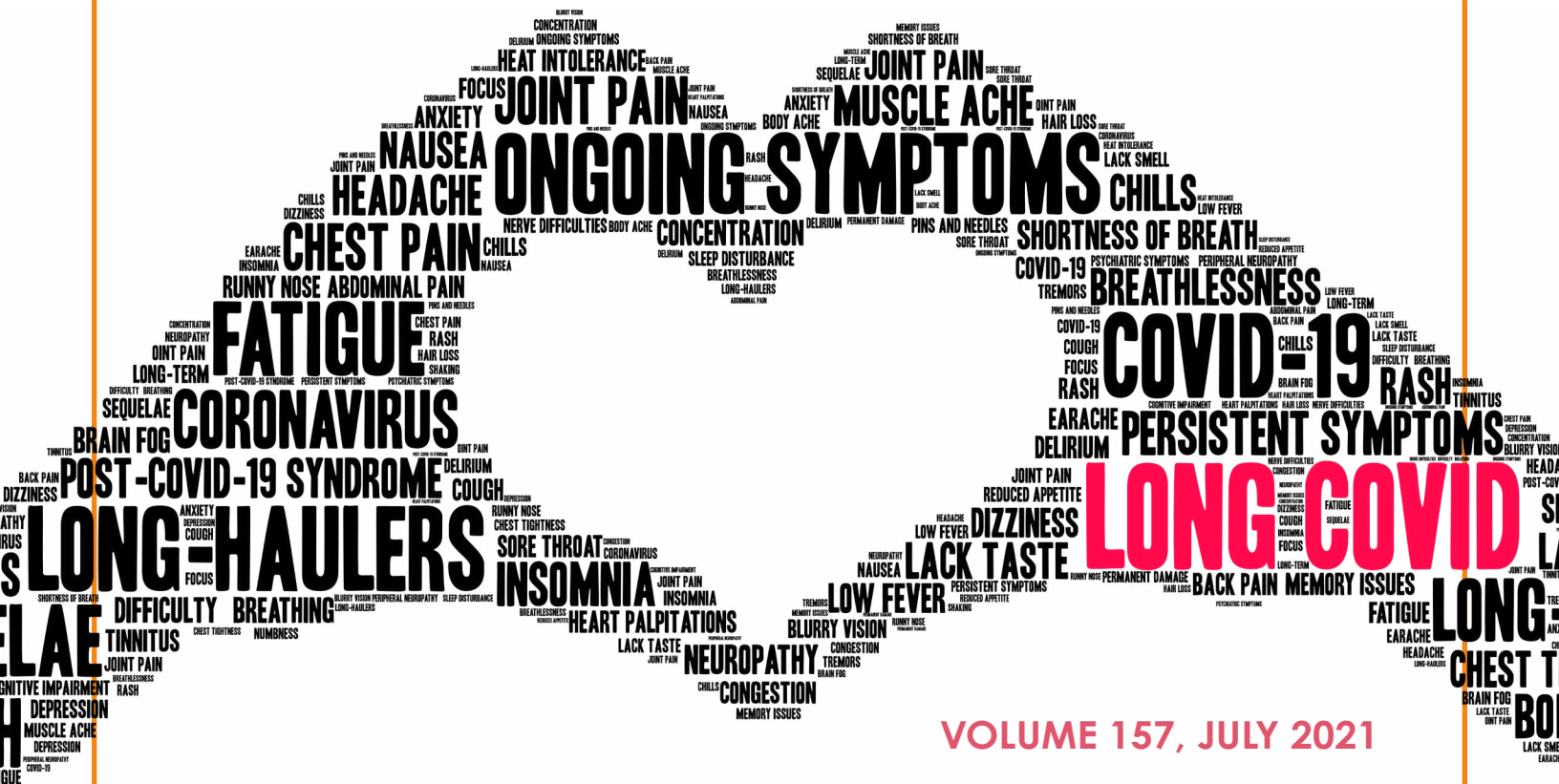


MEDICAL BOARD OF CALIFORNIA

NEWS

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



VOLUME 157, JULY 2021

THE HARD TRUTH OF LIVING WITH ONGOING COVID-19 SYMPTOMS

By Emmalee Ross - p.6

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MBC UNDERGOES SUNSET REVIEW

Sunset Review Update - p.11

WHEN & WHY MEDICAL RECORDS MUST BE PROVIDED FREE OF CHARGE

Introducing AB 2520 - p.16

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EDITOR'S SPOTLIGHT

Emmalee Ross
Designer & Editor in Chief

Over a year has passed since the first known cases of COVID-19 appeared in the US. Jennifer Minhas was one of those cases. I had the privilege of telling her story and raising awareness of those experiencing COVID-19 long-term effects ([page 6](#)). We also partnered with MEAction, an international organization, bringing insight and knowledge of the correlation and treatment of COVID-19 and myalgic encephalomyelitis/chronic fatigue syndrome ([page 9](#)).

This edition highlights a few new laws effective earlier this year, including AB 2520 – the free provision of medical records which amends existing law, and accentuates the importance of timely handling of records for those in poverty. Attorneys Eve Rutzick and Helen Tran share their experiences and desire for collaboration on [page 16](#).

In case you missed the Medical Board of California's (Board) Sunset Review Hearings over the last few months, [page 11](#) will bring you up to date on how the Board is working with the public and Legislature throughout this critical process.

Lastly, the "Our Partners" column features the California Department of Public Health shedding light on the new, standardized, statewide, electronic medical exemption form ([page 28](#)).

MEDICAL BOARD OF CALIFORNIA

NEWS

A Publication of the Medical Board of California

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The Board's Mission

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

PRESIDENT'S MESSAGE

A TIME FOR CHANGE

Over the last few months, the Medical Board of California (Board) has reflected on its mission of consumer protection, reviewed its accomplishments, and identified opportunities for improvement during the sunset review hearings held in March and May.

The ***sunset review process*** occurs at least every four years allowing the Board and staff to testify in front of the Assembly Business and Professions Committee, and the Senate Business, Professions, and Economic Development Committee regarding the Board's work on behalf of California healthcare consumers.

The conversation between the Board and state legislators is, rightly so, not limited to those two parties. Various stakeholders, including patients and patient advocates, nonprofit groups, such as the Center for Public Interest Law, and professional organizations, like the California Medical Association, also have a voice.

During the sunset review hearings, held on March 19 and May 5, Board Vice President Dr. Howard Krauss, Executive Director William Prasifka and I identified several new issues that the Board believes would strengthen consumer protection in California and overcome some of the Board's challenges with licensing and disciplining physicians.

After hearing from everyone during the two separate sunset review hearings – one which focused on the Board's Enforcement Program, the other on the Board's Licensing Program – it is clear we can do better.

While awaiting the commencement of the sunset review process and to bring the Board and its stakeholders together in the spirit of consumer protection, the Board has proactively taken a step to increase its communications with the public by holding quarterly public stakeholder meetings, building upon the annual meetings originally started by former Board President Denise Pines.



The public stakeholder meeting allows the public, Board members, and staff to brainstorm improvements for the Board's communication and transparency, while working on solutions. The first of these meetings was held online April 21, 2021, and these stakeholder meetings will continue prior to each quarterly Board meeting.

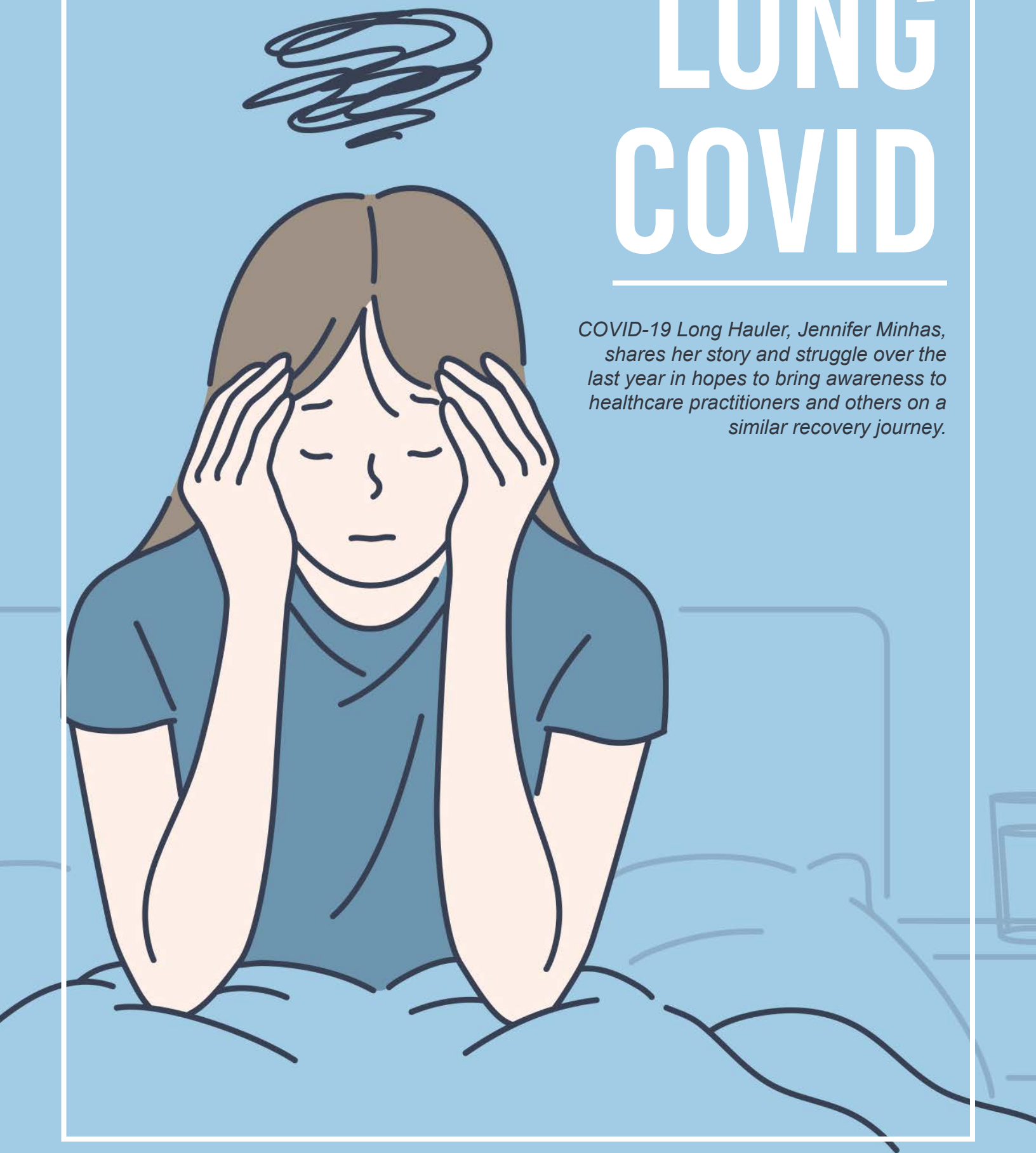
On behalf of the Board, we are all very excited to work with the Legislature and stakeholders to make improvements. After all, the Board belongs to Californians, and while the Board and its staff are the work force, we count on the public and lawmakers to help create a well-functioning system – empowering the Board to improve public protection for all California healthcare consumers.

Wrapping up, I would like to introduce the newest members of the Board, ***Ryan Brooks*** and ***David Ryu***. Mr. Brooks was appointed February 2021, by Governor Gavin Newsom and is the Executive Vice President of Government Affairs for Outfront Media. Mr. Ryu was appointed April 2021, by Speaker Anthony Rendon, and is a former LA City Councilman for District 4, and the first Korean American to hold a council seat in LA. We look forward to their input, wisdom, and experience on the Board.

Kristina D. Lawson

LONG COVID

COVID-19 Long Hauler, Jennifer Minhas, shares her story and struggle over the last year in hopes to bring awareness to healthcare practitioners and others on a similar recovery journey.



THE UNCERTAINTY OF LIFE WITH LONG-TERM COVID-19 SYMPTOMS

By Emmalee Ross
Public Information Officer

On March 2, 2020, Jennifer Minhas came down with a fever, cough, and fatigue.

At the time, the cases of the novel coronavirus were rapidly increasing, spreading illness and fear across the country. By day 10, her symptoms had developed into chills, and by day 14 into diarrhea. When Minhas was finally able to get tested weeks later in her then hometown of Seattle, the outcome confirmed her suspicions: COVID-19.

Quarantining herself for two weeks from her husband and two college-aged kids, home on spring break during the initial stay-at-home order, Minhas, a nurse at the time, continued to work virtually from her bedroom until she was too sick.

“I was worried we didn’t have enough care providers so I was working as much as I could until my voice went bad, I had more fatigue, and my oxygen level went down,” says Minhas, who knew something was not right after an initial chest x-ray came back normal.

In the weeks following her confirmed positive COVID-19 test, Minhas’s illness went up and down and her shortness of breath got worse. Four weeks after her first symptoms, a CT scan showed mild pneumonia.

“As a nurse, I have two brains,” says Minhas, who had a difficult time being a patient. “My husband kept saying, ‘Stop being a nurse right now, you need to rest and let your body heal.’”

Having a lot of concern about her lungs and the incessant chest pressure, Minhas reached out to her primary care doctor who assured her it was just anxiety.

“I’ve never been an anxious person, now we hear patients say their doctors are chalking it up

to anxiety, but in reality, this is a new virus, that’s invasive – in your tissues,” says Minhas. “She told me, ‘Of my five patients, you’re the only one with lingering symptoms’ and I thought, ‘That’s not a big number.’”

Over a year later, Minhas continues to deal with the aftermath of her COVID-19 diagnosis.

“Long haul,” “long COVID,” “COVID-19 long-hauler,” no matter the name, the symptoms of those with a long-COVID diagnosis – as Minhas refers to it – are heartbreakingly difficult to grasp.

Not only because of the extreme fatigue, shortness of breath, elevated heart rate, chest pains, brain fog, forgetfulness, and other neurological problems that still plague Minhas, but because physicians have a hard time pinpointing what’s happening and providing a treatment plan to help relieve symptoms.

“We don’t even know the definition of long COVID yet,” says Minhas. “The CDC (Centers for Disease Control and Prevention) just came out with data and more observational studies saying, ‘If you have symptoms beyond three weeks, that could be long COVID.’”

**OVER A YEAR
LATER, MINHAS
CONTINUES TO
DEAL WITH THE
AFTERMATH OF
HER COVID-19
DIAGNOSIS.**



"I HAVE TO BE
MINDFUL OF EVERY
MINUTE NOT TO
OVERDO IT."

Post COVID-19 diagnosis in April 2020, Minhas continued to do clinical work from her home office.

Two months after her diagnosis and as her symptoms continued, Minhas's pulmonologist encouraged her to join a COVID-19 long-haul, support group on Facebook. It was then she realized she wasn't alone.

According to a [**February 2021 UC Davis health article**](#), about 10 percent of people who contract COVID-19 continue to have long-term symptoms, affecting anyone from old to young, healthy or with underlying conditions, and those hospitalized with COVID-19 to those having mild symptoms.

As the months went on and recovery was not in sight, Minhas realized this was

going to be a tougher battle than she originally thought.

"I couldn't string two days together that were halfway decent, I was too fatigued. I was trying to transcribe a phone number and I couldn't remember four numbers in a row," says Minhas, who took leave from work in May 2020. "A lot of times it was up and down, but the up was never as good as you were...I have to be mindful of every minute not to overdo it."

Once a tennis player and gym enthusiast, Minhas's exercise is now limited to the occasional dog walk before exhaustion and fatigue set in. But those aren't her only lingering symptoms.



"WE SHOULD BE BETTER PREPARED TO RESPOND, WE SHOULD HAVE MORE RESEARCH INTO WHAT CAUSES THESE LONG-TERM PROBLEMS."

"My senses are heightened – I have migraines, light and sound sensitivity, some neurological symptoms, I still have chest pain, nerve pain in my arm, and...what was the other one? Oh," she laughs. "Sometimes I still have trouble concentrating."

Because of her persistent symptoms, especially the fatigue, Minhas was unable to continue her nursing career in Seattle. With her husband working remotely, the couple moved to San Diego last September where they currently reside. Minhas, thankful for a well-rounded family support system, both emotionally and financially, hopes to get back to work when she feels better, even if just part time.

"I'm really fortunate that I don't have to work right now. With that said, I haven't pursued disability benefits other than my initial short-term disability," Minhas says. "I think we're going to have to prepare for people needing to take time away from work, I think there's going to be a population of people who need that support."

Minhas is well-read, she's realistic about her diagnosis and what she physically can and cannot do. She follows the guidelines from her team of physicians – more exercise, but don't overdo it – but without relief or resolution. She longs for better direction and more clarity from physicians.

"We've had enough viruses and infectious diseases, we should be better prepared to respond, we should have more research into what causes these long-term problems and better standardization of evidence-based care," says Minhas. "It's not okay to be wondering what's going to happen in my future, we should know better."

In March 2021, Minhas partnered with [MEAction](#) an international organization bringing awareness to myalgic encephalomyelitis (ME) or myalgic encephalomyelitis/chronic fatigue syndrome (ME/CFS) and COVID-19, to speak at their [press telebriefing](#). In the next article, MEAction explains the correlation and treatment of ME/CFS and COVID long-haulers. Minhas has not been diagnosed with ME/CFS.

MYALGIC ENCEPHALOMYELITIS/ CHRONIC FATIGUE SYNDROME AND LONG COVID: WHAT EVERY PHYSICIAN NEEDS TO KNOW

By the Myalgic Encephalomyelitis Action Network (MEAction), with special contribution from Jennifer Curtin, MD, Center for Complex Diseases, Mountain View, CA



MEAction urges physicians to consider myalgic encephalomyelitis/chronic fatigue syndrome (ME/CFS) in the differential diagnosis of long COVID patients. For those exhibiting post-exertional malaise, graded exercise programs may be harmful. This article provides information on ME/CFS and COVID long-haulers showing symptoms of ME/CFS.

POST-ACUTE SEQUELAE OF SARS-COV-2 INFECTION AND ME/CFS

Many COVID-19 survivors are experiencing significant symptoms persisting months beyond resolution of the acute viral infection. These symptoms involve a wide range of organ systems: cardiovascular, pulmonary, neurological, renal, gastrointestinal, immune, and more. To address this emerging issue, the National Institutes of Health (NIH) held the Post-Acute Sequelae of COVID-19 workshop and was awarded \$1.15 billion to study what is now

referred to as post-acute sequelae of SARS-CoV-2 infection (PASC), or simply long COVID.

A recent [survey](#) of nearly 4,000 self-described COVID long-haulers indicates that 78 percent are experiencing persistent fatigue, 72 percent are experiencing post-exertional malaise, and 55 percent are experiencing cognitive dysfunction six months or longer after acute infection. These symptoms are the three most common among surveyed long-haulers, and all three are primary [diagnostic criteria](#) for ME/CFS.

WHAT IS ME/CFS?

Referred to by the Centers of Disease Control and Prevention (CDC) as ***America's Hidden Health Crisis***, ME/CFS is a chronic, systemic disease that is associated with neurological, immunological, and energy metabolism impairment. The National Academy of Medicine published a ***report*** in 2015 where a panel of experts reviewed over 9,000 studies and concluded that ME/CFS is a multi-system disease often preceded by an immune challenge, most frequently an infection. The hallmark symptom of ME/CFS is post-exertional malaise: a significant worsening of fatigue and associated symptoms after physical or cognitive exertion. Other ***symptoms*** include a substantial impairment in function, profound exhaustion, unrefreshing sleep, cognitive impairment, orthostatic intolerance, widespread pain, flu-like symptoms, and sensory hypersensitivities.

Pre-COVID-19 data indicates ME/CFS affects an estimated ***1.5 million Americans***, of whom, 75 percent are so severely affected they are unable to work full time, and 25 percent are homebound or ***bedridden***. The direct medical cost and indirect cost to society of ME/CFS in the US, based on ***study data*** published in 2008 and ***recently updated*** to present day population and economics, is \$36-51 billion annually.

COVID-19 MIGHT LEAD TO A TRIPLING OF ME/CFS CASES

Rates of development of ME/CFS after infection with SARS, MERS, West Nile virus, or EBV range from ***5 percent to 27 percent***. A recent ***paper*** by the ***US ME/CFS Clinician Coalition***, an organization representing the collective clinical expertise on ME/CFS in the US, estimates that 10 percent of those stricken with COVID-19 will develop ME/CFS. With the number of COVID-19 cases in the US exceeding 30 million, 10 percent developing ME/CFS would result in a tripling of the existing ME/CFS prevalence in the US alone. The numbers are significant when applied to the number of COVID-19 survivors globally.

STANDARD GRADED EXERCISE PROGRAMS CAN BE HARMFUL FOR ME/CFS PATIENTS

Evidence shows COVID long-haulers with ME/CFS symptoms - specifically, post-exertional malaise - should consider against enrolling in graded exercise therapies, which may be ***harmful*** to people with ME/CFS. MEAction encourages long-haulers to ***pace*** their activities and build in regular rest periods.

There is extensive metabolic and molecular evidence that people with ME/CFS experience physiological abnormalities in their ***response to exercise***. Results from two-day cardiopulmonary ***exercise tests*** (CPET) and a multi-center invasive CPET study provide additional evidence of an abnormal response to exercise in patients with ME/CFS and confirm that the symptoms are not the result of deconditioning, but instead suggestive of maldistributed blood flow and reduced tissue oxygen extraction during upright exertion, possibly related to the small fiber neuropathy found in nearly 30 percent of study participants. Exertion beyond a patient's tolerance can lead to post-exertional malaise and a long-term worsening of symptoms. A recent large-scale ***survey*** found that 80 percent of people with ME/CFS found no benefit or significantly worsened with upright graded exercise regimens.

TREATMENT TO CONSIDER FOR LONG-HAULERS WHO MIGHT HAVE ME/CFS

The US ME/CFS Clinician Coalition has recently issued a ***letter*** titled Post-COVID 'Long-Haulers' and ME/CFS emphasizing the importance of considering ME/CFS in the differential diagnosis of long COVID patients. The Coalition provides information to help ***diagnose*** ME/CFS and its common ***comorbidities***, and ***manage*** the condition in different age groups.

SUNSET REVIEW UPDATE: MBC PARTICIPATES IN JOINT SUNSET REVIEW OVERSIGHT HEARINGS

*By Carlos Villatoro
Public Information Manager*

The Medical Board of California (Board) recently participated in a pair of Joint Sunset Review Oversight Hearings focusing on the Board's Enforcement and Licensing Programs. Sunset review takes place at least every four years as a way for the Board and lawmakers to identify impediments to the Board's licensing and enforcement functions and craft legislation to address them, thereby improving consumer protection.

The March 19, 2021, and May 5, 2021 hearings provided the Board and its staff an opportunity to answer lawmakers' questions and review four years' worth of the Board's work completed on behalf of California consumers.

Board President Kristina Lawson, Vice President Dr. Howard Krauss, and Executive Director Bill Prasifka addressed the Joint Committee – comprised of the Senate Committee on Business, Professions, and Economic Development and Assembly Committee on Business and Professions – and answered several questions about the Board's enforcement and licensing processes.

As part of the sunset review process, the Board submitted its **2020 Sunset Report** to the Joint Committee identifying several recommended enforcement and licensing policy changes that, if enacted under new legislation, would enhance consumer protection in California. Those recommendations are included in Section 12, starting on page 205.

While the Board provided several licensing and enforcement recommendations in its report, it was not alone in pointing out areas for Board improvement. The public played a significant role in the sunset review hearing and brought forth several ideas for consideration.

"The public plays a critical role in the Board's mission of consumer protection," President Lawson said. "They are at the core of the Board's work and we look forward to working with them, the state Legislature, and our other stakeholders to improve the Board."

To access the Board's 2020 Sunset Report, please visit the Board's **[website](#)**.



MEDICAL BOARD CHAT PODCAST

DID YOU KNOW?

The Medical Board of California (Board) has its very own podcast where we chat all things from new and changing legislation, to one on one interviews with Board management and Board members.

You can check out the [episodes](#) we currently have published on our website, and sign up for the [Subscriber Alerts](#) "News" topic to be updated when a new podcast episode is released.

CURES FEE INCREASE NOTICE

The Medical Board of California (Board) would like to inform you that the fee charged to maintain the Controlled Substances Utilization Review and Evaluation System (CURES) is set to increase from \$6 to \$11 for licenses that expire on or after July 1, 2021, pursuant to **AB 3330**.

Most Board licensees will see a \$22 CURES Fee at the time of license renewal, due to the biennial renewal cycle. The fee covers the reasonable regulatory costs of the Department of Justice for operating and maintaining CURES, a critical element in the state's effort to address the growing danger of opioid addiction stemming from prescription drug abuse.

The fee will then decrease to \$18 for licenses expiring on or after July 1, 2023. For more information about CURES, visit: oag.ca.gov/cures.

CONSUMER CORNER: BECOME AN INFORMED HEALTHCARE CONSUMER

By Emmalee Ross
Public Information Officer



Making the best medical choices for you and your family means being an informed healthcare consumer.

Protecting healthcare consumers is the Medical Board of California's (Board) mission, and in doing so, we want you to be aware of what is going on at the Board and with its licensees. By signing up for select subscriber alerts, you'll be knowledgeable and up to date.

What exactly are subscriber alerts? Let's get into it.

The Board has four subscriber alerts to choose from – Board Meetings, News, Actions relating to the license or practice of physicians and surgeons, and Regulations.

When you sign up for the "Board Meetings" alert, you will receive an email with the agenda and additional information prior to Board meetings open to the public, including [quarterly Board Meetings](#), Midwifery Advisory Council Meetings, and the Board's Public Stakeholder Meetings.

The [Public Stakeholder Meetings](#) were created to provide an opportunity for the public and other interested parties to share their mission and values as it relates to the Board, collaborate on the development of creative solutions to challenges facing the Board, and increase communication with the Board. We hope to see you there!

If you are a news consumer, and like to be in the know, the "News" alert is for you. From the release of the quarterly newsletter, press releases, and the annual report, to the Board's latest podcast episode – this subscriber alert helps you stay informed on the hot topics at the Board.

By signing up for the "Actions relating to the license or practice of physicians and surgeons" alert, you'll be informed when licensees are disciplined, placed on probation, or have their license revoked – along with any public documents stating the condition of their license, including when the Board has filed an accusation against a licensee. You can also download the [Board's iOS app](#), which allows you to search for and follow doctors, alerting you when your doctor's license is updated. See [page 29](#) for more information on the iOS app.

Lastly, if you are curious about Board regulations, by signing up for the "Regulations" alert, you will be notified when the Board proposes or approves regulations. This will include any information about opportunities for public comment, public hearings, and other related information. You can also check out current proposed regulations on the [Board's webpage](#).

Sign up for [Subscriber Alerts](#) today!

GET PAID TO BE A MEDICAL CONSULTANT

MBC NEEDS YOUR SPECIALTY!

The Medical Board of California's (Board) Central Complaint Unit is accepting applications for the Medical Consultant Program.

Medical Consultants review complaints to determine whether a formal investigation by Board investigative staff is needed, or if the complaint can be resolved by a preliminary review of the medical records and a physician narrative statement.

Participating physicians are reimbursed \$75 per hour for record review and report preparation.

If you are interested, please contact Therese Kelly at (916) 263-2434. The application and eligibility requirements are available on our [website](#).

While all specialties are welcome to apply, the Board is in need of physicians with the specialties below:

- Cardiac Surgery
- Colon and Rectal Surgery
- Dermatology
- Gynecology
- Interventional Cardiology
- Interventional Radiology
- Neonatal/Perinatal
- Neurological Surgery
- Pain Medicine
- Plastic Surgery
- Thoracic Surgery
- Vascular Surgery





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THE MEDICAL BOARD

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webmaster@mbc.ca.gov

2 NEED A SPEAKER?

If you would like a speaker from the Medical Board of California, please contact Public Affairs Manager Carlos Villatoro at:
Carlos.Villatoro@mbc.ca.gov

3 SUBSCRIBER ALERTS

The Medical Board of California uses a subscriber service to notify individuals about items relating to the activities of the Medical Board via email. To subscribe or unsubscribe, please visit:
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4 NEWSLETTER SURVEY

Please take a moment to share your thoughts about the Board's newsletter. Do you have a particular section that you like, or an idea on how to improve our publication?

Take the Survey

MBC SAYS GOODBYE AS TWO LONG-STANDING BOARD MEMBERS' TERMS COME TO AN END

At the May 13-14, 2021 Quarterly Meeting of the Medical Board of California (Board), the Board bid farewell to two of its members – Vice President Dr. Howard Krauss and Dr. Ron Lewis – as their terms on the Board come to an end July 31, 2021.

“To paraphrase an often-misattributed quote, I regret that I have but two terms to give for my medical board,” said Dr. Krauss. “My parting gift is for each Board member, Board executive, Board staff member, and Board partner and consultant to know you have my respect, admiration, and love. Even in the face of difference of opinion each of you has demonstrated a commitment to public protection which transcends your own personal interest and well-being. You have each been analytic, critical, self-critical, and soul searching in service to the higher interest of public protection. Thank you for sharing and carrying forward this most important mission.”

President Lawson expressed her gratitude to Dr. Krauss and Dr. Lewis for their service to the public, and each Board member warmly congratulated them.

“I wish you all the best of luck,” said Dr. Lewis, waving to his fellow Board members. “I’ve very much enjoyed your comradery and friendship, and I will not forget this.”

The Board also elected Dr. Randy Hawkins as its new vice president, replacing Dr. Krauss, and Ms. Laurie Lubiano as secretary, replacing Dr. Hawkins.

“I’m extremely pleased and proud to be able to accept this role and do my part to contribute to the growth and development of the Medical Board of California,” said Dr. Hawkins.

ASSISTING VULNERABLE POPULATIONS

How providing medical records and completing medical certification forms can be life changing.



*By Emmalee Ross
Public Information Officer*

Eve Rutzick's clients are extremely vulnerable due to illness, disability, and poverty. Many are homeless or on the verge of homelessness, with very few financial resources.

"I went to law school because I wanted to do public interest work, I believe the law can be a very powerful tool for social justice," says Rutzick, a supervising attorney at Inner City Law Center in Los Angeles, a non-profit legal services provider. "It's a very rewarding group of folks to work with because they really need legal assistance."

One of the most important services the Inner City Law Center team provides for clients is also extremely time consuming and daunting – obtaining medical records in a timely manner and without cost from providers, so clients can be awarded Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) benefits, both administered by the Social Security Administration.

Under **California Health and Safety Code (HSC) § 123110(d)(1)**, “...a patient, employee of a nonprofit legal services entity representing the patient, or the personal representative of a patient, is entitled to a copy, at no charge, of the relevant portion of the patient’s records, upon presenting to the provider a written request, and proof that the records or supporting forms are needed to support a claim or appeal regarding eligibility for a public benefit program....”

The willful violation of this law is considered unprofessional conduct and grounds for disciplinary action by the Medical Board of California (Board).

“Generally, it’s not getting copies of the records that’s the problem, it’s getting them for free that’s the problem,” says Rutzick, who currently employs a full-time medical records clerk to help correspond with healthcare providers.



Eve Rutzick, Inner City Law Center, Los Angeles

On a case-by-case basis, when the clock has run out to provide medical records to the Social Security Administration, Inner City Law Center’s program pays for clients’ medical records to strengthen their cases. However, many vulnerable people don’t have that option and will most likely be denied benefits if medical records are not obtained.

“The amount of money people get for SSI is still below the poverty level, so it is very difficult to survive even if you receive SSI,” says Rutzick, explaining the maximum amount provided by SSI to most Californians in 2021 is \$954.72. “But if you are denied SSI, your options for being housed, having regular access to food, having electricity – a lot of what we consider the necessities of life – are just gone.”

Helen Tran, Rutzick’s colleague and an attorney at Western Center on Law and Poverty in Los Angeles, was part of a team that advocated for **Assembly Bill (AB) 2520**, effective January 1, 2021, which was the bill that created this requirement for healthcare providers to provide a copy of a patient’s medical records at no charge to an employee of a nonprofit legal services entity that represents a patient, such as Inner City Law Center.

AB 2520 also expanded the definition of public programs to include immigration petitions affecting survivors of crime and domestic violence, publicly funded and tenant-based housing programs, and the Cash Assistance Program for Immigrants.

An important aspect of the bill for Western Center on Law and Poverty was the addition of **HSC § 123114**, which requires healthcare providers to complete patient forms and provide information responsive to forms that support a claim or appeal regarding eligibility for a public benefit program, free of charge.

“Getting providers’ opinions are so essential to getting qualified for these programs,” says Tran, who’s seen clients become ineligible for benefits due to missing forms or provider opinions. “It’s really important to let providers know they are the gatekeepers between their patients and qualifying for financial assistance, or an immigration status, or a housing program.”

AB 2520 was written to include vulnerable populations who have already navigated the system and are eligible for legal services but may be unable to obtain their benefits without free access to medical records or other forms that must be completed by their health provider.

“You could have Stage 4 cancer, look incredibly ill, and have an oxygen tank with you, but if the person making the disability determination does not have your records in front of them, they can deny you,” says Rutzick.

Rutzick has experienced providers who withhold medical records from her clients until requested by Social Security, hoping Social Security provides payment.

“Social Security is spread super thin, and often doesn’t have the means to request all the records needed,” says Rutzick. “Even if they could pay for the records, the agency doesn’t have the capacity to chase after records the way having an attorney on your side can.”

Rutzick acknowledges many providers are concerned about the time and money needed to

supply free medical records and opinions.

“We know doctors’ offices are busy and focused on patient care and can feel these requests are additional administrative burdens on them, but some providers are highly responsive to those requests in the best interests of their patients and comply with the law,” says Rutzick. “The law was designed for there to be consequence for providers who don’t follow this – our goal is to avoid holding providers accountable in that way because it isn’t a good use of anyone’s time.”

Tran and Rutzick’s ultimate hope is to raise awareness regarding the law among healthcare providers so medical records can be provided in a manner that does not impede the process of being awarded SSI and SSDI.

“If people can achieve financial stability and social stability, it really has an impact on their health,” says Tran. “I think if we start looking holistically at what health care should encompass, we’re hoping providers can also play a big role in that and not push back or feel like it’s such a burden, because it’s such an integral part of peoples’ health.”

AB 2520 AMENDS AND EXPANDS EXISTING LAW ON FREE PROVISION OF MEDICAL RECORDS

By Emmalee Ross
Public Information Officer

Assembly Bill (AB) 2520 went into effect January 1, 2021, expanding existing law to allow a wider population of vulnerable patients access to their medical records.

Previously, **California Health and Safety Code (HSC) § 123110** allowed a patient or a patient’s representative access to their medical records at no cost when offered proof to support an appeal or eligibility for a public benefit program.

AB 2520 was written to include free access of medical records to employees of a nonprofit legal services entity representing a patient so they may obtain proof to support an appeal or eligibility for a public benefit program. It also broadens the term “healthcare provider” to include speech-language pathologists, audiologists, physician assistants, and nurse practitioners.

Additionally, the bill amended the definition of “public benefit programs,” and requires healthcare providers to offer medical records free of cost when needed for a U Nonimmigrant Status Petition under the Victims of Trafficking and Violence Protection Act, or a self-petition for lawful permanent residency under the Violence Against Women Act.

Lastly, AB 2520 added **HSC § 123114** which states a provider cannot charge a fee when filling out forms or providing medical opinions to support an appeal or eligibility for a public benefit program.

Willful violation of the patient’s access to their records may constitute unprofessional conduct and grounds for action by the Medical Board of California.

For detailed information on AB 2520, please visit the California Legislative Information [webpage](#).

MBC NEEDS YOU!

IF YOU LIVE IN CA AND HAVE A FULL-TIME ACTIVE PRACTICE
IN CA, APPLY TO BE AN EXPERT REVIEWER FOR MBC.

HISTORY

The Medical Board of California (Board) established its Expert Reviewer Program in July 1994, as an impartial and professional means to support its investigation and enforcement functions. Expert Reviewers assist the Board by providing reviews and opinions on Board cases, and conducting medical and psychiatric evaluations.

REQUIREMENTS

Actively practicing physicians from all other specialties not listed here are welcome to apply and participate in the program. Physicians must be board certified, have been practicing their specialty for a minimum of three years after board certification, have no current complaints, no prior discipline, and must be willing and available to testify in court.

MIDWIVES

The Board also needs midwife expert reviewers throughout the state of California. Licensed midwives must have an active midwifery practice for the past two years, have no current complaints, no prior discipline, and must be willing and available to testify in court.

CONTACT

For more information regarding compensation and how to apply, please visit our [website](#) or e-mail the Board's expert program at MBCMedicalExpertProgram@mbc.ca.gov.

The Board is looking for Experts in the following specialties:

- Addiction Medicine with added certification in Family or Internal or Psychiatry
- Clinical Genetics
- Colon/Rectal Surgery
- Dermatology
- Family Medicine
- Gastroenterology
- Hematology
- Neurological Surgery
- Neurology
- Obstetrics and Gynecology (with added expertise in Gynecologic Oncology)
- Orthopaedic Surgery
- Pathology (preferably from: Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, and Ventura Counties)
- Pain Medicine
- Pediatric Gastroenterology
- Pediatric Surgery
- Pediatric Cardiac Surgery
- Pediatric Critical Care
- Pediatric Pulmonology
- Plastic Surgery
- Psychiatry (Forensic and Addiction)
- Radiation Oncology
- Surgery (General and Endocrine Surgery)
- Thoracic and Cardiac Surgery
- Urology (General and Gender Reassignment)
- Vascular Surgery
- Midwife Reviewer



A HEART FOR THE UNDERSERVED

**DR. NOÉ GUTIERREZ, STEVEN M. THOMPSON LOAN
REPAYMENT PROGRAM RECIPIENT**

*By Emmalee Ross
Public Information Officer*

Doctor Noé Gutierrez stood at the bedside of his 65-year-old, terminally ill, hospice patient, praying with her and her daughter two days before she passed away. It was a moving experience he will never forget.

“It’s not really a part of primary care work, but she asked me to come visit,” says Gutierrez, an associate physician with the UC Davis Medical Group. “She always had a positive outlook, always smiling, even in pain. I told her she was my patient but will forever be my teacher.”

This is the type of relationship Gutierrez – a camping, backpacking, and cycling enthusiast – builds with his patients, fueling his passion for being a physician. A career that was always in the back of his mind, but not what he initially set out to do.

As a child, Gutierrez would attend doctor’s appointments with his father, a Spanish speaker, translating health and medical terms for his dad.

“He would say, ‘See? This is why you have to go to school and then you can have a job with a desk and air conditioning,’” laughs Gutierrez. “When you work outdoors for a lot of different jobs, those were two important things to him.”

In the late 90s and during the height of the dotcom bubble, Gutierrez attended undergrad at Stanford University studying computer science. While completing a summer internship, he realized the social solitude of the computer science world would not offer him a fulfilling career. He longed for communication, social interaction, and relationships. After considering law school, Gutierrez turned to medicine and never looked back.

Because of his background with the Hispanic community where he was raised in Winters, California, and his desire to help the underserved, Gutierrez, whose wife was also attending medical school, decided to specialize in primary care at UC Davis School of Medicine.

"I feel indebted to the community I grew up in, a lot of people were not really well off, but still supported me and helped my parents," says Gutierrez. "I'm sure you've heard the whole 'It takes a village' thing, but for me, it really did take a village, and I want to give back in the most direct way to my community."

After completing his family community medicine residency at UC Davis in 2013, Gutierrez continued to work at their Natomas community clinic. There he built a foundation and network of diverse patients over the last seven years, until recently with the onset of coronavirus in 2020, when he moved his practice to their Davis clinic.

"When the pandemic hit, Zoom school started and I really needed to be closer to home," says Gutierrez who has an 8-year-old and an 11-year-old. "Now I can go home during lunch and make sure the internet is still working and the kids haven't choked each other or something."

A bittersweet move, but very humbling to Gutierrez as many of his patients, young and old, followed him to the new clinic. Some of his elderly and less mobile patients have also been able to connect with him over video appointments.

"We'd been trying to use video visits for at least a year prior to the pandemic, I managed to convince six patients to do it in the whole year," says Gutierrez, who's been able to successfully incorporate video more and more. "It's something we really have to tap into to make health care more accessible to people who might not otherwise have access."

Making sure the underserved are taken care of and have a voice is the reason Gutierrez went into primary care – allowing him to receive the **Steven M. Thompson Loan Repayment Program** (STLRP) grant – created to increase health care access in medically underserved areas of California. The program repays physicians up to \$105,000 in educational loans in exchange for three years of full-time service.

"I FEEL INDEBTED
TO THE COMMUNITY
I GREW UP IN."



"I'm very grateful for this program, a lot of people come out of medical school with a lot of debt, but to have this option available took so much stress off my back," says Gutierrez. "I could focus on what I love to do – of all the medical fields and specialties, this (primary care) is the least financially rewarded."

Gutierrez says he always tells medical students if they want to specialize in family medicine or primary care, they must believe in it.

"It's not always easy and there's a lot of demands on us, and when you have these demands and fewer resources than other colleagues who are specialized, making more money, and have more support staff...why would you choose this?" says Gutierrez. "It's for that mission of primary care."

Along with his clinical care, Gutierrez has also

recently been able to incorporate his knowledge of computer science. Since moving to the new clinic, he had the opportunity in October 2020 to take on the Electronic Medical Record (EMR) director title, part time: a rewarding position working on projects that make the EMR system more efficient for physicians by addressing population health needs and reducing physician burnout.

While settling into the new clinic, taking on a new title, having two young kids, and cycling 30-40 miles from Davis to Winters every weekend, Gutierrez lives one day at a time.

"I feel like it's going to be a few years before I can think about what I want to do next," he says. "For now, I'm happy to do my new role and primary care. I will always want to do clinical work – I can't stop doing that."

PHYSICIAN EXTORTION SCAM FROM FAKE BOARD REPS AND DEA AGENTS

The Medical Board of California (Board) is aware that scam artists posing as US Drug Enforcement Administration (DEA) agents or Board staff are calling California physicians as part of an extortion scheme. The scammers identify themselves as DEA agents or Board staff calling about ongoing investigations regarding their license issued by the Board. Scammers may tell victims their license is suspended for illegal drug trafficking, and the suspension means they will not be able to practice. The scammers may provide an "Agreement for the Bond and Protocols" that includes statements that licensees are not to share or disclose the investigation to any third party and agree to a bond fee payment of \$25,000.00. The scammers' phone number may show up as the Board's toll-free number (800) 633-2322.

Please note, DEA agents or Board staff will never contact physicians by telephone to demand money or any other form of payment. If you receive a call such as the one described, refuse the demand for payment. Please also consider the following:

- If the caller is stating they are from the DEA, immediately report the threat using the ***DEA's Extortion Scam Online Reporting form***.
- If the caller insists that they speak with you right away, tell them that you'll call them back directly. At this point, some scammers will offer you a phone number as a way to verify they are who they say they are. Don't call this number, use the Board's toll-free number at (800) 633-2322.
- If the phone number of the caller appears to be the Board's toll-free number, it is recommended that you submit an online complaint with the Federal Communications Commission (FCC) using the ***FCC's Consumer Complaint form***.

MBC RAMPS UP PUBLIC OUTREACH, ENGAGEMENT EFFORTS WITH QUARTERLY STAKEHOLDER MEETING

By Carlos Villatoro
Public Information Manager

Over two years ago, the Medical Board of California (Board) began holding meetings with interested parties with the goal of bringing the public together to talk about Board processes, listen to and address concerns, and brainstorm ways to improve the Board's functions.

Seeking to increase the Board's engagement and outreach with the public, the Board has expanded the public stakeholder meetings, previously held once a year, to a quarterly basis.

The first of the quarterly **Public Stakeholder Meetings** was held April 21, 2021, via the WebEx online meeting software, with close to 50 individuals from a variety of patient safety advocate groups, state departments, law groups, and several others.

The goal of the meeting was to expand communication with public stakeholders, respond to their questions, comments, and suggestions, and discuss ways for the Board to improve and form new coalitions with groups seeking to improve public protection in California.

The Board invited guest speaker Bridget Gramme of the Center of Public Interest Law, a leading California-based consumer protection policy advocacy organization, whose presentation **"Amplifying Public Voices: Transforming Public Comment into Meaningful Change"**

provided attendees some tools and tactics to consider when interacting with the Board and pursuing change. Ms. Gramme also gave an overview of the Board's authority and limitations to respond to certain public concerns.

Perhaps the highlight of the meeting, however, was hearing from the various public stakeholders regarding their mission and how it aligns with the Board, and suggestions for Board improvement.

"I think this has been a great session, we've heard a lot, we've learned a lot, it's been helpful to have a back and forth," Board Vice President Howard Krauss said.

The Board and its staff are considering ways to address some of the issues raised at the meeting within its power and jurisdiction. Staff provided a report to the Board at its May 13-14 quarterly Board meeting.



“It’s very important for us to go back and consider everything that has been said, and to think of more constructive manners of engagement going forward,” said Board Executive Director Bill Prasifka.

Aside from the Public Stakeholder Meeting, Board staff are developing a possible future meeting of the Public Outreach Education and Wellness Committee, with the goal of further addressing concerns raised by the public and advocates. The committee provides oversight of the Board’s public outreach efforts through the development of various informational materials regarding issues the Board deems important for publication and internet posting; development and monitoring of the Board’s outreach plan; and monitoring of the Board’s strategic communication plan.

Anyone who is interested in watching previous Public Stakeholder meetings can visit the Board’s [YouTube page](#). For upcoming meetings, please visit our [website](#).



QUESTIONS RECEIVED FROM THE WEB

By Alexandria Schembra
Public Information Analyst

Q I AM IN THE PROCESS OF RENEWING MY LICENSE AND SEE TWO ADDITIONAL FEES – THE CURES FEE AND THE STEVEN M. THOMPSON LOAN REPAYMENT FEE. WHAT ARE THOSE FEES AND WHY CAN'T I OPT OUT OF THEM?

Licensees are required to pay a \$25 mandatory fee to the **Steven M. Thompson Physician Loan Repayment Program** at the time of renewal of a physician and surgeon's license pursuant to **California Business and Professions Code (BPC) Section 2436.5**. This program encourages recently licensed physicians to practice in underserved locations in California by repaying a portion of their medical school loans in exchange for a minimum of three years of service.

Along with this, **BPC Section 208** requires licensees to pay a \$12 mandatory fee at the time of renewal for the Controlled Substance Utilization Review and Evaluation System / Prescription Drug Monitoring Program (CURES/PDMP)*. The CURES/PDMP allows pre-registered users, including physicians and other licensed healthcare prescribers, pharmacists, law enforcement, and regulatory boards to access information about a patient's prescription history of controlled substance in a timely manner.

Q I AM RETIRING BUT WANT TO KEEP MY LICENSE. DO I STILL NEED TO PAY THE FULL RENEWAL RATE?

A physician who holds a retired status license is exempt from paying the \$820.00 renewal fee. However, every physician is still required to pay the \$25.00 Steven M. Thompson Physician Loan Repayment Program fee at the time of renewal. If the mandatory fee is not received prior to the expiration date, the license will be placed in a delinquent status and a pocket license will not be issued.

*Please note, as required by **Assembly Bill (AB) 3330**, the fee charged to maintain the Controlled Substances Utilization Review and Evaluation System (CURES) is set to increase from \$12 to \$22 for licenses that expire on or after July 1, 2021. The fee will then decrease to \$18 for licenses expiring on or after July 1, 2023. Please refer to your renewal notice for the amount due.

Q

I NEVER RECEIVED A RENEWAL NOTICE AND REALIZED MY LICENSE HAS EXPIRED. HOW DO I REACTIVATE IT?

- If the license is simply delinquent, in addition to the renewal fee, a delinquent fee equal to 10 percent of the renewal fee will be added if payment is not received within 30 days following the expiration date of the license.
- If the license is not renewed within 90 days following the expiration date, a penalty fee of 50 percent of the renewal fee will be added to the delinquent and renewal fees already owed.
- However, if it has been more than 90 days, the Medical Board of California will need to determine the correct renewal, delinquent, and penalty fees. Please contact us at (916) 263-2382 to obtain the current amount you will need to pay.

Q

I HAVE A CALIFORNIA MEDICAL LICENSE, BUT LET IT EXPIRE YEARS AGO. I'D LIKE TO RENEW IT NOW. DO I NEED TO START ALL OVER AGAIN, OR CAN I JUST RENEW THAT LICENSE?

A physician whose California license expired five or more years ago must **apply** for a new license and meet the current licensing requirements in effect at the time of application.

HAVE A QUESTION? EMAIL WEBMASTER@MBC.CA.GOV

CERTIFIED NURSE-MIDWIFERY SCOPE OF PRACTICE UPDATES

By Emmalee Ross, Public Information Officer

Senate Bill **(SB) 1237**, effective January 1, 2021, updates the scope of practice for Certified Nurse Midwives (CNM).

A CNM is a registered nurse, licensed and overseen by the California Board of Registered Nursing (BRN), who has received specialized midwifery training.

Prior to January 1, 2021, the law authorized a CNM, under the supervision of a licensed physician and surgeon, to attend cases of normal childbirth, providing prenatal, intrapartum, and postpartum care, including family planning for the mother and immediate care for the newborn.

SB 1237 removes the requirement that a CNM practice under the supervision of a physician and surgeon when attending to “low-risk pregnancy and childbirth,” as defined in ***Business and Professions Code section 2746.5***. If a CNM does not have, with a physician, mutually-agreed upon policies and protocols for consultation, collaboration referral, and transfer of a patient’s care, the CNM must transfer a patient to the care of a physician if that patient does not have a low-risk pregnancy and childbirth or has had a prior cesarean section or surgery that interrupted the myometrium.

Further, the bill required the BRN to appoint a committee of qualified individuals called the Nurse-Midwifery Advisory Committee, consisting of four qualified CNMs, two qualified physicians and surgeons, and one public member. This committee provides recommendations and guidance when the BRN is considering disciplinary action against a CNM.

Previously, CNMs were required to furnish or order drugs or devices under physician and surgeon supervision, however, SB 1237 deletes those conditions, allowing CNMs to furnish or order drugs and medical devices under specified conditions.

For more detail, amendments, and the full scope of practice for CNMs, please visit the California Legislation Information ***website*** or contact the ***Registered Board of Nursing***.

REMINDER THAT CME COURSES MUST DISCUSS IMPLICIT BIAS IN MEDICAL TREATMENT BEGINNING JANUARY 1, 2022

*By Carlos Villatoro
Public Information Manager*

Starting January 1, 2022, continuing medical education (CME) courses in California, with limited exemptions, must include an understanding of implicit bias, as required by ***Assembly Bill (AB) 241***, signed into law in 2019.

Implicit bias is defined in AB 241 as “the attitudes or internalized stereotypes that affect our perceptions, actions, and decisions in an unconscious manner, exists, and often contributes to unequal treatment of people based on race, ethnicity, gender identity, sexual orientation, age, disability, and other characteristics.”

AB 241 is designed to mitigate harmful racial and ethnic disparities that exist in the delivery of health care and help ensure that all patients receive fair treatment and quality health care.

The bill requires organizations that accredit CME courses in California to develop standards for CME providers to follow. CME courses dedicated solely to research or other issues that do not have a direct patient care component or courses offered by a CME provider not located in California are not required to include implicit bias curriculum.

NEW REQUIRED PROCESS AND WEBSITE TO ISSUE MEDICAL EXEMPTIONS

California Department of Public Health

The California Department of Public Health (CDPH) launched the [*California Immunization Registry – Medical Exemption \(CAIR-ME\) website*](#) on January 1, 2021, to request, issue, manage, and track medical exemptions from required immunizations for children attending a K-12 school or childcare facility. CDPH developed CAIR-ME in response to laws passed in 2019 (Senate Bills [*276*](#) and [*714*](#)).

Starting January 1, 2021, new medical exemptions must be issued using CAIR-ME. MDs and DOs licensed in California can register to use CAIR-ME at any time in order to issue a medical exemption. Current users of CAIR2 will still need to register to use CAIR-ME.

Instructions are available on the [*CAIR-ME website*](#) along with on-screen prompts to guide you through registration and the submission of a medical exemption. The site is easy to use and guides

users through each step of the process, including printing the issued medical exemption for the parent to file with the school or childcare facility. You can also watch a [*webinar*](#) and review [*slides*](#) on how to register and use CAIR-ME.

Per state law, medical exemptions must meet applicable Centers for Disease Control and Prevention, Advisory Committee on Immunization Practices, and American Academy of Pediatrics criteria for appropriate medical exemptions or be consistent with the relevant standard of care.

Please note that documents such as written letters and lab results about immunity do not suffice for school and child care entry. Schools and child care facilities can only accept immunization records or a medical exemption issued through CAIR-ME. For more information about immunizations required for school entry, visit CDPH's [*shotsforschool.org*](#).



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ADMINISTRATIVE ACTIONS

NOVEMBER 1, 2020 – JANUARY 31, 2021



Explanation of Disciplinary Language and Actions

“Effective date of decision” — Example: “March 14, 2020” 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.

PHYSICIANS AND SURGEONS

ARNOLD, WILLIAM CASWELL (A 149305), Lexington, KY

Disciplined by Kentucky for having an alcohol use disorder and required treatment to safely practice medicine. Surrender of License. December 29, 2020. [View the decision and the order on the Board's website.](#)

ATWAL, GURBIR SINGH, M.D. (A 85463), Oroville, CA

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for repeatedly prescribing controlled substances without clear medical indication of documentation of level/quantity, and nature of pain. December 28, 2020. [View the decision and the order on the Board's website.](#)

BASCH, CORINNE VIVIAN, M.D. (A 51185), Arcata, CA

No admissions but charged with gross negligence, repeated negligent acts, excessively prescribed controlled substances, and failed to maintain adequate and accurate medical records in the care and treatment of multiple 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 recommendations or approvals to possess or cultivate marijuana; completing an education course, a prescribing practices course, a medical record keeping course, and an ethics course; obtaining a practice monitor; submitting proof of notification of Decision and Accusation to required parties; and must obtain prior approval from the Board for each physician assistant or advanced practice nurse under her supervision. January 15, 2021. [View the decision and the order on the Board's website.](#)

BEACH, CRAIG AARON, M.D. (C 149908), San Diego, CA

Convicted of a misdemeanor for driving under the influence of alcohol and having a blood alcohol concentration of 0.15% or more. Revoked, stayed, placed on three years'

probation, with terms and conditions including, but not limited to, completing an ethics course; attending psychotherapy; abstaining from the use of alcohol; submitting to biological fluid testing; and submitting proof of notification of Decision and Accusation to required parties. January 25, 2021. [View the decision and the order on the Board's website.](#)

BETAT, DAVID H., M.D. (G 57755), Lakeport, CA

No admissions but charged with gross negligence, repeated negligent acts, failed to maintain adequate and accurate medical records, and excessively prescribed controlled substances to multiple patients. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited to, obtaining a practice monitor; completing a prescribing practices course, a medical record keeping course, and an ethics course; submitting proof of notification of Decision and Second Amended Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses, except may supervise physician assistants at Lake County Tribal Health; however, is prohibited from supervising physician assistants and advanced practice nurses at any other location. January 8, 2021. [View the decision and the order on the Board's website.](#)

CHAO, RONALD PHILIP, M.D. (A 81490), Beverly Hills, CA

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for failing to have a fictitious name permit (FNP) on file with the Medical Board of California, aiding and abetting unlicensed practice, and did not cooperate with a Board interview. January 15, 2021. [View the decision and the order on the Board's website.](#)

CHIU, KWANG POUNG, M.D. (C 37989), Las Vegas, NV

No admissions but charged with gross negligence, repeated negligent acts, violated statutes regulating dangerous drugs or

controlled substances, prescribed without an appropriate prior medical examination or indication, and failed to maintain adequate and accurate medical records in the care and treatment of a patient; and failed to comply with terms of his Board-ordered probation by failing to obey all federal, state and local laws, and all rules governing the practice of medicine in California. Revoked, stayed, placed on two years' probation with terms and conditions including, but not limited to, surrendering of DEA Permit. November 25, 2020. [*View the decision and the order on the Board's website.*](#)

COLE, WENDY ANNE (A 75088), Novato, CA
Failed to comply with the terms and conditions of her Board-ordered probation. Revoked. November 25, 2020. [*View the decision and the order on the Board's website.*](#)

COMMONS, GEORGE WILLIAM, M.D. (G 17176), Los Altos Hills, CA
No admissions but charged with gross negligence, incompetence, and dishonesty for providing testimony in a civil malpractice action which was not evidence-based or objective and which had the tendency to deceive or mislead. Public Reprimand. December 23, 2020. [*View the decision and the order on the Board's website.*](#)

COULSON, MICHAEL JOSEPH, M.D. (A 61436), Santa Cruz, CA
Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for failing to maintain adequate medical records, failed to order tests and labs, and inappropriately prescribed medications. Physician must complete a medical record keeping course and a prescribing practices course. January 15, 2021. [*View the decision and the order on the Board's website.*](#)

COWAN, THOMAS SAMUEL (G 86923), San Francisco, CA
Unable to satisfy the terms and conditions of his Board-ordered probation. Surrender of License. January 29, 2021. [*View the decision and the order on the Board's website.*](#)

CREIGHTON, CHRISTOPHER P., M.D. (G 140165), Waxahachie, TX
Disciplined by Missouri for failing to maintain a separate log for controlled substance dispensing and failed to store controlled substances in a securely-locked cabinet or safe. 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 a patient. Physician must complete a prescribing practices course and a medical record keeping course. Public Reprimand. November 25, 2020. [*View the decision and the order on the Board's website.*](#)

DURAN, PAUL JOSEPH (A 60506), West Hills, CA
Committed acts of gross negligence, repeated negligent acts, failure to maintain adequate and accurate medical records, and dishonesty in the care and treatment of four patients; created false medical documents in the care and treatment of two patients; violated laws regulating controlled substances; and failed to comply with multiple terms of his Board-ordered probation. Revoked. December 14, 2020. [*View the decision and the order on the Board's website.*](#)

EVANS, THOMAS ROSS, M.D. (G 30778), Tulare, CA
No admissions but charged with repeated negligent acts and failed to maintain adequate and accurate medical records in the care and treatment of a patient. Revoked, stayed, placed on four 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; submitting proof of notification of Decision and Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses. January 8, 2021. [*View the decision and the order on the Board's website.*](#)

**FANG, LICHUAN, M.D. (A 55474),
Woodland Hills, CA**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for failing to maintain adequate and accurate medical records. Physician must complete a medical record keeping course. November 10, 2020. [*View the decision and the order on the Board's website.*](#)

**FENTON, ROBERT BRANT, M.D.
(G 32805), Palos Verdes Peninsula**

Convicted of one misdemeanor count of failing to maintain adequate and accurate medical records, unprofessional conduct, violated the Medical Practice Act, and failed to maintain adequate and accurate medical records in the care and treatment of one patient. Revoked, stayed, placed on five years' probation with terms and conditions including, but not limited to, providing 75 hours of medical or non-medical community service; completing a medical record keeping course and an ethics course; obtaining a billing monitor; submitting proof of notification of Decision and Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses. January 8, 2021. [*View the decision and the order on the Board's website.*](#)

**FLEETWOOD, LINVAL KEITH (A 25986),
Flint, MI**

Disciplined by Michigan for frequently prescribing alprazolam for long periods of time with no explanation and prescribed Soma with opioids, contrary to current guidelines. Revoked. January 8, 2021. [*View the decision and the order on the Board's website.*](#)

**FLORES, JOSE LUIS, M.D. (A 69861),
Fresno, CA**

Reinstated, revoked, stayed, and placed on five years' probation with terms and conditions including, but not limited to, completing a clinical diagnostic evaluation prior to practicing medicine; notification of employer; submitting to biological fluid testing; attending substance abuse support group meetings; obtaining a

worksite monitor; prohibited from ordering, prescribing, dispensing, administering, furnishing, or possessing any controlled substances and from issuing an oral or written recommendation or approval to possess or cultivate marijuana; abstaining from the use of controlled substances and alcohol; completing a clinical competence assessment program; completing an education course, a prescribing practices course, a medical record keeping course, and an ethics course; submitting proof of notification of Decision to required parties; and prohibited from supervising physician assistants and advanced practice nurses. January 15, 2021. [*View the decision and the order on the Board's website.*](#)

**GASKINS, HAMPTON T, M.D. (G 36905),
Rancho Cucamonga, CA**

No admissions but charged with repeated negligent acts in the care and treatment of two patients. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited to, abstaining from further cervical neck epidural injections without fluoroscopy or other remote guidance; completing an education course; submitting proof of notification of Decision and Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses. November 13, 2020. [*View the decision and the order on the Board's website.*](#)

**GOICOEHEA, FRANK JAVIER (G 41001),
La Mesa, CA**

No admissions but charged with gross negligence, repeated negligent acts, sexual misconduct, and general unprofessional conduct in the care and treatment of one patient. Surrender of License. November 16, 2020. [*View the decision and the order on the Board's website.*](#)

**GOMEZ, GUILLERMO J. (A 69815),
Riverside, CA**

No admissions but charged with gross negligence, dishonesty, altering, modifying or creating false medical records, and failure to maintain adequate and accurate medical records

in the care and treatment of one patient; and making or signing false documents and failure to cooperate with a Board investigation. Surrender of License. January 1, 2021. [View the decision and the order on the Board's website.](#)

GORDON, MAUREEN FULCHIERO, M.D. (A 24979), Los Angeles, CA

No admissions but charged with gross negligence, repeated negligent acts and failure to maintain adequate and accurate medical records is the care and treatment of one patient. Physician must complete a prescribing practices course and a medical record keeping course. Public Reprimand. December 31, 2020. [View the decision and the order on the Board's website.](#)

GOY, GEORGE ROMAN (G 73341), Venice Beach, CA

No admissions but charged with gross negligence and repeated negligent acts in the care and treatment of one patient; convicted of malicious disturbance and a month later had another conviction for unlawfully 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. Physician is impaired due to a mental illness and/or physical illness affecting competency. Surrender of License. December 29, 2020. [View the decision and the order on the Board's website.](#)

GRAHAM, BENJAMIN JR., M.D. (G 35252), Mendocino, CA

No admissions but charged with repeated negligent acts in the care and treatment of three patients. Must surrender his DEA permit, and must submit to the Board, a Disabled Physician Application, to convert his Certificate to Disabled Status. Public Reprimand. December 4, 2020. [View the decision and the order on the Board's website.](#)

GREENE, HUNTER SCOTT, M.D. (A 84651), Carmichael, CA

No admissions but charged with repeated negligent acts and failure to maintain adequate and accurate medical records in the care and treatment of a pediatric patient. Physician must complete an education course and a medical

record keeping course. Public Reprimand. December 4, 2020. [View the decision and the order on the Board's website.](#)

GUO, FANG, M.D. (A 79678), Tracy, CA

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for failing to provide appropriate monitoring while prescribing controlled substances. December 28, 2020. [View the decision and the order on the Board's website.](#)

HAAS, MAUREEN E. (G 59084), Atascadero, CA

Physician has a condition affecting her ability to practice medicine safely. Surrender of License. November 3, 2020. [View the decision and the order on the Board's website.](#)

HARRIS, NORVELLE A, M.D. (A 17446), Monrovia, CA

No admissions but charged with gross negligence, repeated negligent acts, and failed 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, prohibited from ordering, prescribing, dispensing, administering, furnishing, or possessing any controlled substances and from issuing an oral or written recommendation or approval to possess or cultivate marijuana; completing a prescribing practices course and a medical record keeping course; submitting proof of notification of Decision and Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses. December 11, 2020. [View the decision and the order on the Board's website.](#)

HASAN, AMBREEN, M.D. (A 114479), Fontana, CA

No admissions but charged with gross negligence, repeated negligent acts, and failed to maintain adequate and accurate medical records in the care and treatment of a 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; prohibited from engaging in the solo practice of medicine; submitting proof of notification of Decision and Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses. January 15, 2021. [*View the decision and the order on the Board's website.*](#)

**HERGAN, LORI ANN, M.D. (A 86666),
San Diego, CA**

No admissions but charged with self-prescribing drugs and using drugs and/or alcohol in a manner as to be dangerous or injurious to herself, another person, or to the public; prescribed without an appropriate prior medical examination or indication; violated statutes regulating dangerous drugs or controlled substances; dishonest or corrupt acts; knowingly making or signing a document directly related to the practice of medicine that falsely represented an existence of a statement of facts; created false medical records with fraudulent intent; practiced under the influence of a narcotic; convicted of violating statutes regulating dangerous drugs or controlled substances; and physician has a condition affecting her ability to practice medicine safely. Revoked, stayed, placed on six years' probation with terms and conditions including, but not limited to, one year actual suspension from the practice of medicine beginning 12/11/2020 until 12/10/2021; surrendering of DEA permit; prohibited from ordering, prescribing, dispensing, administering, furnishing, or possessing any controlled substances except those listed in Schedules IV and V; prohibited from prescribing controlled substances to herself or her family members; abstaining from the use of controlled substances and alcohol; completing an education course, prescribing practices course and ethics course; submitting to a psychiatric evaluation; attending psychotherapy; obtaining a practice monitor; prohibited from engaging in the solo practice of medicine; notification to patients of probation status; notification of employer; submitting to biological fluid testing; attending substance abuse support group meetings; obtaining a worksite monitor; submitting proof of notification of

Decision and Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses. December 11, 2020. [*View the decision and the order on the Board's website.*](#)

HICKS, KIMBERLY (G 79714), Oakland, CA
Committed acts of gross negligence, repeated negligent acts, incompetence, furnishing dangerous drugs without a medical examination or medical indication, and failure to maintain adequate and accurate medical records in the care and treatment of multiple patients, and excessively prescribed controlled substances to one patient. Physician has a condition affecting her ability to practice medicine safely. Revoked. November 20, 2020. [*View the decision and the order on the Board's website.*](#)

**HOANG, SYLVIA HANH, M.D. (A 62015),
Fremont, CA**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for departing from the standard of care by providing treating to a patient, considering the patient's underlying condition, and failure to maintain adequate medical records. December 7, 2020. [*View the decision and the order on the Board's website.*](#)

**HOANG, TONY VUONG, M.D. (A 99196),
Bakersfield, CA**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for performing a "routine" episiotomy, not responding to calls regarding patients in labor, and for not having a formal call coverage arrangement available. Physician must complete an education course on episiotomy and/or deliveries. December 28, 2020. [*View the decision and the order on the Board's website.*](#)

**HOLLAND, JOSHUA DAVID (G 61203),
Glendale, AZ**

Disciplined by Arizona for deviating from the standard of care in the care and treatment of multiple patients. Surrender of License. January 14, 2021. [*View the decision and the order on the Board's website.*](#)

**HOOPER, ELIZABETH ANN (A 95751),
Newbury Park, CA**

Admitted to unprofessional conduct and dishonesty for being convicted of grand theft, a felony, for affixing fake barcode labels on items in a chain of retail stores. Surrender of License. January 14, 2021. [*View the decision and the order on the Board's website.*](#)

**HOSBEIN, LISA MARIE, M.D. (G 68163),
Nevada City, CA**

No admissions but charged with gross negligence in the care and treatment of one patient; repeated negligent acts and failed 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, completing an education course and a medical record keeping course; submitting proof of notification of Decision and Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses. November 13, 2020. [*View the decision and the order on the Board's website.*](#)

**HOU, DENNIS, M.D. (A 63030),
San Francisco, CA**

No admissions but charged with failing to comply with the terms of his Board-ordered probation by failing to provide biological fluid samples when directed to do so. Public Reprimand. January 15, 2021. [*View the decision and the order on the Board's website.*](#)

**ILLA, ROBERTO VICTOR (G 22683),
Oroville, CA**

Failed to comply with multiple terms of his Board-ordered probation. Revoked. December 4, 2020. [*View the decision and the order on the Board's website.*](#)

**ISMAIL, SHERIF SAYED (A 79406),
Southlake, TX**

Disciplined by Oklahoma for unprofessional conduct for being convicted of driving while intoxicated. Surrender of License. November 27, 2020. [*View the decision and the order on the Board's website.*](#)

**KELLER, MICHAEL IRA (G 28715),
San Diego, CA**

Admitted to failing to comply with a Board Order to submit to an examination for mental illness or physical illness affecting competency. No admissions but charged with self-prescribing controlled substances or dangerous drugs and commission of an act of dishonesty. Surrender of License. December 10, 2020. [*View the decision and the order on the Board's website.*](#)

KENT, NIGEL L. (A 43767), Costa Mesa, CA
Convicted of driving under the influence of alcohol with a blood alcohol content of .15% or more, and used alcohol in such a manner as to be dangerous or injurious to himself, another person, or to the public. Surrender of License. December 16, 2020. [*View the decision and the order on the Board's website.*](#)

**KHAN, SHER ALI, M.D. (A 171134),
Albuquerque, NM**

Exhibited incompetence during a residency program. Probationary license issued, placed on three years' probation with terms and conditions including, but not limited to, attending psychotherapy; obtaining a practice monitor; prohibited from engaging in the solo practice of medicine; submitting proof of notification of Decision and Statement of Issues to required parties; and prohibited from supervising physician assistants and advanced practice nurses. December 23, 2020. [*View the decision and the order on the Board's website.*](#)

**KISSINGER, GLENN CLARENCE (A 21726),
Thousand Oaks, CA**

No admissions but charged with gross negligence for supervising an unlicensed individual who provided medical services to patients. Surrender of License. November 5, 2020. [*View the decision and the order on the Board's website.*](#)

**KLIKOFF, ALEXANDRA, M.D. (G 83647),
Santa Clara, 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 clinician-

patient communication course. Public Reprimand. January 14, 2021. [View the decision and the order on the Board's website.](#)

**KOLINKSY, DAVID MICHAEL (A 60010),
Monterey, CA**

No admissions but charged with gross negligence and repeated negligent acts in the care and treatment of two patients. Surrender of License. December 29, 2020. [View the decision and the order on the Board's website.](#)

**KUO, NORMAN YU-NENG (A 37079),
Cypress, CA**

No admissions but charged with gross negligence, repeated negligent acts, excessive prescribing, prescribing dangerous drugs without an appropriate prior examination or medical indication, and failure to maintain adequate and accurate medical records in the care and treatment of three patients. Surrender of License. January 1, 2021. [View the decision and the order on the Board's website.](#)

**LAL, SANDEEP BAHADUR, M.D. (A 92764),
San Leandro, CA**

No admissions but charged with unprofessional conduct, gross negligence, incompetence, and failed 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, a medical record keeping course, and an ethics course; submitting proof of notification of Decision and Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses. December 31, 2020. [View the decision and the order on the Board's website.](#)

**LANCASTER, THOMAS JEROME, M.D.
(G 70162), Yuba City, CA**

No admissions but charged with gross negligence in the care and treatment of three patients;; repeated negligent acts in the care and treatment of one patient; failed to maintain adequate and accurate medical records in the care and treatment of multiple patients; created false medical records with fraudulent intent;

knowingly making or signing a document directly related to the practice of medicine that falsely represented an existence of a statement of fact; unprofessional conduct, and dishonest or corrupt acts by submitting false claims to Medi-Cal. Revoked, stayed, placed on seven years' probation with terms and conditions including, but not limited to, sixty (60) days actual suspension from the practice of medicine beginning on or before the ninetieth (90) day after the effective date of this decision; prohibited from ordering, prescribing, dispensing, administering, furnishing, or possessing any controlled substances, except for those drugs, as needed by patients in his capacity as a physician for the Yolo County Jail, Yuba County Jail, Placer County Jail, Yolo County Juvenile Hall, Placer Juvenile Hall, and Tri-County Juvenile Hall; outside of his employment with the Butte County Jail, he is prohibited from ordering, prescribing, dispensing, administering, furnishing, or possessing any controlled substances, except those drugs listed in Schedule V 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 and any recommendations or approvals to possess or cultivate marijuana; completing an education course, prescribing practices course, medical record keeping course and an ethics course; completing a professional boundaries program; obtaining a practice/billing monitor; prohibited from engaging in the solo practice of medicine; submitting proof of notification of Decision and First Amended Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses. December 23, 2020. [View the decision and the order on the Board's website.](#)

**LOMBARDI, VINCENT ANTHONY, M.D.
(G 88699), Carmel, IN**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for being disciplined by Indiana for self-prescribing testosterone compounding cream. December 17, 2020. [View the decision and the order on the Board's website.](#)

**LOVIN, JEFFREY DOUGLAS (G 85644),
Bakersfield, CA**

Physician has a condition affecting his ability to practice medicine safely, and failed to comply with multiple conditions of his Board-ordered probation. Revoked. January 29, 2021. [View the decision and the order on the Board's website.](#)

**MARTIN, MAUREEN FRANCES (A 81341),
Las Vegas, NV**

No admissions but charged with dishonesty, violating drug statutes, using controlled substances in such a manner as to be dangerous to herself, another person, or to the public, and violating the Medical Practice Act. Surrender of License. November 11, 2020. [View the decision and the order on the Board's website.](#)

**MBAGWU, K. N. SOLOMON, M.D. (G 42217),
Inglewood, CA**

No admissions but charged with unprofessional conduct and repeated negligent acts 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 an ethics course; submitting proof of notification of Decision and Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses. January 22, 2021. [View the decision and the order on the Board's website.](#)

**MORAN, MICHAEL DOUGLAS, M.D.
(A 62602), Laguna Niguel, CA**

Disciplined by Arizona for not being available during his on-call shift and being impaired while practicing medicine. Revoked, stayed, placed on five years' probation with terms and conditions including, but not limited to, completing a clinical diagnostic evaluation; notification of employer; abstaining from the use of controlled substances and alcohol; submitting to biological fluid testing; attending substance abuse support group meetings; obtaining a worksite monitor; submitting proof of notification of Decision and Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses. December 11, 2020. [View the decision and the order on the Board's website.](#)

**MUNIR, DARCENE MELAAC, M.D. (G 80885),
San Ramon, CA**

Committed acts of using alcohol in a manner as to be dangerous or injurious to herself, another person, or to the public and 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, completing a clinical diagnostic evaluation prior to practicing medicine; obtaining medical treatment; attending psychotherapy; notification of employer; submitting to biological fluid testing; attending substance abuse support group meetings; obtaining a worksite monitor; abstaining from the use of controlled substances and alcohol; prohibited from engaging in the solo practice of medicine; notification to patients of probation status; submitting proof of notification of Decision and Accusation to required parties; and prohibited from supervising physician assistants. November 2, 2020. [View the decision and the order on the Board's website.](#)

**MURPHY, GREGORY LEO (G 52151),
Corona, CA**

Charged with administering controlled substances to himself, used 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, violated state laws regulating dangerous drugs, committed dishonest acts, knowingly made or signed a certificate or document directly or indirectly related to the practice of medicine which falsely represented the existence or nonexistence of a statement of facts, created false medical records with fraudulent intent, practiced under the influence of narcotics, committed gross negligence, repeated negligent acts and failed to maintain adequate and accurate medical records in the care and treatment of two patients. Physician is impaired due to a mental illness and/or physical illness affecting competency. Revoked. January 29, 2021. [View the decision and the order on the Board's website.](#)

NASSI, SHILLA (A 138352), Los Angeles, CA
Failed to comply with multiple terms and conditions of her Board-ordered probation. Surrender of License. December 1, 2020. [View the decision and the order on the Board's website.](#)

NGUYEN, BACH KIM, M.D. (A 92027), Murrieta, CA

No admissions but charged with gross negligence, repeated negligent acts, prescribed to an addict, and failed to maintain adequate and accurate medical records in the care and treatment of a patient. Continues the current probation with terms and conditions including, but not limited to, completing a clinical competence assessment program; maintaining a record of all controlled substances ordered, prescribed, dispensed, administered, or possessed and any recommendations or approvals to possess or cultivate marijuana; completing an education course, a prescribing practices course, and a medical record keeping course; obtaining a practice monitor; and submitting proof of notification of Decision and Accusation to required parties. November 18, 2020. [View the decision and the order on the Board's website.](#)

NGUYEN, KHANH QUOC (A 35028), San Francisco, CA

No admissions but charged with gross negligence in the care and treatment of a patient, and repeated negligent acts in the care and treatment of two patients. Surrender of License. December 10, 2020. [View the decision and the order on the Board's website.](#)

NWABUEZE, CHINEDU NICHOLAS, M.D. (A 170810), Saint Louis, MO

Failed to disclose on his application that the training program he attended implemented an Action Plan due to concerns regarding his medical knowledge. The program placed him under supervision with a plan for remediation which he completed. The program later placed him on probation due to failing the United States Medical Licensing Examination Step 3. There were concerns regarding his professionalism which included not completing administrative and patient care tasks in a timely manner. Probationary license issued, placed on three years' probation,

with terms and conditions including, but not limited to, completing an ethics course; submitting proof of notification of Decision to required parties; and prohibited from supervising physician assistants and advanced practice nurses. November 13, 2020. [View the decision and the order on the Board's website.](#)

ONUBAH, BONIFACE OKWUDILI, M.D. (A 52415), Los Angeles, CA

Reinstated, revoked, stayed, and placed on five years' probation with terms and conditions including, but not limited to, completing a clinical competence assessment program prior to practicing medicine; completing an ethics course and a prescribing practices course; prohibited from engaging in the solo practice of medicine; prohibited from supervising physician assistants and advanced practice nurses; obtaining a practice monitor; and submitting proof of notification of Decision to required parties. January 15, 2021. [View the decision and the order on the Board's website.](#)

ORMAN, RODGER S., M.D. (G 52961), San Andreas, CA

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for failing to change the treatment plan after the patient did not follow instructions to obtain a primary care physician or follow up with her mental health providers, and the medical records over a 5 year period did not show any documented review of substance abuse history. November 5, 2020. [View the decision and the order on the Board's website.](#)

PADILLA, DAVID ALLEN, M.D. (G 73271), Roseville, 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, and unprofessional conduct. Revoked, stayed, two years' additional probation and must complete an education course, a prescribing practices course, a medical record keeping course, and an ethics course; complete a clinical competence assessment program; obtain a practice monitor; prohibited from engaging in the solo practice of medicine;

submitting proof of notification of Decision and Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses. January 29, 2021.

[*View the decision and the order on the Board's website.*](#)

PANDYA, ANAND (A 93032), New York, NY
Convicted of possessing a controlled substance, a misdemeanor; used a controlled substance in such a manner as to be dangerous or injurious to himself, another person, or to the public; and unprofessional conduct. Surrender of License. January 15, 2021. [*View the decision and the order on the Board's website.*](#)

PENKOFF, SCOTT W. (G 47766), Yorba Linda, CA
No admissions but charged with gross negligence, repeated negligent acts, incompetence, dishonesty, failure to maintain adequate and accurate medical records, and unprofessional conduct in the care and treatment of one patient. Surrender of License. December 31, 2020. [*View the decision and the order on the Board's website.*](#)

PRASAD, NALINI GARG, M.D. (G 50473), Roseville, 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. Physician must complete an education course, a medical record keeping course, and an ethics course. Public Reprimand. November 25, 2020. [*View the decision and the order on the Board's website.*](#)

RAMIREZ, CARLOS, M.D. (A 98670), Orinda, CA
Committed acts of gross negligence and failed 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 two patients. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited to, completing a clinical competence

assessment program; completing an ethics course, an education course, a prescribing practices course, and a medical record keeping course; obtaining a practice monitor; prohibited from engaging in the solo practice of medicine; notification to patients of probation status; submitting proof of notification of Decision and Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses. January 15, 2021. Judicial Review Pending. [*View the decision and the order on the Board's website.*](#)

RIOS, TOMAS BALLESTEROS (A 54078), Honolulu, HI
Failed to comply with multiple terms of his Board-ordered probation. Revoked. January 15, 2021. [*View the decision and the order on the Board's website.*](#)

RUHULLAH, YUSUF S., M.D. (A 128203), Dublin, CA
Committed acts of gross negligence, repeated negligent acts, aiding and abetting the unlicensed practice of medicine, and violated statutes regulating controlled substances. Revoked, stayed, placed on five years' probation with terms and conditions including, but not limited to, completing an education course, a prescribing practices course, and an ethics course; obtaining a practice monitor; submitting proof of notification of Decision and Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses. January 14, 2021. [*View the decision and the order on the Board's website.*](#)

SAMRAO, SATWANT SINGH, M.D. (A 48143), Madera, CA
No admissions but charged with repeated negligent acts and failed to maintain adequate and accurate medical 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 prescribing practices course, a medical record keeping course, and an ethics course; completing a professional boundaries program; submitting

proof of notification of Decision and Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses. November 25, 2020. [View the decision and the order on the Board's website.](#)

**SANCHEZ, ELIAS F., M.D. (A 67841),
Riverside, CA**

No admissions but charged with gross negligence in the care and treatment of one patient; repeated negligent acts, failed to maintain adequate and accurate medical records, and unprofessional conduct in the care and treatment of multiple patients. Revoked, stayed, placed on thirty-five months' probation with terms and conditions including, but not limited to, completing an education course, prescribing practices course, and a medical record keeping course; obtaining a practice monitor; submitting proof of notification of Decision and Accusation to required parties; and prohibited from supervising other types of advanced practice nurses such as Certified Nurse Mid-wives, Certified Registered Nurse Anesthetists, and Clinical Nurse Specialists. December 4, 2020. [View the decision and the order on the Board's website.](#)

**SARDJONO, HERMAN, M.D. (A 41793),
Arcadia, CA**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for failure to maintain adequate medical records in the care and treatment of two patients. Physician must complete a medical record keeping course. December 9, 2020. [View the decision and the order on the Board's website.](#)

**SCHIRMER, STACEY LYNNE (A 62148),
Sonora, CA**

Failed to comply with multiple terms of her Board-ordered probation. Revoked. January 15, 2021. Judicial Review Pending. [View the decision and the order on the Board's website.](#)

**SEWELL, DANIEL S., M.D. (A 87909),
Auburn, CA**

No admissions but charged with gross negligence in the care and treatment of three patients;

repeated negligent acts and failed to maintain adequate and accurate medical records in the care and treatment of multiple patients. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited to, completing an education course, prescribing practices course, medical record keeping course, and an ethics course; obtaining a practice monitor; submitting proof of notification of Decision and Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses. November 5, 2020. [View the decision and the order on the Board's website.](#)

**SHABAN, LALEH, M.D. (A 61606),
San Luis Obispo, CA**

No admissions but charged with aiding and abetting the unlicensed practice of medicine in the care and treatment of one patient; gross negligence in the care and treatment of two patients; repeated negligent acts, failed to maintain adequate and accurate medical records, violated statutes regulating dangerous drugs or controlled substances and unprofessional conduct in the care and treatment of multiple patients. Revoked, stayed, placed on five years' probation with terms and conditions including, but not limited to, completing a medical record keeping course and an ethics course; completing a clinical competence assessment program; obtaining a practice monitor; prohibited from prescribing human chorionic gonadotropin treatments or performing platelet-rich plasma procedures until successful completion of the clinical competence assessment program; submitting proof of notification of Decision and Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses. December 31, 2020. [View the decision and the order on the Board's website.](#)

**SHAULOV, VITALIY, M.D. (A 77592)
Laguna Niguel, CA**

Public Letter of Reprimand issued pursuant to Business and Professions Code section 2233 for failure to maintain adequate medical records. Physician must complete a medical record keeping course. December 17, 2020. [View the decision and the order on the Board's website.](#)

**SIMON, GILBERT, M.D. (G 49551),
Fair Oaks, CA**

No admissions but charged with gross negligence, repeated negligent acts, unprofessional conduct and violating drug statutes when he pre-signed prescriptions, when acting as a practice monitor for a doctor who was unable to prescribe as a condition of her probation. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited to, completing a prescribing practices course, a medical record keeping course, and an ethics course; submitting proof of notification of Decision and Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses. November 5, 2020. [*View the decision and the order on the Board's website.*](#)

**SMITH, KEVIN SANFORD, M.D. (G 70647),
San Diego, CA**

Committed gross negligence and repeated negligent acts in the care and treatment of three patients, and violated the Medical Practice Act. Revoked, stayed, placed on three years' probation with terms and conditions including, but not limited to, completing a prescribing practices course and a clinical competence assessment program; obtaining a practice monitor; and submitting proof of notification of Decision and Accusation to required parties. December 16, 2020. [*View the decision and the order on the Board's website.*](#)

**SMITH, LARRY HOMER (C 36737),
New Orleans, LA**

Disciplined by Louisiana for having a condition affecting his ability to practice medicine safely. Revoked. December 31, 2020. [*View the decision and the order on the Board's website.*](#)

**STARKES, HENRY BERT, JR. (G 31686),
Elk Grove, 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 four patients. Surrender of License. November 30, 2020. [*View the decision and the order on the Board's website.*](#)

**STEINER, ANNA DANUTA (A 51257),
Valatie, NY**

Disciplined by Massachusetts for her involvement in a multi-year scheme to defraud Medicare and private insurance companies as well as failing to disclose the investigation into this conduct on her application for licensure renewal. Revoked. December 23, 2020. [*View the decision and the order on the Board's website.*](#)

**SUCHALA, TYLER JONATHAN, M.D.
(C 170811), Scottsdale, AZ**

Disclosed on his application that he participated in a recovery program and was treated for a recurrence of a diagnosed addictive disorder, used drugs in a manner as to be dangerous or injurious to himself, another person, or to the public when he was non-compliant with his monitoring agreement due to a relapse with controlled substances, and was disciplined by Arizona for taking narcotic medications for personal use, and excessive prescribing of pain medication, in combination with other narcotics, to two patients. Probationary license issued, placed on five years' probation with terms and conditions including, but not limited to, notification to patients of probation status; completing a clinical diagnostic evaluation prior to practicing medicine; notification of employer; submitting to biological fluid testing; attending substance abuse support group meetings; obtaining a worksite monitor; abstaining from controlled substances and alcohol; attending psychotherapy; completing a prescribing practices course; prohibited from engaging in the solo practice of medicine; submitting proof of notification of Decision to required parties; and prohibited from supervising physician assistants and advanced practice nurses. November 13, 2020. [*View the decision and the order on the Board's website.*](#)

**TACHUK, EUGENE, M.D. (A 36884),
San Diego, CA**

Admitted to unprofessional conduct, gross negligence, repeated negligent acts, and failed to maintain adequate and accurate medical records in the care and treatment of a patient. Revoked, stayed, placed on five 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 recommendations or approvals to possess or cultivate marijuana; completing an education course, a prescribing practices course, and a medical record keeping course; completing a clinical competence assessment program; obtaining a practice monitor; submitting proof of notification of Decision and Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses. November 25, 2020. [View the decision and the order on the Board's website.](#)

**TRAN, PHONG HUNG (A 74233),
Westminster, CA**

Convicted of Conspiracy to Commit Honest Services Mail Fraud and Health Care Fraud in a federal case and of unlawfully offering/delivering compensation for the referral of patients in a state case; committed unprofessional conduct, dishonest acts, insurance fraud and worker's compensation fraud. Revoked. January 29, 2021. Judicial Review Pending. [View the decision and the order on the Board's website.](#)

TUCK, MICHAEL L. (G 12700), Northridge, CA
Unable to satisfy the terms and conditions of his Board-ordered probation. Surrender of License. January 21, 2021. [View the decision and the order on the Board's website.](#)

**WAGNER, MARK STEPHEN, M.D. (G 42267),
Santa Ana, CA**

No admissions but charged with gross negligence, repeated negligent acts, prescribed without an appropriate prior medical examination or indication, failed to maintain adequate and accurate medical records, and excessively prescribed controlled substances in the care and treatment of a 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; obtaining a practice monitor; and submitting proof of notification of Decision and Accusation to required parties. November 13, 2020. [View the decision and the order on the Board's website.](#)

**WATERS, JERRY OWEN (G 51221),
El Segundo, CA**

Convicted of driving under the influence of alcohol, used alcohol in such a manner as to be dangerous or injurious to himself, another person, or to the public, dishonesty, and unprofessional conduct. Physician is impaired due to a mental illness and/or physical illness affecting competency. Surrender of License. November 3, 2020. [View the decision and the order on the Board's website.](#)

**WILKINSON, CHARLES MICHAEL (G 50289),
Marysville, CA**

Convicted of operating a vehicle under the influence of alcohol and operating a motor vehicle with a blood alcohol level of .08% or more, used alcohol in such a manner as to be dangerous or injurious to himself, another person, or to the public, unprofessional conduct, and violating the State Medical Practice Act. Surrender of License. November 3, 2020. [View the decision and the order on the Board's website.](#)

**WILLIS, DONALD CLYDE (G 35712),
San Bernardino, CA**

Admitted to gross negligence, repeated negligent acts, and failure to maintain adequate and accurate medical records in the care and treatment of three patients. Surrender of License. November 25, 2020. [View the decision and the order on the Board's website.](#)

**WILSON, JOHN HANNAHS (C 163985),
Salt Lake City, UT**

Unable to satisfy the terms and conditions of his Board-ordered probation. Surrender of License. November 5, 2020. [View the decision and the order on the Board's website.](#)

**WOODS, NORMAN PETER, M.D. (G 34166), Los
Gatos, CA**

No admissions but charged with unprofessional conduct, repeated negligent acts and failure to maintain adequate and accurate medical records in the care and treatment of two patients. Physician must complete a prescribing practices course and a medical record keeping course. Public Reprimand. December 4, 2020. [View the decision and the order on the Board's website.](#)

YOHO, ROBERT ALAN (C 41114), Pasadena, CA

Unable to satisfy the terms and conditions of his Board-ordered probation. Surrender of License. December 1, 2020. [*View the decision and the order on the Board's website.*](#)

ZAREH MENDEZ, AI HOSSAN, M.D. (A 171024), Rancho Mirage, CA

Convicted of driving under the influence of alcohol and driving with a blood alcohol content of 0.08% or more and evading a peace officer. Probationary license issued, placed on five years' probation with terms and conditions including, but not limited to, notification to patients of probation status; completing a clinical diagnostic evaluation prior to practicing medicine (condition satisfied); notification of employer; submitting to biological fluid testing; attending substance abuse support group meetings; obtaining a worksite monitor; abstaining from controlled substances and alcohol; attending psychotherapy; prohibited from engaging in the solo practice of medicine; submitting proof of notification of Decision to required parties; submitting proof of notification of Decision and Accusation to required parties; and prohibited from supervising physician assistants and advanced practice nurses. December 10, 2020. [*View the decision and the order on the Board's website.*](#)

ZWEIFACH, MARK (G 48626), San Diego, CA

Unable to satisfy the terms and conditions of his Board-ordered probation. Surrender of License. December 2, 2020. [*View the decision and the order on the Board's website.*](#)

POSTGRADUATE TRAINING LICENSE

LEPPEK, TYLER SETH (PTL 4856), Manhattan Beach, CA

Convicted of driving under the influence. Probationary postgraduate training license issued for the duration of training to meet the requirements for a physician's and surgeon's license. Terms and conditions include, but are not limited to, completing a clinical diagnostic evaluation prior to practicing medicine; notification of employer; submitting to biological fluid testing; attending substance abuse support group meetings; obtaining a worksite monitor; abstaining from the use of controlled substances and alcohol; attending psychotherapy; prohibited from engaging in the solo practice of medicine; submitting proof of notification of Decision to required parties; and prohibited from supervising physician assistants and advanced practice nurses. November 25, 2020. [*View the decision and the order on the Board's website.*](#)

Department of Consumer Affairs
Medical Board of California
2005 Evergreen Street, Suite 1200
Sacramento, CA 95815-5401

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MBC BOARD AND COMMITTEE MEETINGS

August 19-20, 2021
November 18-19, 2021

Please visit the Board's [2021 Board and Committee Meetings webpage](#) for updates.

Until further notice, the Board Members will conduct all public meetings pursuant to the provisions of the Governor's [Executive Order N-29-20](#) and in compliance with the Bagley Keene Open Meeting Act, via online meeting applications or telephone conferences.

Contact Us:

MEDICAL BOARD OF CALIFORNIA

For questions or assistance with the following: (800) 633-2322
or (916) 263-2382

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Applications
Health Facility Discipline Reports
Fictitious Name Permits
License Renewals
BreEZe Assistance

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Publications/Outreach (916) 263-2466

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Midwives - all inquiries (916) 263-2393
Physician Assistants (916) 561-8780

Department of Consumer Affairs

Healing Arts Board and Bureau Complaints (800) 952-5210

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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. Visit our [website](#) to learn more.

Medical Board of California, Executive Director — Bill Prasifka

June 2021 — Medical Board of California News — Emmalee Ross, Editor in Chief (916) 263-2480

Contact us by email: webmaster@mbc.ca.gov