twin fetuses, and/or failing to accurately interpret the fetal heart tracing.

September 10, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180910%5cDMRAAAGL1%5c&did=AAAGL180910171718798.DID>

**HELLIWELL, JASON PAUL, M.D. (A 74796), Bakersfield, CA**

No admissions but charged with gross negligence in the care and treatment of four patients; repeated negligent acts in the care and treatment of two patients, unprofessional conduct in the care and treatment of two patients; and sexual misconduct in the care and treatment of one patient. Revoked, stayed, placed on forty-two months' probation with terms and conditions including, but not limited to, completing an ethics course, a professional boundaries program, and a clinical competence assessment program; obtaining a practice monitor; required to have a third party chaperone present while consulting, examining or treating

female patients in the office; and prohibited from practicing cosmetic surgery with the exception of liposuction, fat transfer to the buttocks, vaginoplasty and labiaplasty. October 12, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180914%5cDMRAAAGL3%5c&did=AAAGL180914163454262.DID>

#### **HENDRICKSON, JAY ALLWYN, M.D. (G 83722), Folsom, CA**

No admissions but charged with gross negligence in the care and treatment of two patients, repeated negligent acts and failure to maintain adequate and accurate medical records in the care and treatment of one patient, failure to properly supervise a physician assistant, failure to establish written formularies for relaying drug orders and to include them in the Delegation of Service Agreement for the supervision of a physician assistant, and failed to establish written protocols for the supervision of a physician assistant. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited to, maintaining a record of all controlled substances ordered, prescribed, dispensed, administered, or possessed and any recommendation or approval to possess or cultivate marijuana; completing a prescribing practices course, a medical record keeping course, and an ethics course; and prohibited from engaging in the solo practice of medicine.

October 18, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180918%5cDMRAAAGL3%5c&did=AAAGL180918185844657.DID>

#### **IMARAH, JOSEPH EFE, M.D. (G 44896), Irvine, CA**

No admissions but charged with gross negligence and repeated negligent acts in the care and treatment of one patient. Physician must complete an education course and a medical record keeping course. Public Reprimand. August 3, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180706%5cDMRAAAGL5%5c&did=AAAGL180706175537930.DID>

#### **JAMES, ELAINE (G 71988), Columbia, SC**

Failed to comply with multiple terms of her Board-ordered probation. Revoked. October 12, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180913%5cDMRAAAGL15%5c&did=AAAGL180913214227899.DID>

#### **JANUMPALLY, LINGAIAH, M.D. (A 44785), Lancaster, CA**

No admissions but charged with gross negligence, repeated negligent acts, incompetence, and failure to maintain adequate and accurate medical records in the care and treatment of one patient. Physician must complete a clinical competence assessment program. Public Reprimand. August 31, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180801%5cDMRAAAGL8%5c&did=AAAGL180801180640951.DID>

#### **JEYANANDARAJAN, DHIRAJ RAJ, M.D. (A 91259), Irvine, CA**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for being disciplined by Nevada for failing to timely notify the Board of the discipline taken by Pennsylvania.

August 29, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180829%5cDMRAAAGL3%5c&did=AAAGL180829164838108.DID>

#### **KAYALEH, RAOUF ANTOINE, M.D. (C 41449), Santa Ana, CA**

No admissions but charged with gross negligence, repeated negligent acts, prescribing without an appropriate prior medical examination or indication, excessive prescribing, and failure to maintain adequate and accurate medical records in the care and treatment of three patients. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited to, prohibited from ordering, prescribing, dispensing, administering, furnishing or possessing any controlled substances and shall not issue an oral or written recommendation or approval for the possession or cultivation of marijuana; and completing an education

course, a prescribing practices course, an ethics course, a medical record keeping course, and a clinical competence assessment program. August 17, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180718%5cDMRAAAGL1%5c&did=AAAGL180718163052876.DID>

**KHAYALI, MOHAMMAD RAFIQ, M.D. (A 29943), Hemet, CA**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for prescribing without an appropriate prior medical examination or indication, acts of repeated negligence, and aiding and abetting the unlicensed practice of medicine. October 23, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20181023%5cDMRAAAGL3%5c&did=AAAGL181023173050961.DID>

**KWAW, ISIDORE KOFI-BREKYI, M.D. (G 66583), Los Angeles, CA**

No admissions but charged with gross negligence in the care and treatment of three patients; incompetence in the care and treatment of two patients; and repeated negligent acts and failure to maintain adequate and accurate records in the care and treatment of four patients. Revoked, stayed, placed on four years' probation with terms and conditions including, but not limited to, completing a prescribing practices course, a medical record keeping course, and a clinical competence assessment program. August 24, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180725%5cDMRAAAGL8%5c&did=AAAGL180725200222174.DID>

**LE, KHOI MANH, M.D (A 77166), Fresno, CA**

No admissions but convicted of a misdemeanor for anonymous telephone calls. Revoked, stayed, placed on five years' probation with terms and conditions including, but not limited to, completing an ethics course and a professional boundaries program; required to have a third party chaperone present while consulting, examining or treating female patients; and prohibited from treating female patients under 18 years of age.

August 31, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180801%5cDMRAAAGL7%5c&did=AAAGL180801165851530.DID>

**LEAF, DAVID ALEXANDER (G 61863), Manhattan Beach, CA**

No admissions but charged with being convicted of a misdemeanor for driving under the influence of alcohol and used alcohol in such a manner as to be dangerous or injurious to himself, another person, or to the public. Surrender of License. September 27, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180920%5cDMRAAAGL3%5c&did=AAAGL180920203345922.DID>

**LEEDS, HOLLY MARLENE, M.D. (G 79232), Grass Valley, CA**

No admissions but charged with gross negligence, repeated negligent acts, and failure to maintain adequate and accurate medical records in the care and treatment of two patients. Revoked, stayed, placed on thirty-five months' probation with terms and conditions including, but not limited to, maintaining a record of all controlled substances ordered, prescribed, dispensed, administered, or possessed and any recommendation or approval to possess or cultivate marijuana; completing a prescribing practices course and a medical record keeping course; and prohibited from engaging in the solo practice of medicine. September 6, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180807%5cDMRAAAGL1%5c&did=AAAGL180807172221918.DID>

**LISZKA-HACKZELL, JOHN JAN (C 54115), Cottonwood, AZ**

Disciplined by Arizona for concerns regarding personal and improper use of medications. Revoked.

August 9, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180710%5cDMRAAAGL1%5c&did=AAAGL180710162406041.DID>

**LITMAN, ROBERT BARRY (G 26925), Lincoln, CA**

No admission but charged with self-prescribing controlled substances and physician has a condition affecting his ability to practice medicine safely. Surrender of License. August 2, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180726%5cDMRAAAGL4%5c&did=AAAGL180726170050331.DID>

**LONG, SAMMIE INEZ, (C 36672), Nashville, TN**

Failed to comply with the terms of her Board-ordered probation due to non-practice exceeding two years, failed to pay the costs of probation monitoring, and failed to maintain a current and renewed California license. Revoked. October 24, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180924%5cDMRAAAGL3%5c&did=AAAGL180924201501133.DID>

**LOVETT, JOAN M. (A 34054), Berkeley, CA**

No admissions but charged with gross negligence, repeated negligent acts, incompetence, and failure to maintain adequate and accurate medical records in the care and treatment of one patient. Surrender of License. October 26, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180802%5cDMRAAAGL6%5c&did=AAAGL180802181356923.DID>

**LUTHRA, RITA (C 50073), Longmeadow, MA**

No admissions but charged with being disciplined by Massachusetts for her conviction for wrongfully disclosing individually identifiable health information, aiding and abetting, and obstruction of a criminal investigation of a health care offense. Surrender of License. October 31, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20181024%5cDMRAAAGL3%5c&did=AAAGL181024212337205.DID>

**MABAQUIAO, ARTHUR RAY, M.D. (A 61769), El Cajon, CA**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for acts of gross negligence and failure to maintain adequate and accurate medical records in the care and treatment of one patient. October 22, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20181022%5cDMRAAAGL2%5c&did=AAAGL181022214404322.DID>

**MARTIN, SCOTT MATTHEW, M.D. (A 94122), Henderson, NV**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for being disciplined by Nevada for failing to notify the Board of disciplinary action taken by California.

September 4, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180904%5cDMRAAAGL3%5c&did=AAAGL180904175516943.DID>

**MARTINCHECK, DAVID JOE, M.D. (A 119622), Houston, TX**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for being disciplined by Texas for having a sexual relationship with a patient and treating the patient for chronic pain, but failing to adhere to the guidelines on documenting the treatment of the chronic pain. September 4, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180904%5cDMRAAAGL3%5c&did=AAAGL180904175629313.DID>

**MCDONOUGH, DAVID AL, M.D. (G 73043), Tustin, CA**

No admissions but charged with failing to comply with a Board-ordered examination. Revoked, stayed, placed on five years' probation with terms and conditions including, but not limited to, completing an ethics course and a clinical diagnostic evaluation, abstaining from the use of controlled substances and alcohol, submitting to

biological fluid testing, attending substance abuse support group meetings, obtaining a worksite monitor, and notification of employer. September 28, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180829%5cDMRAAAGL3%5c&did=AAAGL180829164312432.DID>

**MCKAY, KRISTOPHER MICHAEL (A 136446), Birmingham, AL**

Disciplined by Colorado for being unable to practice with reasonable skill and safety to patients due to the use of illegal controlled substances and possible physical or mental illness. Revoked. September 21, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180823%5cDMRAAAGL1%5c&did=AAAGL180823161217299.DID>

**MERCER, SCOTT WILLIAM, M.D. (G 47044) Encinitas, CA**

No admissions but charged with repeated negligent acts in the care and treatment of one patient. Public Reprimand. September 20, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180821%5cDMRAAAGL9%5c&did=AAAGL180821210930484.DID>

**MILLER, BOBBY RAY JR. (C 50884), Crownpoint, NM**

Unable to satisfy the terms and conditions of his Board-ordered probation. Surrender of License.

September 6, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180906%5cDMRAAAGL1%5c&did=AAAGL180906163212841.DID>

**MINTON, DANIEL CHARLES (G 18267), Los Angeles, CA**

No admissions but charged with gross negligence, repeated negligent acts, prescribing to an addict, excessive prescribing, violating statutes regulating dangerous drugs, prescribing without an appropriate prior medical examination or indication, and failure to maintain adequate and accurate medical records in the care and treatment of one patient. Surrender of License. September 12, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180905%5cDMRAAAGL1%5c&did=AAAGL180905184310919.DID>

**MOIZEAU, CATHERINE ELIZABETH, M.D. (A 81624), Sacramento, CA**

Physician has a condition affecting her ability to practice medicine safely. Revoked, stayed, placed on five years' probation with terms and conditions including, but not limited to, obtaining a practice monitor and prohibited from engaging in the solo practice of medicine. August 6, 2018. Judicial review pending.

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180806%5cDMRAAAGL5%5c&did=AAAGL180806184523513.DID>

**MURPHY, DOUGLAS PETER, M.D. (A 65282), San Luis Obispo, CA**

No admissions but charged with repeated negligent acts, incompetence and failure to maintain adequate and accurate medical records in the care and treatment of one patient. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited to, completing an education course, a prescribing practices course, a medical record keeping course, and an ethics course, and obtaining a practice monitor. October 11, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180911%5cDMRAAAGL1%5c&did=AAAGL180911161409469.DID>

**MYERSON, MARK STEPHEN (C 130136), Baltimore, MD**

No admissions but charged with being disciplined by Maryland for permitting multiple unlicensed medical graduate fellows to perform medical acts and procedures. Surrender of License. August 15, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180807%5cDMRAAAGL6%5c&did=AAAGL180807215220946.DID>

**NASH, MARC BRYAN (A 100507), Mill Valley, CA**

Disciplined by Montana for failing to document patient charts and refusing to finish documentation of 130 patient charts after he left his employment. Revoked. August 9, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180710%5cDMRAAAGL2%5c&did=AAAGL180710162500809.DID>

**NAWROSKI-WOZNIAK, JOANNA D. (A 39627), San Diego, CA**

Unable to satisfy the terms and conditions of her Board-ordered probation. Surrender of License. September 25, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180925%5cDMRAAAGL4%5c&did=AAAGL180925192038672.DID>

**NGUYEN, QUYNAM P. (G 56407), Garden Grove, CA**

No admissions but charged with being convicted of three felony counts of insurance fraud and five felony counts of false and fraudulent claims. Revoked. September 30, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180918%5cDMRAAAGL1%5c&did=AAAGL180918160034727.DID>

**PALITZ, HARVEY F., M.D. (G 26307), Modesto, CA**

No admissions but charged with repeated negligent acts and failure to maintain adequate and accurate medical records in the care and treatment of one patient. Physician must complete an education course and a medical record keeping course. Public Reprimand. October 19, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180919%5cDMRAAAGL4%5c&did=AAAGL180919202624350.DID>

**PANNU, GURNAM SINGH (A 32856), San Martin, CA**

Unable to satisfy the terms and conditions of his Board-ordered probation. Surrender of License. August 24, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180824%5cDMRAAAGL2%5c&did=AAAGL180824204237407.DID>

**PARK, GYOUNG JAE, M.D. (C 52205), Tustin, CA**

No admissions but charged with gross negligence, repeated negligent acts, performing anesthesia in an unaccredited facility, aiding and abetting the unlicensed practice of medicine, failure to maintain adequate and accurate medical records, and failing to perform a physical examination or obtain written clearance prior to performing an elective cosmetic surgery. Revoked, stayed, placed on thirty-five months' probation with terms and conditions including, but not limited to, completing a medical record keeping course and an ethics course. August 3, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180706%5cDMRAAAGL3%5c&did=AAAGL180706175307918.DID>

**PEART, HAROLD T., M.D. (G 40523), Los Angeles, CA**

Committed acts of gross negligence and repeated negligence in the care and treatment of one patient. Revoked, stayed, placed on two years' probation with terms and conditions including, but not limited to, completing an education course and a medical record keeping course. September 7, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180810%5cDMRAAAGL3%5c&did=AAAGL180810162001540.DID>

**PHAM, CHI MANH (C 40215), Houston, TX**

No admissions but charged with failing to comply with the terms of his Board-ordered probation by not having a current license and non-practice exceeding two years. Surrender of License. September 13, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180906%5cDMRAAAGL2%5c&did=AAAGL180906193059262.DID>

**PHELAN, GEOFFREY LOUIS (C 36207), Fallbrook, CA**

No admissions but charged with repeated negligent acts and failure to maintain adequate and accurate medical records in the care and treatment of two patients. Surrender of License. August 2, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180726%5cDMRAAAGL2%5c&did=AAAGL180726165738865.DID>

**PULIAFITO, CARMEN ANTHONY (G 88200), Pasadena, CA**

Physician has a condition affecting his ability to practice medicine safely; committed acts of dishonesty; violated statutes regulating dangerous drugs; used alcohol and/or controlled substances in such a manner as to be dangerous or injurious to himself, another person, or to the public; furnished dangerous drugs without an appropriate prior medical examination or indication; knowingly made or signed a document directly related to the practice of medicine that falsely represented an existence of a statement of facts; and failed to maintain adequate and accurate medical records in the care and treatment of multiple patients. Revoked. August 17, 2018. Judicial review pending.

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180820%5cDMRAAAGL3%5c&did=AAAGL180820181338333.DID>

**PYKE, STEVEN NELSON, M.D. (G 78611), Petaluma, CA**

No admissions but charged with being convicted of driving with a blood alcohol content of .08% or more; used alcohol in such a manner as to be dangerous or injurious to himself, another person, or to the public; and has a condition affecting his ability to practice medicine safely. Revoked, stayed, placed on five years' probation with terms and conditions including, but not limited to, abstaining from the use of controlled substances and alcohol, completing an ethics course and a clinical diagnostic evaluation, notification of employer, submitting to biological fluid testing, attending substance abuse support group meetings, and obtaining a worksite monitor. October 5, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180905%5cDMRAAAGL1%5c&did=AAAGL180905184059435.DID>

**RAJARATNAM, JOHN NAMALA SAMUEL (A 51207), Laguna Beach, CA**

No admissions but charged with being disciplined by Maryland for violating the terms of an order requiring him to enroll in a rehabilitation program. Surrender of License. September 24, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180917%5cDMRAAAGL10%5c&did=AAAGL180917183211718.DID>

**RASTEGAR, JOHN HASSAN, M.D. (A 53847), Los Angeles, CA**

No admissions but charged with gross negligence, repeated negligent acts, and failure to maintain adequate and accurate medical records in the care and treatment of one patient. Revoked, stayed, placed on thirty-five months' probation with terms and conditions including, but not limited to, completing an education course and a medical record keeping course, and obtaining a practice monitor. October 26, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180927%5cDMRAAAGL3%5c&did=AAAGL180927161930244.DID>

**RAYLE, STEVEN MATTHEW, M.D. (G 89164), Tucson, AZ**

Disciplined by Arizona for prescribing controlled substances to friend without maintaining medical records. Public Reprimand. September 28, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180829%5cDMRAAAGL4%5c&did=AAAGL180829170257942.DID>

**REBONG, KENNETH POMAR, M.D. (A 45813), San Jose, CA**

No admissions but charged with gross negligence, repeated negligent acts, incompetence, excessive prescribing, and failure to maintain adequate and accurate medical records in the care and treatment of one patient. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited

to, completing an education course, a medical record keeping course, and a professional enhancement program. August 31, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180802%5cDMRAAAGL4%5c&did=AAAGL180802170234528.DID>

**REYES-NG, JENNIFER DELA ROSA, M.D. (A 93486), Tracy, CA**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for acts of repeated negligence in the care and treatment of one patient. August 27, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180827%5cDMRAAAGL1%5c&did=AAAGL180827170254601.DID>

**REZAIAN, SEYED MAHMOUD, M.D. (A 41385), Beverly Hills, CA**

No admissions but charged with repeated negligent acts in the care and treatment of one patient. Physician must complete an education course. Public Reprimand. August 31, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180801%5cDMRAAAGL4%5c&did=AAAGL180801165542105.DID>

**ROBINETT, ROGER DALE (G 87294), Carlsbad, CA**

Convicted of a misdemeanor for driving while having a blood alcohol level of .08% or more and used dangerous drugs in such a manner as to be dangerous or injurious to himself, another person, or to the public. Revoked. August 10, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180711%5cDMRAAAGL1%5c&did=AAAGL180711182104608.DID>

**ROSNOW, JAN MARIE (G 47921), Sacramento, CA**

Disciplined by Oklahoma for having a condition affecting her ability to practice medicine safely. Surrender of License. September 14, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20181228%5cDMRAAAGL15%5c&did=AAAGL181228232722447.DID>

**ROTH, MICHAEL A. (C 30405), Farmington Hill, MI**

Disciplined by Michigan for negligence, incompetence, lacking good moral character, obtaining a controlled substance without lawful authority, and betraying professional confidence. Revoked. September 20, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180917%5cDMRAAAGL1%5c&did=AAAGL180917154741707.DID>

**SCHACK, RUTH ANN NETTE, M.D. (G 73053), Newport Beach, CA**

No admissions but charged with repeated negligent acts and failure to maintain adequate and accurate medical records in the care and treatment of one patient. Physician must complete an education course, a prescribing practices course, a medical record keeping course, and an ethics course. Public Reprimand. September 28, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180830%5cDMRAAAGL2%5c&did=AAAGL180830171139889.DID>

**SCHOCH, DENNY MARK, M.D. (A 95138), Chattanooga, TN**

No admissions but charged with repeated negligent acts in the care and treatment of five patients. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited to, completing an education course. August 31, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180904%5cDMRAAAGL3%5c&did=AAAGL180904175737436.DID>

**SCHWABE, MARK GERARD, M.D. (G 56695), Chico, CA**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for acts of repeated negligence in the care and treatment of one patient. August 21, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180821%5cDMRAAAGL3%5c&did=AAAGL180821151324101.DID>

**SERRA, JOHN PETER, M.D. (A 108846), San Diego, CA**

Convicted of attempted criminal threat, a felony and no admissions but charged with having a condition affecting his ability to practice medicine safely. Revoked, stayed, placed on five years' probation with terms and conditions including, but not limited to, abstaining from the use of controlled substances and alcohol, submitting to biological fluid testing, and prohibited from engaging in the solo practice of medicine.

August 30, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180731%5cDMRAAAGL1%5c&did=AAAGL180731155717624.DID>

**SIDRANSKY, RODNEY, M.D. (A 78625), Bonita, CA**

No admissions but charged with gross negligence, repeated negligent acts, and failure to maintain adequate and accurate medical records in the care and treatment of one patient. Revoked, stayed, placed on eight years' probation with terms and conditions including, but not limited to, abstaining from the use of controlled substances and alcohol; submitting to biological fluid testing; completing an ethics course, a clinical diagnostic evaluation, an education course, a prescribing practices course, a medical record keeping course, and a clinical competence assessment program; obtaining a worksite monitor; prohibited from engaging in the solo practice of medicine; attending substance abuse support group meetings; and obtaining a practice monitor.

October 18, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180918%5cDMRAAAGL1%5c&did=AAAGL180918155924589.DID>

**SMITH, BRIT O., M.D. (A 16994), Lancaster, CA**

No admissions but charged with gross negligence, repeated negligent acts, and failure to maintain adequate and accurate medical records in the care and treatment of five patients; failure to document supervision of physician assistants in the care and treatment of four patients; and prescribing without an appropriate prior medical examination or indication in the care and treatment of three patients. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited to, maintaining a record of all controlled substances ordered, prescribed, dispensed, administered or possessed and any recommendation or approval to possess or cultivate marijuana; completing a clinical competence assessment program; and obtaining a practice monitor. September 20, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180821%5cDMRAAAGL3%5c&did=AAAGL180821151418094.DID>

**STAABL, THEODORE EDMUND, M.D. (G 37452), Modesto, CA**

Committed acts of gross negligence, repeated negligence, and failure to maintain adequate and accurate medical records in the care and treatment of one patient. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited to, completing an education course, an ethics course, and a clinical competence assessment program; obtaining a practice monitor; and prohibited from treating melanoma patients until successful completion of the clinical competence assessment program. August 23, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180724%5cDMRAAAGL3%5c&did=AAAGL180724165012880.DID>

**STEINER, MICHAEL D., M.D. (G 48174), Burien, WA**

Disciplined by Washington for aiding and abetting an unlicensed person to practice when a license was required. Public Reprimand. September 13, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180914%5cDMRAAAGL6%5c&did=AAAGL180914204913496.DID>

**STRUVEN, CHRISTIAN PAUL III (G 65315), Plainfield, IL**

Failed to comply with the terms of his Board-ordered probation due to non-practice exceeding two years.

Surrender of License. August 3, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180731%5cDMRAAAGL2%5c&did=AAAGL180731160049073.DID>

**SU, DAVID HUANG KWA (G 59360), Orange, CA**

No admissions but charged with gross negligence in the care and treatment of two patients, and repeated negligent acts and failure to maintain adequate and accurate medical records in the care and treatment of four patients. Surrender of License. September 13, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180906%5cDMRAAAGL1%5c&did=AAAGL180906163426106.DID>

**SURI, KABIR, M.D. (A 157660), Los Angeles, CA**

Convicted in Nevada of a misdemeanor for reckless driving without regard to safety of persons/property. Probationary license issued, placed on three years' probation with terms and conditions including, but not limited to, abstaining from the use of controlled substances and alcohol, submitting to biological fluid testing, and completing an ethics course. August 1, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180725%5cDMRAAAGL3%5c&did=AAAGL180725165327473.DID>

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180926%5cDMRAAAGL2%5c&did=AAAGL180926171845029.DID>

**TANSON, GABRIEL KODZO, M.D. (A 32550), Stockton, CA**

No admissions but charged with gross negligence and failure to maintain adequate and accurate medical records in the care and treatment of three patients and repeated negligent acts in the care and treatment of one patient. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited to, maintaining a record of all controlled substances ordered, prescribed, dispensed, administered, or possessed and any recommendation or approval to possess or cultivate marijuana; completing an education course, a prescribing practices course, a medical record keeping course, and a clinical competence assessment program; and obtaining a practice monitor. October 26, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180926%5cDMRAAAGL2%5c&did=AAAGL180926171845029.DID>

**TANTUWAYA, LOKESH SHANTANU, M.D. (G 79268), Escondido, CA**

No admissions but charged with being convicted of misdemeanors for attempting to dissuade a witness from reporting a crime and for child endangerment, and failure to submit to a Board-ordered physical examination. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited to, completing an ethics course and an anger management course, and undergoing a medical evaluation. August 31, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180802%5cDMRAAAGL3%5c&did=AAAGL180802170133427.DID>

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180802%5cDMRAAAGL3%5c&did=AAAGL180802170133427.DID>

**TARRYK, GEORGE H. JR. (G 14655), Long Beach, CA**

Unable to satisfy the terms and conditions of his Board-ordered probation. Surrender of License.

October 11, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20181011%5cDMRAAAGL11%5c&did=AAAGL181011184936883.DID>

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20181011%5cDMRAAAGL11%5c&did=AAAGL181011184936883.DID>

**TAUS, STEPHEN, DAVID, M.D. (G 24011), San Pedro, CA**

No admissions but charged with gross negligence, repeated negligent acts, and failure to maintain adequate and accurate medical records in the care and treatment of one patient. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited to, maintaining a record of all controlled substances ordered, prescribed, dispensed, administered, or possessed and any recommendation or approval

to possess or cultivate marijuana; completing an education course, a prescribing practices course, and a medical record keeping course; and obtaining a practice monitor. October 12, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180912%5cDMRAAAGL2%5c&did=AAAGL180912155622158.DID>

**TERRAZAS, FRANCISCO, M.D. (A 142091), Flint, MI**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for being disciplined by Michigan for failing to notify the board of disciplinary action taken by the Texas Medical Board. August 28, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180828%5cDMRAAAGL1%5c&did=AAAGL180828163846436.DID>

**TRAVIS, ADAM DAVID, M.D. (G 80122), Hillsborough, CA**

Committed acts of unprofessional conduct and gross negligence in his management of professional boundaries with a patient. Revoked, stayed, placed on five years' probation with terms and conditions including, but not limited to, obtaining a practice monitor; required to have a third party chaperone present while consulting, examining, or treating female patients; and completing a professional boundaries program and an ethics course. August 24, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180725%5cDMRAAAGL1%5c&did=AAAGL180725165121300.DID>

**TSAI, OLIVER CHENG-TUNG (A 49033), West Covina, CA**

Failed to comply with the terms of his Board-ordered probation by failing to successfully complete a clinical training program. Revoked. September 14, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180815%5cDMRAAAGL6%5c&did=AAAGL180815224615732.DID>

**VANDERBERG, DWAYNE PHILIP, M.D. (G 73626), Olivehurst, CA**

No admissions but charged with repeated negligent acts and failure to maintain adequate and accurate medical records in the care and treatment of five patients. Physician must complete a medical record keeping course and a clinical competence assessment program. Public Reprimand. August 31, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180801%5cDMRAAAGL10%5c&did=AAAGL180801180828196.DID>

**VILLARREAL, STEVE J., M.D. (G 57663), Camarillo, CA**

No admissions but charged with gross negligence and incompetence in the care and treatment of one patient. Physician must complete a clinical competence assessment program. Public Reprimand. August 3, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180705%5cDMRAAAGL3%5c&did=AAAGL180705185929575.DID>

**WAKIL, FRED WILLIAM, M.D. (G 49172), Bayside, CA**

Failed to maintain adequate and accurate medical records in the care and treatment of one patient. Physician must complete a medical record keeping course. Public Reprimand. October 12, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180913%5cDMRAAAGL11%5c&did=AAAGL180913210845340.DID>

**WARAICH, SALEEM AHMED, M.D. (A 93667), Placentia, CA**

Convicted of a felony for driving under the influence of drugs causing great bodily injury; used dangerous drugs in such a manner as to be dangerous or injurious to himself, another person, or to the public; and violating statutes regulating dangerous drugs. Revoked, stayed, placed on seven years' probation with terms and conditions including, but not limited to, abstaining from the use of controlled substances and alcohol,

submitting to biological fluid testing, and completing an education course, a prescribing practices course, and an ethics course. October 5, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180905%5cDMRAAAGL2%5c&did=AAAGL180905204401960.DID>

**WILDER, CRAIG RICHARD (A 77700), Oxon Hill, MD**

Committed acts of gross negligence, repeated negligence, failure to maintain adequate and accurate medical records, failure to obtain consent for the use of telehealth, and furnishing dangerous drugs without an appropriate prior medical examination or indication in the care and treatment of two patients. Revoked.

August 24, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180823%5cDMRAAAGL1%5c&did=AAAGL180823161026843.DID>

**WINFRED, RAJEEV ISAAC (C 140450), Saint Petersburg, FL**

Disciplined by West Virginia for sexual misconduct. Revoked. October 8, 2018. Judicial review pending.

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20181009%5cDMRAAAGL5%5c&did=AAAGL181009171340952.DID>

**WOLKE, IRA S., M.D. (G 88183), Chicago, IL**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for being disciplined by Michigan for failing to timely report the disciplinary action taken by the Illinois Board.

August 31, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180831%5cDMRAAAGL1%5c&did=AAAGL180831172434774.DID>

**WU, JACK JYH-PERNG, M.D. (A 93228), Agoura Hills, CA**

No admissions but charged with excessive prescribing, repeated negligent acts, violating statutes regulating dangerous drugs, prescribing without an appropriate prior medical examination or indication, and failure to maintain adequate and accurate medical records in the care and treatment of one patient; having a condition affecting his ability to practice medicine safely; and failing to timely report a settlement. Revoked, stayed, placed on five years' probation with terms and conditions including, but not limited to, prohibited from ordering, prescribing, dispensing, administering, furnishing, or possessing any opioids and/or opiate narcotics and from making any recommendation or approval to possess or cultivate marijuana; maintaining a record of all controlled substances ordered, prescribed, dispensed, administered or possessed; and completing an education course, a prescribing practices course, a medical record keeping course, an ethics course, a professional boundaries program, and a clinical competence assessment program. September 5, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180806%5cDMRAAAGL6%5c&did=AAAGL180806184620707.DID>

**ZAHIRI, HORMOZ, M.D. (A 38240), Los Angeles, CA**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for acts of repeated negligence, failure to maintain adequate and accurate medical records, and failure to provide adequate supervision to a medical assistant. September 11, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180911%5cDMRAAAGL3%5c&did=AAAGL180911194632951.DID>

**ZAHN, RICHARD L. (C 26179), Post Falls, ID**

Disciplined by Washington for allowing an aesthetician to inject Botox and dermal fillers into a patient and allowed a physician assistant and registered nurse working under his supervision to inject Botox in non-FDA approved locations when he was not on-site for the procedures. Surrender of License. September 28, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180921%5cDMRAAAGL2%5c&did=AAAGL180921171301105.DID>

## **PHYSICIAN ASSISTANT**

### **HAMPTON, JESSICA LYNN (PA 51886), Modesto, CA**

Failed to comply with the terms of her Board-ordered probation by testing positive for alcohol. Revoked. August 24, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180823%5cDMRAAAGL7%5c&did=AAAGL180823195220329.DID>

### **MCCAULEY, DONALD JAY (PA 51774), Pawleys Island, SC**

No admissions but charged with unprofessional conduct for self-prescribing, dishonesty, fraudulent or false prescriptions, and violating statutes related to dangerous drugs. Surrender of License. August 1, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180725%5cDMRAAAGL5%5c&did=AAAGL180725174517121.DID>

### **PRATT, JAMES, P.A. (PA 55887), Redding, CA**

Disciplined by Utah for the dispensing of HCG that he was not licensed to dispense and failed to disclose the action on his application for a license in California. Probationary license issued, placed on one year probation with terms and conditions including, but not limited to, completing an education course, an ethics course, and a prescribing practices course. August 24, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180810%5cDMRAAAGL4%5c&did=AAAGL180810183057611.DID>

### **RODRIGUEZ, ROBERT (PA 10518), Palm Desert, CA**

Convicted of a felony for corporal injury resulting in a traumatic condition on spouse and a felony for dissuading a witness; convicted of a misdemeanor for driving under the influence of alcohol and driving with a blood alcohol content level of .08 percent or more. Surrender of License. October 1, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180720%5cDMRAAAGL3%5c&did=AAAGL180720172819103.DID>

### **ROJO, JOSEPH ESSEX, P.A. (PA 15905), San Dimas, CA**

No admissions but charged with repeated negligent acts, prescribing without an appropriate prior medical examination or indication, excessive prescribing, providing medical services without adequate supervision, administration of controlled substances without advanced approval by a supervising physician, and failed to maintain adequate and accurate medical records in the care and treatment of three patients. Revoked, stayed, placed on two years' probation with terms and conditions including, but not limited to, maintaining a record of all controlled substances administered, transmitted orally or in writing on a patient's record, or handed to a patient; completing a medical record keeping course and a prescribing practices course; maintain medical records for each patient contact at the worksite and make them available for immediate inspection; and approval of a supervising physician. September 14, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180817%5cDMRAAAGL1%5c&did=AAAGL180817164527773.DID>

### **SILVERSTEIN, JOSEPH DAVID, P.A. (PA 16833), Simi Valley, CA**

No admissions but charged with gross negligence in the care and treatment of one patient. Publically Reproved. August 29, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180730%5cDMRAAAGL6%5c&did=AAAGL180730174304928.DID>

## RESEARCH PSYCHOANALYSTS

### DIEVENDORF, JEFFREY O. (RP 93), Woodland Hills, CA

Convicted of a felony for assault with a deadly weapon other than a firearm and a misdemeanor for vandalism; used drugs and/or alcohol to the extent, or in such a manner as to be dangerous or injurious to himself, another person, or to the public; has a condition affecting his ability to practice his profession safely. Revoked. September 21, 2018

<http://www2.mbc.ca.gov/BreezePDL/document.aspx?path=%5cDIDOC%5c20180822%5cDMRAAAGL4%5c&did=AAAGL180822171504595.DID>

The image shows a smartphone held vertically, displaying the official Twitter account of the Medical Board of California (@MedBoardOfCA). The screen shows a tweet from the account, which includes a photo of a family and the board's logo. Below the tweet, the account details are visible: 63 Following and 340 Followers. At the bottom of the phone's screen, there are links for "Send Email" and "Send Message". To the left of the phone, a portion of a Facebook page for the Medical Board of California is visible, showing a profile picture of a family and some basic information. To the right of the phone, a portion of a YouTube channel page is visible, showing a video thumbnail and some channel statistics. At the very bottom of the image, there is a dark graphic featuring a large '@' symbol and the text "Did you know...".

**Did you know...**  
Physicians with an email address are required to report it to the Medical Board? The email address shall be considered confidential and not subject to public disclosure.

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The Medical Board of California's Public Affairs office is available to discuss information and data contained in this report. Contact the office for assistance with questions, data requests, and other needs.

Carlos Villatoro, Public Information Manager  
[Carlos.Villatoro@mbc.ca.gov](mailto:Carlos.Villatoro@mbc.ca.gov)  
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## Board Meetings

May 9-10, 2019: Southern California Area  
August 8-9, 2019: San Francisco Area  
November 7-8, 2019: Southern California Area

**All meetings of the Medical Board of California are open to the public. To the extent possible, meetings will be webcast and offered via teleconference. To watch the meetings streamed live and/or to find the telephone number to phone in a question, visit the Board's website at [www.mbc.ca.gov](http://www.mbc.ca.gov).**

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### Medical Board of California

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Health Facility Discipline Reports  
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Business and Professions Code §2021(b) and (c) require physicians to inform the Medical Board in writing of any name or address change. Go to: [www.mbc.ca.gov/Licensees/Address\\_of\\_Record.aspx](http://www.mbc.ca.gov/Licensees/Address_of_Record.aspx).

**Medical Board of California, Executive Director — Kimberly Kirchmeyer**

Winter 2019 — Medical Board of California News — Susan Wolbarst, Editor (916) 263-2480

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