



## Legislative Update

### Board-sponsored legislation:

#### **AB 501 (Emmerson, Chapter 434)**

Allows a graduate of an approved medical school, who is enrolled in postgraduate training in California, to use the initials M.D. only while the postgraduate trainee is under the supervision of a licensed physician from that program. In addition, use of the initials M.D. is allowed if the graduate is not licensed but working in another capacity, such as with a medical school or a teaching hospital, as long as the graduate is not holding himself or herself out as a licensed physician. The bill allows the Board to issue an initial, limited license to an applicant for licensure who is otherwise eligible for a medical license in California but is unable to practice all aspects of medicine safely due to a disability. It establishes a cap on the licensing fee imposed by the Medical Board and increases the amount of reserve allowed in the Contingent Fund of the Board.

#### **AB 1070 (Hill, Chapter 505)**

Finds and declares the importance of the required reporting under Business and Professions Code section 801.01 and makes various technical changes to this section to enhance the Board's ability to effectively protect consumers. It allows the Board president to sit on a disciplinary panel when the Board does not have a full complement of members. The bill requires all medical records requested by the Board to be certified. It allows an administrative law judge to recommend that a licensee be issued a public reprimand that includes additional requirements for education and training. It requires all licensees to report to the Board information regarding any specialty board certifications held and his or her practice status. Licensees could report or decline to report their cultural background and foreign language proficiencies. Reporting would occur upon initial licensure or at the time of renewal, providing workforce data on all physicians. The bill extends the sunset date of the vertical enforcement and prosecution model to January 1, 2013.

### Other legislation signed into law:

#### **AB 175 (Galgiani, Chapter 419)**

Allows optometrists to perform telemedicine within their scope of practice. It specifies that when a reviewing optometrist identifies a disease or condition requiring consultation or referral, that consultation or referral must be with an ophthalmologist or other appropriate physician.

#### **AB 356 (Fletcher, Chapter 434)**

Allows physician assistants to take the appropriate licensing exams for fluoroscopy licentiate permits issued by the Radiologic Health Branch of the California Department of Public Health (CDPH). Physician assistants thus are authorized to perform these functions as long as they pass the required exam, but are not required to obtain an RT certification.

#### **AB 361 (Lowenthal, Chapter 436)**

Provides that regardless of whether an employer has established a medical provider network or entered into a contract with a healthcare organization, an employer that authorizes medical treatment shall not rescind nor modify the authorization for the portion of the medical treatment that has been provided after that treatment has been provided for any reason, including, but not limited to, the employer's subsequent determination that the physician who treated the employee was not eligible to treat that injured employee.

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### Our Mission

The mission of the Medical Board of California is to protect health care consumers through proper licensing and regulation of physicians and surgeons and certain allied health care professions 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.

# President's Report

In my last President's Report (October 2009) I devoted my entire column to the issue of the backlog in licensing applications at the Medical Board, and our many efforts to eliminate it and assure that it does not occur again. I am pleased to report the following progress since then.

The backlog of applications not having had an initial review within the regulatory time required of 60 working (approximately 90 calendar) days has dropped from almost 700 at the beginning of August to under 100 on December 1. A backlog delays physicians' ability to practice medicine in California, and limits access to care for patients. We anticipate eliminating the backlog entirely by December 30. Several factors contributed to this accomplishment. While we added new staff, existing Medical Board staff rose to the occasion, and this became a successful team effort. I want to acknowledge and thank the entire team for all of their hard work and dedication to improving licensing efficiencies while maintaining high standards of public protection.

In addition to reducing the backlog with the newly hired staff, we expect to continue the high productivity levels. After the first of the year, applicants can expect to have their applications reviewed within 90 calendar days, even during the annual influx of applications received from residents and fellows who need to be licensed each year by July 1.

I also am pleased to report that the Web Applicant Access System was launched on December 1. This system allows applicants to go to our Web site 24/7 and look up the status of their application, view what required documents have been received by the Board, and what is missing/deficient, or approved. This insures that applicants are able to access directly their information without having to make those phone calls.

Finally, the deadline for the consultants hired to review our licensing program and make recommendations for

improvements was extended to mid-December. The consultants have been assisting the program and our Information Systems Branch with developing ongoing management reports to track the inventory of licensing applications. Preliminary findings will be reported to the Board at its January meeting.

I also would like to inform our readers of an important, new healthcare initiative launched by the Department of Consumer Affairs (DCA), which oversees the Medical Board and other allied healthcare boards. It is of particular interest to our Board, given that we allowed our Diversion Program to "sunset" (be

eliminated) on June 30, 2008. SB 1441 of 2008 mandated DCA to create a Substance Abuse Coordination Committee charged with

developing consistent, uniform standards to monitor and regulate licensees with substance abuse problems to ensure

the highest standards of consumer protection. The committee is chaired by DCA Director Brian Stiger, and is comprised of the heads of all healthcare-related boards, and a representative of the California Department of Alcohol and Drug Programs. The committee is developing key standards to

monitor substance-abusing licensees and dedicating a senior executive to improve and strengthen all of the department's enforcement programs. The standards must be submitted to the Legislature by the end of 2009 and then each healing arts board must adopt the standards through its own regulatory process.

Of relevance to physicians, the new standards will allow the quick removal from practice of licensees who pose a danger to consumers, and require any substance-abuse treatment vendor to report noncompliance within one day. While the details are being finalized as I write, I welcome this endeavor and will keep our readers abreast of its progress.

**\*\*\*Note:** As we post our newsletter, I have been informed that the licensing application backlog has been eliminated. \*\*\*



Barbara Yaroslavsky  
President of the Board

***"I am also pleased to report that the Web Applicant Access System was launched on December 1. This system allows applicants to go to our Web site 24/7 and look up the status of their application, ..."***

# A look into the international medical school graduate application process and some of the complexities encountered by Medical Board staff

The following provides a glimpse into the uniqueness and complexities involved in the processing of international medical school graduate (IMG) applications and the challenges they present to Medical Board staff.

*Some facts:* During Fiscal Year 2008-2009, the Board's Licensing Program received 6,169 new applications and issued 4,689 licenses to practice medicine in California. These numbers include both U.S. and Canadian as well as international medical school graduates (IMGs). Although the IMGs only amount to approximately 20% of the total applications and licenses issued, on average they are the most time-consuming and difficult to process.

Applications received over the last 18 years (1990-2008) have increased from 4,252 in fiscal year 1990-1991 to 6,169 in fiscal year 2008-2009 — a substantial 45 percent increase. During the same time, the Board's licensing staff increased from 15 to 18 — a mere 20 percent increase. As applications received increased annually, staff was unable to continually absorb the increased workload, resulting in a backlog.

California's licensing requirements are the most stringent in the nation. The comprehensive evaluation of a licensing application conducted by staff ensures potential licensees have satisfied all requisite qualifications/educational requirements necessary for medical licensure. Applications received are usually incomplete, as necessary supporting documentation and forms must be obtained from distant medical schools, agencies or programs, resulting in delays beyond the control of the applicant and the Board.

*Processing complexities:* Applications from graduates of international medical schools represent the most complex received by the Board. All IMGs must complete the required curriculum in international medical schools either approved and chartered for that country's citizen nationals, or schools chartered as for-profit medical schools open to any medical students. Each international medical school curriculum must be evaluated individually, and extensive delays can occur as applicants await documents from their foreign institutions. The fact that there is no national governing organization responsible for the evaluation of any international medical school curriculum complicates the process.

Unlike the standard, four-year medical curriculum offered in U.S. and Canadian medical schools, international medical school curriculum may be four to seven years in length. The evaluation of these applications requires an intricate and detailed knowledge of multiple international medical school systems. The individual clinical rotation requirements set forth in statute must be independently documented, verified and calculated. The medical school must be verified to be a medical school recognized by the Board. An IMG must satisfactorily complete 24 months of training in an accredited postgraduate training in the U.S. to be eligible for licensure; each 12-month period must be continuous and within the same program. Further, an IMG must be licensed by the end of the 36<sup>th</sup> month of training. Board staff must ensure that the calculation of the allowable 36 months of postgraduate training includes training completed outside of California and training for which no credit was granted.

Due to the complexity and challenge of these processes and protocols, IMG applications require more time to evaluate, assuming that no issues of concern are identified. To further compound the process, Board staff is required, per Title 16, California Code of Regulations section 1319.4, to notify applicants in writing of whether their application is complete or incomplete within 60 working days of receipt of the application — a difficult deadline to meet given the limited staff at the Board.

An IMG's application that is complete at the time of initial review takes six hours to review. (Less than 5 percent of all IMG applications are complete at the time of initial review.) An application with deficiencies will take an additional 90 minutes (for review and verification of the subsequently submitted documents), for a total processing time of six hours and 20 minutes for a US/Canadian applicant, and seven hours and 35 minutes for an IMG applicant. An application with minor issues that can be resolved at the level of a manager requires an additional 30 minutes, for a total processing time of six hours and 50 minutes for a U.S. and Canadian graduate applicant, and eight hours and five minutes for an IMG applicant.

If they wish to train in California, IMGs must first request the Board's permission to participate in a residency training program in a California medical school teaching hospital.

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# Steven M. Thompson Physician Corps Loan Repayment Program

Although the Medical Board no longer administers the Steven M. Thompson Loan Repayment Program, we want to share some positive results made possible from the \$25 fee physicians pay as part of their renewal. The following are just a few of the physicians who are award recipients.

## **Bahghi Keflezighi, M.D.**

Dr. Keflezighi attended medical school at the University of California, Los Angeles and received her postgraduate training at Scripps Family Medicine in Chula Vista, California. Her specialty is family practice. As a first generation immigrant, Dr. Keflezighi has a deep awareness regarding the critical role of cultural and linguistic competence in improving health outcomes. According to Dr. Keflezighi, “I have seen the resulting frustrations as a patient’s daughter and a provider. I am a firm believer that a good rapport between patient and physician is a key ingredient to treatment compliance.”



*Bahghi Keflezighi, M.D. with medical staff*

## **B. Leonard Perkinson, M.D.**

Dr. Perkinson attended medical school at Boston University and received his postgraduate training at UCSF Fresno Family Medical and UCSF Natividad Family Medicine. His specialty is obstetrics/gynecology. According to Dr. Perkinson, “My practice currently involves teaching residents in family medicine, working with a large Medi-Cal population, and providing prenatal, delivery and pediatric care to predominately Medi-Cal patients. I also provide hospital coverage for the residency; providing this care has enriched my life.”



*Dr. Perkinson with medical staff*

## **Kira Williams, M.D.**

Dr. Williams attended medical school at the University of California, Los Angeles and received her postgraduate training at the UCLA Neuropsychiatric Institute. Her specialty is in child/adolescent psychiatry. Dr. Williams is dedicated to serving the most underserved members of the community. As she recalls her options post-medical school, she states that “Many of my residency classmates chose to pursue careers in private practice psychiatry — I have chosen to stay (at a county clinic) because it is important for me to reach out and help those most in need of good medical and psychiatric care.”



*Barbara Yaroslavsky, Medical Board President/member of HPEF Board of Trustees, with Kira Williams, M.D.*

*(continued on page 5)*

## Steven M. Thompson loan repayment recipients *(continued from page 4)*

### **Tara Zandvliet, M.D.**

Dr. Zandvliet attended medical school at the New York Medical College and received her postgraduate training at the University of Texas, Houston. Her specialties are internal medicine and pediatrics. Dr. Zandvliet understands firsthand the struggles of inadequate healthcare coverage. She recalls examples of her childhood where her family was unable to obtain needed healthcare and says, “Moments like those help me guide my patients in the choices they make about their health. We work together to find ways to afford the healthcare they need.”



*Tara Zandvliet, M.D., right, with medical staff*

## Board operations under comprehensive review

The Medical Board is undergoing an independent, comprehensive review of its organization. Generally, when such reviews or audits are performed, they are at the request of the Legislature or Governor. This review, however, is at the request of the members of the Medical Board.

Over the years, the Board has been regularly audited and monitored, and has been the subject of numerous legislative oversight hearings and sunset reviews. While many of these exercises have identified better ways to protect the public, most have focused on the legal or investigative process relating to complaint handling and physician disciplinary action or monitoring. None has focused on its operations and business practices to identify better and more effective methods to do its job.

Last year, the Board asked staff to contract with an independent entity with experience in business and governmental practices. The purpose of the contract is specifically to identify better means to bring about greater effectiveness and efficiency of its operations.

The contractor selected to perform this work is Ben Frank, LLC, a firm with extensive experience in governmental operations and procedures, as well as business, management, and accounting. A review will be conducted on all major functions of the Board, including its budget and spending.

At the conclusion of the review, a report will be published that will include recommendations on how the Board may refine and improve its operations. The final report is expected to be submitted to the Board members by September 2010, allowing them to act on recommendations at the following October Board meeting.

# Legislative Update *(continued from cover)*

## **AB 1071 (Emmerson, Chapter 270)**

Extends the sunset dates of the Medical Board to January 1, 2013.

## **AB 1116 (Carter, Chapter 509)**

Enacts the Donda West Law. It requires that physicians or dentists conduct a physical examination on patients prior to performing elective cosmetic surgery, including liposuction. The physical examination may be performed by a physician, nurse practitioner, physician assistant, or dentist (who holds a permit to perform elective facial cosmetic surgery) and the exam must include a complete medical history. It may be performed in advance of surgery but by no more than 30 days.

## **AB 1317 (Block, Chapter 523)**

Establishes requirements for donors of oocytes for fertility treatment, and requires an advertisement seeking oocyte donation associated with the delivery of fertility treatment that includes assisted oocyte production and a financial payment, or compensation of any kind, to contain a prescribed notice relating to the potential health risks associated with human egg donation.

## **AB 1544 (Health Comm., Chapter 543)**

Requires the Department of Public Health to approve a completed application by a licensed general acute care hospital that meets specified requirements to add or modify an outpatient clinic service as a supplemental service, add the outpatient service to the hospital license, and issue a new license within 100 days of receipt of the completed application, unless the applicant does not meet specified requirements. It limits the outpatient clinic service that is the subject of the application to providing only nonemergency primary healthcare services in a clinical environment to patients who remain in the outpatient clinic for less than 24 hours.

## **SB 112 (Oropeza, Chapter 559)**

Prohibits a person from providing services as a hemodialysis technician without being certified by the Medicare Program and having a high school diploma or equivalency or 4 years of specified work experience; successfully completing a training program meeting specified requirements, and passing a standardized test certified by faculty of the University of California and approved by the California Department of Public Health, or passing an examination offered by a certification program approved by the Centers for Medicare and Medicaid Services. The bill requires technicians certified by the program as of the bill's operative date to meet those requirements by April 15, 2010.

## **SB 132 (Denham, Chapter 635 - Urgency)**

Requires registration for individuals assisting physicians in the practice of sleep medicine. It requires such individuals to meet certain qualifications including educational requirements, background checks, and other consumer protections. During 2010, the Board will need to adopt regulations to implement this new legislative program.

## **SB 171 (Pavley, Chapter 34)**

Authorizes the submission of a medical certificate to a governing board of a school district or county superintendant of schools by a physician assistant practicing in compliance with specified statutes, or a licensed advanced practice registered nurse acting pursuant to standardized procedures and protocols in compliance with specified statutory provisions who is applying for a position and fulfilling the medical clearance requirement.

## **SB 470 (Corbett, Chapter 590)**

Requires every prescription to include on the label the purpose for which the drug is prescribed, if it is requested by the patient. Thus physicians should include this information, upon request, on prescriptions written for patients.

## **SB 606 (Ducheny, Chapter 600)**

Makes osteopathic physicians and surgeons eligible for the loan repayment program and would require the Osteopathic Medical Board of California to assess an additional \$25 licensure fee for that purpose. The bill directs the deposit of the fees into the Medically Underserved Account for Physicians for purposes of the loan repayment program.

## **SB 630 (Steinberg, Chapter 604)**

Changes the definition of reconstructive surgery to include medically necessary dental or orthodontic services that are an integral part of reconstructive surgery for cleft palate procedures.

## **SB 762 (Aanestad, Chapter 16)**

Existing law makes it unlawful for a city or county to prohibit a person, authorized through the Department of Consumer Affairs to engage in a particular business, from engaging in that business or profession. Per this bill, no city, county, or city and county shall prohibit a healing arts professional licensed with the state from engaging in any act or performing any procedure that falls within the professionally recognized scope of practice of that licensee. However, it shall not be construed to prohibit the enforcement of a local ordinance in effect prior to January 1, 2010, as it relates to any act or procedure that falls within the professionally recognized scope of practice of a licensed, healing arts professional.

# Complexities in processing IMG applications *(continued from page 4)*

This process takes approximately three months for just the initial review to be conducted. IMGs presenting a routine, non-problematic application and requesting the Board's permission to participate in postgraduate training or issuance of a California medical license receive the results of an initial review within 90 days.

Problem cases are divided into two categories by level of severity (Level 1 and Level 2) with Level 2 being the more severe. Level 1 cases require research of the identified issues and significant special handling to accurately address all concerns and reach an appropriate resolution. Level 2 cases require complex research, investigation and guidance. These applications generally require contacts with multiple authorities, including hospitals, postgraduate training programs, federal agencies, treatment programs, state medical boards, law enforcement agencies, state monitoring programs, and individual physician providers. Due to the nature of the requests, it's not uncommon to need multiple requests for the necessary documentation. These applicants may also be represented by attorneys, often requiring additional or multiple contacts to those representatives regarding status and progress.

Applications with problems involving state or federal convictions, mental health conditions and treatment, drug/alcohol addictions and treatment, other state discipline, medical school or postgraduate training difficulties, dishonesty, clinical competency, and federal sanctions require the longest timeframes to process. Both U.S. and Canadian graduates and IMGs may present with one or more of these issues in their background. These applications also require staff consultation with legal counsel, the executive director, licensing chief, licensing managers, and medical consultants.

Staff must devote considerable time in researching issues and obtaining and reviewing additional documents that are necessary due to circumstances. Two upper-level associate analysts devote half their time to this function. It often takes six to eight weeks for these two analysts to review the incoming supporting documentation and ensure all of the required documentation relative to the concerns have been obtained and to formalize a case review. The documentation necessary to further conduct the review and evaluation must generally be provided by agencies/authorities outside the jurisdiction of the Board's subpoena authority. As a result, the Board is at the mercy of these responders and must await their response.

*Processing solutions:* As indicated above, the processing of IMG applications is an intricate and time-sensitive process and, while the number of applications with identified issues of concerns continues to increase in number and complexity, the Board has taken extraordinary measures to meet the demands and its mandate. Board management has been proactive in seeking mechanisms to improve effectiveness and increase productivity. The creation of eight new positions and the hiring of temporary staff were essential to efficiently, accurately and properly process the recent backlog and ensure that the processing of future applications is completed in a reasonable and acceptable timeframe.

Like most other states in the nation, California's access to healthcare is at an all-time critical level. In response, the Medical Board of California has stepped up its commitment to licensing only the most qualified of applicants and meeting its mandate and foremost priority of public protection.

## Join the Medical Board of California in going green

As part of our ongoing efforts to preserve natural resources, the Medical Board offers its quarterly newsletter online at [www.mbc.ca.gov](http://www.mbc.ca.gov). Just click on *Join the MBC Subscribers' List* under Quick Links in the left margin of our home page, fill in the appropriate fields, and you will be alerted when each newsletter is available online.

If you choose to read or download the Board's newsletter online, please send an email to [janet.neves@mbc.ca.gov](mailto:janet.neves@mbc.ca.gov) with the subject line: **REMOVE FROM NEWSLETTER MAILING**, and your name will be removed from the hard copy mailing list. Each quarter, you will receive a subscriber's list alert via email that will include a direct link to our current newsletter.

**Thank you to the 450 newsletter recipients who have responded so far and joined the MBC in going green!**

# California Department of Justice Bureau of Narcotic Enforcement CURES Program – Update

The California Department of Justice (DOJ) has launched the Prescription Drug Monitoring Program (PDMP) System, which allows licensed healthcare practitioners eligible to prescribe controlled substances, pharmacists authorized to dispense controlled substances, law enforcement, and regulatory boards that are pre-registered the ability to access patient prescription history information at the point of care. The role of the PDMP entrusts that well-informed prescribers and pharmacists can and will use their professional expertise to evaluate their patients' care and assist those patients who may be abusing controlled substances.

To access the PDMP system, prescribers and pharmacists must register themselves and submit his/her own application electronically at <https://pmp.doj.ca.gov/pmpreg/>. Please note: the practitioner must use their own email address and not a group/community email address, as the system will only accept a unique email address. After submission, you will need to print the application and verify your email address via an email confirmation within 72 hours. Please ensure that emails from [pmp\\_registration@doj.ca.gov](mailto:pmp_registration@doj.ca.gov) are not directed to your spam folder. The registration help desk number is (916) 319-9274.

DOJ requires a notarized (jurat) signature on all mail-in applications and copies of validating documentation that includes: Drug Enforcement Administration (DEA) Registration Certificate, state medical license or state pharmacy license, and government-issued identification. Please mail your notarized (jurat) application and documents to the Bureau of Narcotic Enforcement (BNE), Attn: PDMP Registration, P.O. Box 160447, Sacramento, CA 95816.

To forego the notary, you must make an appointment with one of DOJ's BNE Regional Office locations. BNE personnel will validate and collect your supporting documentation.

The patient information contained in the PDMP is extremely confidential. Therefore, your login and password should not be shared with anyone.

Regional office locations (by appointment only):

**Sacramento (916) 464-2030**

3046 Prospect Park Drive, Suite 1  
Rancho Cordova, CA 95670

**Sacramento HQ (916) 319-9062**

1102 Q Street, 6<sup>th</sup> Floor  
Sacramento, CA 95811

**Fresno (559) 457-5000**

1735 E Street  
Fresno, CA 93706

**San Jose (408) 452-7360**

2025 Gateway Place, Suite 474  
San Jose, CA 95110

**Orange (714) 558-4183**

874 Town & Country Road, Suite 100  
Orange, CA 92868

**San Diego (858) 268-5300**

9425 Chesapeake Drive  
San Diego, CA 92123

**Redding (530) 224-4750**

3688 Avtech Parkway  
Redding, CA 96002

**San Francisco (415) 351-3374**

2720 Taylor Street, Suite 300  
San Francisco, CA 94133

**Los Angeles (323) 869-6800**

5700 South Eastern Avenue  
Commerce, CA 90040

**Riverside (951) 782-4313**

829 Marlborough Avenue  
Riverside, CA 92507

**You may mail your notarized (jurat) copies to:**

Bureau of Narcotic Enforcement  
Attn: PDMP Registration  
P.O. Box 160447  
Sacramento, CA 95816



# Administrative actions: August 1, 2009 – October 31, 2009

## Physicians and Surgeons

**ALAVI, ABDOLLAH (A33686)**

**Blythe, CA**

Stipulated Decision. Physician has a condition affecting his ability to practice medicine safely. Surrender of license. September 23, 2009

**ANDERSON, DONOVAN JOHN, M.D. (G48061)**

**Mohave Valley, AZ**

Disciplined by Arizona for unprofessional conduct by deviating from the standard of care and failing to maintain adequate and accurate medical records. Revoked, stayed, placed on 5 years probation with terms and conditions including, but not limited to, completing a clinical training program and an ethics course. October 29, 2009

**BARNETT, ANDREW BRUCE, M.D. (G42760)**

**San Francisco, CA**

Stipulated Decision. Committed unprofessional conduct by entering into an agreement containing a confidentiality clause to resolve a civil dispute. Public Letter of Reprimand. September 25, 2009

**BELL, TIMOTHY VERNON, M.D. (G85325)**

**Long Beach, CA**

Disciplined by Colorado for failing to appropriately assess a patient in the emergency department for correct placement of a tracheostomy tube without reviewing the anterior-posterior interior and lateral X-rays, and the prior comparison images. Public Letter of Reprimand. October 7, 2009

**BORRELL, LEO JAMES, M.D. (C31240)**

**Houston, TX**

Stipulated Decision. Disciplined by Texas for providing a written second opinion for the son of one of his staff when he had not examined the patient. Public Letter of Reprimand. October 7, 2009

**BRESLOW, SUZANNE KIM, M.D. (A84157)**

**La Mesa, CA**

Disciplined by Colorado for failing to timely respond to the

Copies of public documents from 2000 to the present are available at [www.mbc.ca.gov](http://www.mbc.ca.gov). Click on "Enforcement Public Documents," or for copies of all public documents call the Medical Board's Central File Room at (916) 263-2525.

## Explanation of disciplinary language and actions

**"Effective date of decision"** — Example: "August 17, 2009" at the bottom of the summary means the date the disciplinary decision goes into operation.

**"Gross negligence"** — An extreme deviation from the standard of practice.

**"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 on

probationary terms and conditions. This is done when good cause exists for denial of the license application.

**"Public Letter of Reprimand"** — A lesser form of discipline that can be negotiated for minor violations, usually before the filing of formal charges (Accusations). The licensee is disciplined in the form of a public letter.

**"Revoked"** — The license is canceled, voided, annulled, rescinded. The right to practice is ended.

**"Revoked, stayed, five years probation on 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 probation may result in the revocation that was postponed.

**"Stipulated Decision"** — A form of plea bargaining. The case is formally negotiated and settled prior to trial.

**"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.

Colorado Board regarding 3 separate complaints concerning patient abandonment, failure to provide medical records, and failure to update her address. Public Letter of Reprimand. August 13, 2009

**BURNHAM, JOHN R., M.D. (A20659)**

**Laguna Beach, CA**

Stipulated Decision. No admissions but charged with repeated negligence and incompetence in the care and treatment of 1 patient. Physician must complete a clinical training program. Public Reprimand. August 13, 2009

**CABRERA, MALRUBIO, II, M.D. (A74118)**

**Sacramento, CA**

Stipulated Decision. No admissions but charged with gross negligence for failing to immediately transfer a patient to a higher level of care. Physician must complete a clinical training program. Public Reprimand. September 28, 2009

**CACERES, JOSE ANGEL, M.D. (A47901)**

**Buena Park, CA**

Stipulated Decision. No admissions but charged with repeated negligence and failure to maintain adequate and accurate medical records for 2 patients. Physician must complete a clinical training program and medical record keeping course. Public Reprimand. September 23, 2009

**CHUNG, YONG WUN, M.D. (A38317)**

**Santa Ana, CA**

Stipulated Decision. No admissions but charged with repeated negligence by failing to formulate an approved diagnostic and treatment plan to deal with recurrent gastrointestinal symptoms for a patient. Revoked, stayed, placed on 2 years probation with terms and conditions including, but not limited to, completing a clinical training program. October 14, 2009

**COCHRAN, RICHARD KENNETH, M.D.**

**( C53336) Tempe, AZ**

Disciplined by Colorado for practicing as a pathologist and reading Colorado specimens for his Arizona employer, prior to holding a Colorado medical license. Public Letter of Reprimand. October 23, 2009

**COHN, CAL KENNETH (G17175)**

**Houston, TX**

Stipulated Decision. Physician has a condition affecting his ability to practice medicine safely. Surrender of license. October 28, 2009

**DHILLON, CHARANJIT SINGH, M.D. (A36100)**

**Phoenix, AZ**

Stipulated Decision. Disciplined by Arizona for inappropriately coding and excessively billing insurance companies for office visits, and failure to provide medical records to another physician. Revoked, stayed, placed on 1 year probation with terms and conditions including, but not limited to, completing an ethics course and obtaining a billing monitor. October 15, 2009

**DUTTA, SUKALPA JOHN, M.D. (A87325)**

**Victorville, CA**

Stipulated Decision. No admissions but charged with unprofessional conduct for violating his Board-ordered probation by being taken into police custody after an altercation with a patient. Probation is extended for an additional year; including the terms and conditions of the previous order and a requirement to complete an anger management course. September 23, 2009

**EFFINGER, KAREN ELIZABETH, M.D. (A109535)**

**Palo Alto, CA**

Stipulated Decision. Misdemeanor conviction of driving under the influence of alcohol. Probationary license issued, placed on 5 years probation with terms and conditions including, but not limited to, abstaining from the use of alcohol and controlled substances and submitting to biological fluid testing. Probationary license issued September 23, 2009.

**EIDELMAN, WILLIAM S., M.D. (G32011)**

**Los Angeles, CA**

Violated probation by committing repeated negligence and failure to maintain adequate and accurate medical records in the care and treatment of 1 patient. Public Reprimand. October 5, 2009

**ELAZIER, STEFAN KELLY, M.D. (A109345)**

**Merced, CA**

Stipulated Decision. Participated in a drug or alcohol recovery program and had been treated for a diagnosed addictive disorder while attending medical school. Probationary license issued, placed on 5 years probation with terms and conditions including, but not limited to, abstaining from the use of alcohol or drugs and submitting to biological fluid testing. Probationary license issued September 2, 2009.

**EMERSON, DEREK KIM, M.D. (A109882)**

**San Diego, CA**

Stipulated Decision. Physician has a condition affecting his ability to practice medicine safely. Probationary license issued, placed on 5 years probation with terms and

conditions including, but not limited to, abstaining from the use of drugs, submitting to biological fluid testing and completing an educational course. Probationary license issued November 4, 2009.

**ESTIANDAN, CARLOS PENA (A38326)**

**Los Angeles, CA**

Stipulated Decision. No admissions but charged with gross negligence, repeated negligence, incompetence, prescribing without medical indication, excessive treatment or prescribing, violation of drug statutes, and failure to maintain adequate and accurate medical records in the care and treatment of 2 patients. Surrender of license. September 9, 2009

**EWING, RUSSELL CHARLES II, M.D. (G19294)**

**Folsom, CA**

Stipulated Decision. Committed gross negligence by prescribing Trileptal to a patient without documenting the rationale in the patient's medical record; and failed to order any follow-up tests to monitor the side effects. Public Letter of Reprimand. September 25, 2009

**FARSHI, RAMIN, M.D. (G75062)**

**West Hills, CA**

Stipulated Decision. No admissions but charged with gross negligence, repeated negligence and incompetence in the care and treatment of 1 patient. Revoked, stayed, placed on 35 months probation with terms and conditions including, but not limited to, completing an educational course and obtaining a practice monitor. October 5, 2009

**FRAKER, JOHN TEMPLE, M.D. (G88399)**

**Odessa, FL**

Disciplined by Florida for failing to recommend surgery, radiation, chemotherapy and/or a second opinion in the treatment of a patient's oral cancer by failing to order appropriate CT scans. Public Letter of Reprimand. September 17, 2009

**FRY, MARION P., M.D. (G57771)**

**Cool, CA**

Stipulated Decision. No admissions but charged with gross negligence, repeated negligence and failure to maintain adequate and accurate medical records in the care and treatment of 1 patient. Revoked, stayed, placed on 3 years probation with terms and conditions including, but not limited to, completing a clinical training program prior to resuming the practice of medicine. August 21, 2009

**GARCIA, JAIME, M.D. (A55176)**

**Brentwood, CA**

Stipulated Decision. Committed repeated negligence and failed to maintain adequate and accurate medical records when prescribing Histinex HC to 2 pediatric patients. Physician must complete a prescribing practices course and a medical record keeping course. Public Reprimand. October 5, 2009

**GOGAN, WILLIAM THOMAS, M.D. (A22286)**

**Corona Del Mar, CA**

Disciplined by Illinois for failing to respond to a mandatory report of malpractice settlement in a timely manner and failing to report the settlement in a timely manner. Public Letter of Reprimand. September 3, 2009

**GOLDBLOOM, DAVID LEE, M.D. (A109122)**

**Los Angeles, CA**

Stipulated Decision. While in a postgraduate training program, Dr. Lee was placed on a medical leave of absence and entered into a substance abuse treatment program. Probationary license issued, placed on 5 years probation with terms and conditions including, but not limited to, abstaining from the use of alcohol and drugs, and submitting to biological fluid testing. Probationary license issued August 6, 2009

**GOOD, LEONARD JAMES (G46941)**

**Roslyn, NV**

Stipulated Decision. Physician may have a condition affecting his ability to practice medicine safely. Surrender of license. October 5, 2009

**GORUM, WENDELL JAY, II, M.D. (A79119)**

**Hempstead, NY**

Stipulated Decision. No admissions but charged with gross negligence and repeated negligence in the care and treatment of 3 patients. Revoked, stayed, placed on 5 years probation with terms and conditions including, but not limited to, completing an educational course. October 5, 2009

**GYI, KHIN KHIN, M.D. (G62062)**

**Culver City, CA**

Stipulated Decision. Committed repeated negligence by failing to elicit or document detailed patient histories or maintain adequate and accurate medical records in the care and treatment of several patients. Revoked, stayed, placed on 35 months probation with terms and conditions including, but not limited to, completing a clinical training program and a medical record keeping course; and obtaining a practice monitor. September 30, 2009

**HAYES, MARIA MELBOURNE, M.D. (G75089)**

**East Moriches, NY**

Committed gross negligence; prescribing without performing an appropriate prior examination; and failing to maintain adequate and accurate medical records in the care and treatment of a patient. Public Reprimand.  
September 17, 2009

**HENSLEY, GARY ROBERT, M.D. (A109349)**

**Long Beach, CA**

Stipulated Decision. Convicted of 2 misdemeanor convictions for driving under the influence and driving with a blood alcohol of .08% or more. Probationary license issued, placed on 5 years probation with terms and conditions including, but not limited to, abstaining from the use of alcohol and drugs, and submitting to biological fluid testing. Probationary license issued September 2, 2009.

**HO, JOSEPH MANHEI, M.D. (G73155)**

**Victorville, CA**

Stipulated Decision. No admissions but charged with unprofessional conduct for failure to comply with a Board-ordered citation and failure to produce records within 15 days. Public Reprimand. October 20, 2009

**HOLMES, VICTOR ALAN, M.D. (G69242)**

**Ridgecrest, CA**

Stipulated Decision. No admissions but charged with gross negligence in the care and treatment of 1 patient. Physician must complete an educational course. Public Reprimand.  
October 28, 2009

**HSIAO, LUKE I-JEN, M.D. (A32101)**

**San Bernardino, CA**

Stipulated Decision. No admissions but charged with gross negligence and repeated negligence in the care and treatment of 1 patient, and failure to maintain adequate and accurate medical records for 2 patients. Revoked, stayed, placed on 2 years probation with terms and conditions including, but not limited to, completing a clinical training program, a medical record keeping course and an educational course.  
September 23, 2009

**IN, GEORGE CHITAM, M.D. (A48565)**

**Los Angeles, CA**

Stipulated Decision. No admissions but charged with gross negligence, repeated negligence, incompetence and failure to maintain adequate and accurate medical records in the care and treatment of 1 patient. Revoked, stayed, placed on 35 months probation with terms and conditions including, but not limited to, completing a clinical training program, an educational course and a medical record keeping course; and obtaining a practice monitor. October 26, 2009

**JEFFERSON, RICHARD J., M.D. (G15425)**

**Los Angeles, CA**

Stipulated Decision. No admissions but charged with gross negligence, repeated negligence, and failure to maintain adequate and accurate medical records in the care and treatment of 8 patients. Revoked, stayed, placed on 2 years probation with terms and conditions including, but not limited to, completing a clinical training program and an ethics course, obtaining a practice monitor and prohibited from the solo practice of medicine. August 24, 2009

**JUNG, JAMES MAN-GIL, M.D. (A48898)**

**Los Angeles, CA**

Committed gross negligence and failed to maintain adequate and accurate medical records in the care and treatment of 9 patients. Revoked, stayed, placed on 5 years probation with terms and conditions including, but not limited to, completing an educational course, a medical record keeping course and an ethics course; and obtaining a practice monitor. September 17, 2009. Judicial review pending.

**KABACY, GEORGE E. (G13766)**

**Lacey, WA**

Default Decision. Disciplined by Washington based on a felony conviction for possession of visual depictions of minors engaged in sexually explicit conduct. Revoked.  
September 30, 2009

**KAPELANSKI, DAVID PETER (G75274)**

**San Diego, CA**

Default Decision. May have a condition that affects his ability to practice medicine safely. Revoked.  
September 25, 2009

**KEENAN, ROBERT STUART (A54423)**

**Palm Springs, CA**

Default Decision. Committed sexual misconduct with 2 patients and made false statements during the Board's investigation. Revoked. September 23, 2009

**LI, JONATHAN, M.D. (A109244)**

**Orange, CA**

Stipulated Decision. Convicted of a misdemeanor conviction for reckless driving. Probationary license issued, placed on 5 years probation with terms and conditions including, but not limited to, abstaining from the use of alcohol and drugs and submitting to biological fluid testing. Probationary license issued August 19, 2009.

**LIU, YONG JIAN (A80050)**

**Suwanee, GA**

Stipulated Decision. Disciplined by Georgia for prescribing controlled substances to 10 patients without adequate

evaluation, recording patient histories, or medical indication. Surrender of license. October 27, 2009

**LONGWELL, JOHN DE FOREST, JR. (G21069)**  
**San Jose, CA**

Stipulated Decision. No admissions but charged with gross negligence, repeated negligence, incompetence, prescribing to or treating an addict, prescribing without an appropriate prior examination or indication, and failure to maintain adequate and accurate medical records in the care and treatment of 4 patients. Surrender of license. October 22, 2009

**LOVELACE, STEWART W., M.D. (C30263)**  
**Manhattan Beach, CA**

Stipulated Decision. No admissions but charged with gross negligence, repeated negligence, incompetence and failure to maintain adequate and accurate medical records in the care and treatment of 3 patients. Revoked, stayed, placed on an additional 3 years probation, with terms and conditions including, but not limited to, completing a clinical training program, an educational course and medical record keeping course, and obtaining a practice monitor. October 26, 2009

**LOWE, JAMES WHITTON (A73317)**  
**New Orleans, LA**

Stipulated Decision. Disciplined by Louisiana for violating sexual boundaries with several patients, prescribing controlled substances in an illegitimate manner to individuals when not providing medical or therapeutic treatment. Surrender of license. September 8, 2009

**MAGONE, MARGARET ANN, M.D. (G69985)**  
**Alpine, CA**

Stipulated Decision. No admissions but charged with repeated negligence, incompetence and failure to maintain adequate and accurate medical records in the care and treatment of 3 patients. Revoked, stayed, placed on 35 months probation with terms and conditions including, but not limited to, completing a clinical training program and an educational course. September 2, 2009

**MC CLUSKEY, EDWARD A. (G70496)**  
**Happy Valley, OR**

Stipulated Decision. Disciplined by Oregon based on findings that patients in his pain clinic were seen by mid-level practitioners and were rarely seen by physicians, even when they had serious complications. Surrender of license. October 1, 2009

**MENASTER, MICHAEL JOHN, M.D. (G72112)**  
**San Francisco, CA**

Physician has a condition affecting his ability to practice

medicine safely. Revoked, stayed, placed on 3 years probation with terms and conditions including, but not limited to, obtaining a practice monitor. September 21, 2009

**MIKHAIL, NADER GEORGE, M.D. (A109374)**  
**Newport Beach, CA**

Stipulated Decision. Convicted of a misdemeanor for driving with a blood alcohol of .08% or more. Probationary license issued, placed on 5 years probation with terms and conditions including, but not limited to, abstaining from the use of alcohol and drugs, and submitting to biological fluid testing. Probationary license issued September 2, 2009.

**MIKULECKY, MICHAEL S., M.D. (A90779)**  
**Redding, CA**

Stipulated Decision. Disciplined by Texas for a misdemeanor conviction of causing or permitting the health of a child to be injured. Public Reprimand. September 2, 2009

**MOAYED, SEPIDEH, M.D. (A77967)**  
**Los Altos Hills, CA**

Stipulated Decision. No admissions but charged with being convicted of petty theft, and having a condition affecting her ability to practice medicine safely. Revoked, stayed, placed on 5 years probation with terms and conditions including, but not limited to, abstaining from the use of alcohol and drugs, submitting to biological fluid testing, and is prohibited from the solo practice of medicine. September 24, 2009

**MORASCH, ROBERT GREGORY, M.D. (A66927)**  
**Walla Walla, WA**

Stipulated Decision. No admissions but charged with unprofessional conduct and making false statements to the Board by reporting he had never withdrawn from a postgraduate training program or had staff privileges placed on probation when, in fact, he had. Physician must complete an ethics course. Public Reprimand. September 3, 2009

**MULLER, RICHARD LEWAYNE, M.D. (G42566)**  
**San Jose, CA**

Stipulated Decision. No admissions but charged with gross negligence, repeated negligence and failure to maintain adequate and accurate medical records in the care and treatment of 1 patient. Physician must complete a clinical training program and a medical record keeping course. Public Reprimand. August 3, 2009

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1-888-466-2219 or [www.dmhc.ca.gov](http://www.dmhc.ca.gov)

**NEGER, ROBERT EDMOND, M.D. (A26741)**  
**Burlingame, CA**

Stipulated Decision. No admissions but charged with gross negligence, repeated negligence, and incompetence in the care and treatment of 4 patients. Public Reprimand. August 31, 2009

**NEWMAN, JEFFREY L., M.D. (A43808)**  
**Vista, CA**

Stipulated Decision. No admissions but charged with acts of repeated negligence for failing to perform an appropriate prior examination, and failure to maintain adequate and accurate medical records in the care and treatment of a patient. Physician must complete a clinical training program. Public Reprimand. September 8, 2009

**OKOH, JAMES IKEMEFUNA, M.D. (A101418)**  
**Eden Prairie, MN**

Disciplined by Florida for placement of a chest tube in the right pleural space of a patient instead of the left pleural space. Public Letter of Reprimand. September 3, 2009

**ORKAND, STEVEN PAUL, M.D. (G31757)**  
**Carmichael, CA**

Stipulated Decision. Committed repeated negligence for failing to screen a patient for tuberculosis prior to initiating an anti-TNF therapy, failing to identify and urgently treat the patient's pneumonia, and failing to diagnose reactive tuberculosis. Public Reprimand. September 24, 2009

**PARHIZKAR, NOOSHIN, M.D. (A109103)**  
**Fremont, CA**

Stipulated Decision. Failed to disclose that she resigned from a postgraduate training program and one postgraduate

training contract was not renewed. Probationary license issued, placed on 3 years probation with terms and conditions including, but not limited to, providing free non-medical community service and completing an ethics course. Probationary license issued August 5, 2009.

**PINC, ROGER DAVID (G39346)**  
**Pittsburg, IL**

Stipulated Decision. Disciplined by Indiana for failing to disclose on his license renewal application that criminal charges were pending against him; charges that eventually resulted in a conviction for operating a motor vehicle under the influence of drugs or alcohol. Surrender of license. October 28, 2009

**QURTOM, HELMY ABDUL-FATTAH (AFE52829)**  
**Beltville, MD**

Stipulated Decision. Disciplined by Maryland for inappropriately hugging and grabbing the breast of a co-worker. Surrender of license. September 9, 2009

**RAMER, CYRIL M., M.D. (G14293)**  
**San Francisco, CA**

Stipulated Decision. Failed to properly document the evaluation of a patient while under his care when prescribing scheduled drugs. Physician must complete a medical record keeping course. Public Reprimand. August 27, 2009

**REALYVASQUEZ, FIDEL, JR., M.D. (G33283)**  
**Davis, CA**

Stipulated Decision. No admissions but charged with gross negligence and repeated negligence in the care and treatment of 3 patients. Revoked, stayed, placed on 3 years probation with terms and conditions including, but not limited to, completing a clinical training program, an educational course and an ethics course; and obtaining a practice monitor. October 30, 2009

**REULAND, RALF VOLKER, M.D. (G72259)**  
**San Clemente, CA**

Stipulated Decision. No admissions but charged with sexual misconduct with a patient. Revoked, stayed, placed on 5 years probation with terms and conditions including, but not limited to, participating in a professional boundaries program and completing an ethics course. August 13, 2009

**ROBINSON, HARRELL EDWARD (G38954)**  
**Anaheim Hills, CA**

Stipulated Decision. No admissions but charged with gross negligence, repeated negligence, incompetence, sexual misconduct, prescribing without an appropriate prior examination or medical indication, acts of dishonesty,

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violation of drug statutes, failing to maintain adequate and accurate medical records, and aiding and abetting the unlicensed practice of medicine. Surrender of license. September 30, 2009

**ROCA, MARGO HIRSHMAN, M.D. (G88118)**  
**Port Charlotte, FL**

Disciplined by North Carolina for failing to disclose a prior complaint/investigation on an application for medical licensure. Public Letter of Reprimand. October 7, 2009

**SADEGHI, HOSSEIN M., M.D. (A60751)**  
**San Diego, CA**

Stipulated Decision. No admissions but charged with gross negligence and repeated negligence in the care and treatment of 2 patients. Physician must complete a clinical training program and an educational course. Public Reprimand. October 8, 2009

**SALINGER, DAVID L., M.D. (G59234)**  
**Olympic Valley, CA**

Stipulated Decision. Violated the terms and conditions of his Board-ordered probation and was dishonest by falsely reporting to hospital staff that an evaluation of a patient had occurred in his office, falsely reporting to a patient that a psychological evaluation took place in his office, and not obeying all federal, state and local laws. Revoked, stayed, placed on probation for an additional 5 years with terms and conditions including, but not limited to, 45 days actual suspension, providing 40 hours of community service, and must complete an educational course and an ethics course. September 17, 2009

**SANDY, VICTOR HUGO A. (A33435)**  
**Riverside, CA**

Stipulated Decision. No admissions but charged with gross negligence in the care of 2 patients, and repeated negligence, incompetence and failure to maintain adequate and accurate medical records in the care and treatment of 4 patients. Surrender of license. September 8, 2009

**SCRUGGS, RAMON (G48978)**  
**Santa Ana, CA**

Violated terms and conditions of his Board-ordered probation by failing to complete required continuing education courses, pay fines and probation monitoring costs and obtain a practice monitor in accordance with the probation order. Revoked. August 10, 2009

**SEIFERT, JOHN DUPONT, M.D. (G18424)**  
**Ridgecrest, TX**

Stipulated Decision. Disciplined by Texas for failing to

adequately document a pre-operative assessment or post-operative care for 4 patients. Revoked, stayed, placed on 5 years probation with terms and conditions including, but not limited to, completing a clinical training program, an educational course and a medical record keeping course; and obtaining a practice monitor. August 24, 2009

**SHEIBANI, SHANE, M.D. (A56075)**  
**Beverly Hills, CA**

Stipulated Decision. No admissions but charged with gross negligence, repeated negligent acts in the care and treatment of 4 patients, and failure to maintain adequate and accurate medical records, false or misleading advertising, and violating outpatient surgical setting staffing requirements. Revoked, stayed, placed on 5 years probation with terms and conditions including, but not limited to, completing a clinical training program, an educational course, an ethics course, a medical record keeping course; must obtain a practice monitor and is prohibited from disseminating false or misleading advertising. September 10, 2009

**SHINDE, ARVIND MANOHAR, M.D. (A109250)**  
**Los Angeles, CA**

Stipulated Decision. Convicted of reckless driving while under the influence of alcohol and for driving under the influence of alcohol with a blood alcohol content over .08%. Probationary license issued, placed on 5 years probation with terms and conditions including, but not limited to, abstaining from the use of alcohol and drugs and submitting to biological fluid testing. Probationary license issued August 19, 2009.

## Check Your Physician Profile on the Medical Board's Web Site

Your address of record is public.

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

Click on "Licensees" tab and "Check My Profile."

Signed address changes may be submitted to the Board by fax at 916.263.2944, or by regular mail to:

Medical Board of California  
Licensing Program  
2005 Evergreen Street, Suite 1200  
Sacramento, CA 95815

**SMITH, BARLOW, M.D. (G35320)**

**Marble Falls, TX**

Disciplined by Texas for committing unprofessional and/or dishonorable conduct by having repeated sexual contact with a former psychiatric patient who had a history of sexual abuse, and failing to maintain the confidentiality of the patient by revealing the patient's information to his fiancée. Public Letter of Reprimand. October 12, 2009

**SMYLE, BERNARD ALAN, M.D. (G54868)**

**Ventura, CA**

Stipulated Decision. No admissions but charged with sexual misconduct and repeated negligence in the care and treatment of multiple patients. Revoked, stayed, placed on 7 years probation with terms and conditions including, but not limited to, completing a professional boundaries program, an ethics course, obtaining a third-party chaperone when examining female patients, and is prohibited from engaging in the solo practice of medicine. September 30, 2009

**STARKS, WAYNE DION, M.D. (C50845)**

**Redlands, CA**

Stipulated Decision. No admissions but charged with gross negligence, repeated negligence, incompetence, violation of drug statutes, failure to maintain adequate and accurate medical records, prescribing without performing an appropriate prior examination and medical indication, and prescribing drugs on the Internet. Revoked, stayed, placed on 6 years probation with terms and conditions including, but not limited to, completing a clinical training program, an educational course, a medical record keeping course, a prescribing course and an ethics course; obtaining a practice monitor; prohibited from prescribing over the Internet or practicing telemedicine, must maintain a record of controlled substances ordered, prescribed, dispensed, administered, or

possessed and any recommendation or approval for marijuana. September 4, 2009

**SWEENEY, MICHAEL ALAN, M.D. (G61169)**

**Santa Rosa, CA**

Stipulated Decision. No admissions but charged with gross negligence, repeated negligence and incompetence in the care and treatment of 1 patient. Physician must complete a clinical training program. Public Reprimand. August 28, 2009

**TAKASUGI, SCOTT T. (A43093)**

**Oxnard, CA**

Stipulated Decision. Committed sexual exploitation of 2 patients. Surrender of license. October 6, 2009

**TAMER, MOUSSA PIERRE, M.D. (G67142)**

**Bakersfield, CA**

Stipulated Decision. No admissions but charged with repeated negligence in the care and treatment of 1 patient. Physician must complete a clinical training program. Public Reprimand. October 23, 2009

**TER-OHANESSIONIAN, SRBOUHI (A46038)**

**Los Angeles, CA**

Default Decision. Committed gross negligence, repeated negligence, excessive treatment or prescribing and unprofessional conduct in the care and treatment of 3 patients. Revoked. August 28, 2009

**THAN, THAN, M.D. (A65810)**

**Antioch, CA**

Stipulated Decision. Committed unprofessional conduct by not referring a patient for a specialty consultation for a

## Misdemeanor Convictions – MUST BE REPORTED

Physicians are required per California Business and Professions Code section 802.1 to report to the Board if they have been charged or convicted of a felony. Legislation was passed in 2005 to amend this statute to include the requirement that physicians also must report *any* misdemeanor conviction. As is required for reporting felony convictions, the law specifies that the report be made to the Board in writing within 30 days. Failure to file a report may result in a fine not to exceed \$5,000.

Since July 1, 2008, the Board has issued 52 citations and fines to physicians for not reporting misdemeanor convictions. The inclusion of this article, for a second time, is to alert and remind physicians of this mandate, and the importance of reporting to the Board in a timely manner.

A form has been created to facilitate reporting convictions to the Medical Board. The form is on the Board's Web site at [www.mbc.ca.gov](http://www.mbc.ca.gov), under Forms, Mandatory Reporting Forms, and is entitled, "Physician Reporting-Criminal Actions."



second time when conservative measures were not successful. Public Letter of Reprimand. September 24, 2009

**TOLLETTE, ARMOND TENNYSON, JR. (G50837)**  
**Inglewood, CA**

Stipulated Decision. Convicted of 1 count of conspiracy to commit healthcare fraud and sentenced to 30 months in prison with 3 years of supervised release, and ordered to pay \$909,000 in restitution. Surrender of license. August 11, 2009

**TURNER, ERNEST ALVIN (C38429)**  
**Lebanon, TN**

Disciplined by Tennessee for permitting international medical school graduates to use his DEA number to prescribe medications to patients. Revoked. October 15, 2009

**UMALI, RENE, M.D. (G71638)**  
**Redding, CA**

Committed gross negligence, repeated negligence, and incompetence in the care and treatment of 1 patient. Revoked, stayed, placed on 3 years probation with terms and conditions including, but not limited to, must complete a clinical training program prior to resuming the practice of medicine. August 13, 2009

**VENTURA, ONES ADVIENTO, M.D. (A48324)**  
**Glendale, CA**

Stipulated Decision. Convicted of being an accessory to Medi-Cal fraud. Revoked, stayed, placed on 6 years probation with terms and conditions including, but not limited to, 6 months actual suspension, must complete a prescribing practices course, a medical record keeping course and an ethics course, and obtain a billing monitor. September 28, 2009

**WILLIAMSON, LAWRENCE JAMES, M.D. (A73495)**  
**Windsor, CA**

Stipulated Decision. Physician has a condition affecting his ability to practice medicine safely. Revoked, stayed, placed on 5 years probation with terms and conditions including, but not limited to, abstaining from the use of alcohol and drugs, submitting to biological fluid testing, obtaining a practice monitor, and is prohibited from the solo practice of medicine. August 28, 2009

**WINBLAD, JOHN MARK (GFE47949)**  
**Winfield, KS**

Stipulated Decision. Disciplined by Kansas for allegations of inappropriate treatment of a patient. Surrender of license. August 31, 2009

**WOLFE, LAWRENCE I. (C11479)**  
**San Carlos, CA**

Stipulated Decision. No admissions but charged with gross negligence and repeated negligence in the care and treatment of 2 patients. Surrender of license. October 15, 2009

**ZIYAR, LATIF, M.D. (A55320)**  
**Fresno, CA**

Stipulated Decision. Committed repeated negligent acts in his care and treatment of a schizophrenic patient. Revoked, stayed, placed on 3 years probation with terms and conditions including, but not limited to, completing an educational course and an ethics course, participating in a professional enhancement program, and obtaining a practice monitor. September 10, 2009

## Physician Assistants

**NOAKES, STEVEN ROBERT, P.A. (PA20468)**  
**San Diego, CA**

Convicted twice for driving with a blood alcohol greater than .08%. Placed on 5 years probation with terms and conditions. Probationary license issued August 18, 2009.

**NORMAN, THOMAS CHARLES, P.A. (PA12249)**  
**San Francisco, CA**

Stipulated Decision. No admissions but charged with holding himself out as a physician and surgeon, dishonesty, and violation of drug statutes by making false statements in documents and having no written protocols. Revoked, stayed, placed on 3 years probation with terms and conditions including, but not limited to, 30 days actual suspension. August 19, 2009

**RAPERT, JERRY E., P.A. (PA11385)**  
**Stockton, CA**

Stipulated Decision. Committed gross negligence and sexual misconduct in the care and treatment of 1 patient. Revoked, stayed, placed on 5 years probation with terms and conditions. October 23, 2009

## Podiatrist

**NGUYEN, TAN DUY, D.P.M. (E3377)**  
**San Leandro, CA**

Stipulated Decision. Felony conviction for unlawful prescribing of controlled substances for non-existing patients to sell. Revoked, stayed, placed on 7 years probation with terms and conditions including, but not limited to, 30 days actual suspension, completing a prescribing practices course, and obtaining a practice and a billing monitor. August 17, 2009

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Business and Professions Code section 2021(b) & (c) require physicians to inform the Medical Board in writing of any name or address change.

See: [www.mbc.ca.gov/Address\\_Record.htm](http://www.mbc.ca.gov/Address_Record.htm)



## Medical Board of California Meetings—2010

January 28–29, 2010: San Francisco

April 29–30, 2010: Los Angeles

July 29–30, 2010: Sacramento

November 3–4, 2010: Long Beach

*All meetings are open to the public.*

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### MEDICAL BOARD OF CALIFORNIA NEWSLETTER — JANUARY 2010

Candis Cohen, Editor (916) 263-2389

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