

# Action Report

## Medical Board of California

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**Medical Board of California Meeting Dates/Locations 1996**

February 2-3	Los Angeles
May 10-11	Sacramento
July 26-27	San Francisco
November 1-2	San Diego

## Medical Board Gives Preliminary Approval to Fee Increase; Directs Staff to Provide Additional Information

At the November 1, 1995 meeting of the Medical Board of California (MBC), the Division of Licensing brought forward a recommendation that the full Board adopt a staff proposal to increase the ceiling amount which the MBC can establish for biennial license renewal from \$600 to \$700 (the current actual biennial fee is \$575). The staff had requested the Board's support for legislation allowing for the increased fee based on a number of substantiated needs (see *Action Report*, October 1995 for a complete discussion of the rationale).

The primary reasons for the request were to: 1) generate resources at a ratio equivalent to Board expenses (MBC operations are currently budgeted at a level which exceeds anticipated revenue for 1995-96); 2) establish a fiscal reserve at the two-month level required by law, and 3) bring the investigator staffing level up to a number reasonable to achieve the level of complaint investigation demanded to assure adequate consumer protection.

Staff analysis suggests that, absent the ability to increase renewal fees above \$600 in the coming two to three years, the Board's ability to fulfill its legal mandates will be considerably compromised. Nevertheless, Board staff has recently made great strides at recovering some costs of its enforcement program operations by the assessment of investigative and legal costs when licensees are found to be in violation of the Medical Practice Act. This fact supported the staff's proposal that any actual fee increase which was established under an increased cap

would only need to be temporary until such time as these recovered funds could be used to support a measurable amount of enforcement activities. As that occurred, fees could be reduced to the \$600 level and, possibly, to an even lower amount, depending on recovery amounts.

The Medical Board of California considered all of the information presented and gave its approval to pursue legislation enabling the ceiling to be raised to \$700 for a two-year renewal of a license to practice medicine in California. However, the MBC expressed a strong belief that a fee increase should only become a reality as a last resort in the effort to achieve its mission. It provided a clear policy preference that, first, the new Executive Director was to evaluate

whether there are other alternatives to be found in the exercise of management efficiencies which could move the program toward its goals with little or no increase in fees.

Among the specific directions given were for the review of operations within the Attorney General's Office and the Office of Administrative Hearings to determine if the Board's resources were being efficiently used in those agencies; and the direction that the Executive Director return in February with a plan for how efficiency can be measured within the enforcement program in a way that can be directly related to the necessary level of fees. It is evaluation of these factors which will be paramount, if future increases beyond the \$600 level are to be approved by the Board.

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### THE MISSION OF THE MEDICAL BOARD OF CALIFORNIA

The mission of the Medical Board of California is to protect consumers through proper licensing of physicians and surgeons and certain allied health professions and through the vigorous, objective enforcement of the Medical Practice Act.

# A Look Back at 1995; Priorities for 1996

by

*Robert del Junco, M.D., 1995 President of the Board*

Although a lively year by any standard, 1995 was actually fairly calm compared to the previous few at the Medical Board. It was a year of negotiation and implementation of the changes of the past two years, and one in which the board has continued to move toward taking its place on the information highway. It has been my pleasure to serve as board president during the past year and to have a hand in this progress.

## **CMA v. MBC**

Probably the most controversial recent change made by the board was its vote in May 1993 to change its information disclosure policy. More information than ever was made available to the public about California physicians, including the names of physicians who had fully investigated cases pending at the Attorney General's (AG) office. The California Medical Association (CMA) filed suit in November 1993 to enjoin the board's entire information disclosure policy, and obtained a temporary restraining order that enjoined the board from continuing to disclose the names of AG referrals.

After two years of negotiations, a Sacramento Superior Court judge denied the CMA's motion for summary judgment and dismissed the entire lawsuit on September 8, 1995. The board has amended its regulations to disclose only the names of physicians who are charged with "egregious" misconduct (see July 1995 *Action Report*). The new regulation is now at the independent Office of Administrative Law for final approval.

## **Medical Experts/Consultants**

The board's revamped medical experts/consultants programs are progressing rapidly. The expert reviewer program has received over 1,500 applicants, with over 1,000 approved and completed or attending our training program. Some of the new experts have been working for the board since last July. The medical consultant examination was given to over 150 physicians. This examination establishes a list for the board to hire permanent civil service employees, who routinely review board cases.

## **Legislation for 1996**

In 1996, the board's legislative priorities are:

- To increase from one year to two years the minimum number of years of postgraduate training required for graduates of unapproved medical schools. This will bring

California into conformance with the requirements of most other states and will allow a better assessment of the clinical skills of those graduates.



*Robert del Junco, M.D.*

- To raise the cap on the license fee maximum from \$600 every two years to \$700 as an advance on future costs from disciplined physicians (see front page). This would allow the board to set the renewal fee at a level necessary to cover the costs of board operations. Any actual increase would have to be voted on by the board after due consideration of necessity as sufficiently demonstrated by staff.

- The board's Committee on Quality of Care in a Managed Care Environment hopes to have recommendations for the full board's consideration in 1996.

## **Technological Upgrades**

In the past year the board developed a Three Year Strategic Plan for Information Systems (see July 1995 *Action Report*) and implemented its local area network (LAN), improving staff productivity. The LAN allows board staff to exchange mail and schedule meetings electronically, and to share resources such as software, printers, and documents. All outdated workstations at the headquarters office were replaced, and enforcement investigators were given additional notebook computers. In addition to upgrading computers, enforcement staff now use database software to track cases, which has helped reduce complaint processing time.

## **1996 Board Leadership**

At its November 3 meeting, the board elected officers for 1996:

President—Alan E. Shumacher, M.D. Director Emeritus of the Division of Neonatology at Children's Hospital, San Diego. Vice president—Stewart Hsieh, J.D. Partner in the law firm of Frye and Spencer in Los Angeles. Secretary—Thomas A. Joas, M.D. Anesthesiologist in San Diego.

The board appointed Ron Joseph, 47, of Sacramento to replace former executive director Dixon Arnett. Ron began working for the board on November 1. He has a 21-year career in public service. He is the former Chief Deputy Director of the California Department of Health Services, where he was responsible for the management of program operations, including the Medi-Cal program; Primary Care programs; Public Health Services; and Licensing and Certification programs.

# California Supreme Court Accepts Arnett v. Dal Cielo

The issue of the Medical Board's ability to review peer review records that are relevant to a board investigation is now before the state's highest court. On October 5, 1995, the California Supreme Court granted the petition for review filed by Alameda Hospital in the case entitled Arnett v. Dal Cielo (see *Action Report*, October 1995). As a result, the decision of the appellate court (formerly reported at 36 Cal.App.4th 639) has been superseded by the grant of review. The Medical Board and the hospital will now brief the case to the California Supreme Court which will issue its decision on the matter, though probably not before late 1996.

In the meantime, on October 1, 1995, the Court of Appeal for the Sixth Appellate District (in San Jose) issued its

opinion in a different peer review case entitled Arnett v. Pearce (1995) 38 Cal.App.4th 1467. That case involves a psychiatrist who allowed his privileges at a South Bay hospital to lapse in the midst of an investigation into allegations that he had sexually molested staff members and adult dependent patients. Agreeing with the court which decided Dal Cielo, the Court of Appeal in Pearce also unanimously concluded that Evidence Code section 1157 does not bar the production of documents contained in peer review committee files to the Medical Board when such documents appear relevant to investigations regarding physician misconduct. The hospital filed a petition seeking Supreme Court review of the Pearce decision on November 13, 1995.

## Reminder

### Legal Requirements for Distribution of Drug Samples

Because of perceived abuses, the ordering and use of drug samples have been more strictly controlled in the last 10 years at both the state and federal levels. Business and Professions Code sections 4051 through 4051.9 govern physician dispensing, including drug samples. The federal Prescription Drug Marketing Act of 1988—an amendment to the Food, Drug and Cosmetic Act—(21 United States Code section 353(c) and (d)) also applies to distribution of samples.

A physician may dispense only a limited number of samples, and the samples must be dispensed to a patient of the physician, in the package provided by the manufacturer, without a charge to the patient for the samples, and with an appropriate record being made in the patient's chart (§4051(d)). The samples must be for a condition for which the physician is treating the patient and may not be furnished by a nurse or attendant (§4051 (a) (2) and (3)). In addition, Business and Professions Code section 4051(a)(4) requires

that the prescriber must fulfill all of the labeling requirements imposed upon pharmacists by Business and Professions Code section 4047.5, all of the recordkeeping requirements of the Pharmacy Law (§4232), and all packaging requirements of good pharmaceutical practice.

A manufacturer's sales representative may not distribute samples to a physician without a written request from the physician, and the request must contain the names and addresses of the supplier and the requester and the name and quantity of the specific drug desired (§4227.3). The samples may be distributed by mail, common carrier, or by the manufacturer's representative (21 U.S.C. §353(d)(3)). Nothing in either federal or state law authorizes anyone such as a nurse practitioner or physician assistant to order or receive samples on a physician's behalf. For further information you may contact the Executive Secretariat staff, Food and Drug Administration, Center for Drug Evaluation and Research, at (301) 594-1012.



### Attention Non-M.D.s

To reduce unnecessary postage costs, we are updating our interested parties mailing list. If you are NOT an M.D., and you wish to continue receiving the *Action Report*, you MUST fax or mail this notice to us. If we do not hear from you by February 2, you will be removed from our mailing list. Thank you.

Fax: (916) 263-2387

Attention: Yolanda Gonsolis

Address: Medical Board of California

Attention: Yolanda Gonsolis

1434 Howe Avenue, Suite 100

Sacramento, CA 95825

Please keep me on the *Action Report* mailing list.

Name \_\_\_\_\_

Address \_\_\_\_\_



# Medical Board Sponsors Telemedicine Symposium

The practical and legal issues associated with telemedicine were examined at an educational symposium on September 29, 1995 in Sacramento, presented by the Medical Board of California and cosponsored by the California Telehealth/Telemedicine Coordination Project.

## Major points

Telemedicine is not a futuristic idea; it is here now. It holds both great promise and great potential for abuse.

The double-edged potential of telemedicine presents challenges for medical boards. The FSMB has introduced model language for boards to use so that regulation is uniform. FSMB's proposal would allow physicians licensed by any state to practice telemedicine across state lines. Only those physicians whose licenses were disciplined or restricted could be prohibited from practicing telemedicine. The proposal envisions a simple registration process in each state to establish a telemedical practice. This proposal is being studied in the 50 states.



Participants in the board's Telemedicine Symposium included (left to right): William Halverson, Leslie Sandberg, Howard Belzberg, M.D., Phyllis Granade, J.D., and Tesfa Ghebreyesus.

Five states have already required full licensure for any physician to practice telemedicine there: Florida, Texas, Kansas, South Dakota, and Utah.

The program featured speakers from across the nation, addressing these topics:

(Morning session): "Can Technology Meet Policy?" (Leslie A. Sandberg, Executive Director, Institute for Telemedicine, Center for New West); "The Promise! Medical/Clinical Health Delivery" (Howard Belzberg, M.D., Professor of Surgery, Trauma Clinical Specialist, USC/Los Angeles County Medical Center, assisted by Tesfa Ghebreyesus); "The Reality! The Power of Simple Tele-Informatics" (William J. Halverson, Technical Director, Pacific Bell Health Care Market Group); and "Licensure! Policy and Legal Ramifications" (Phyllis F. Granade, J.D., Law Office of Kilpatrick & Cody, Atlanta, GA).

(Afternoon session): "Licensing Made Modern" (James Winn, M.D., Executive Vice President, Federation of State Medical Boards of the United States, Inc. [FSMB]); "Computerized Testing" (Kate Hill, Assistant Vice President, FSMB, Donald E. Melnick, M.D., Senior Vice president and Stephen G. Clyman, M.D., Project Director, National Board of Medical Examiners); "Barriers to Discipline: Medical Boards in the Electronic World" (Dale Austin, Deputy Executive Vice President, FSMB and Ray Bumgarner, J.D., Executive Director, Ohio State Medical Board); and "Medical Licensing in a Managed Care Environment: A Conflict in Search of Resolution" (John Hinton, M.P.H., Senior Medical Director and Vice president of Clinical Services, ChoiceCare, Cincinnati, Ohio and Donald P. "Rocky" Wilcox, J.D., General Counsel, Texas Medical Association).

The event's keynote speaker was Jane Preston, M.D., President, American Telemedicine Association, and introductory remarks were made by Sandra Smoley, R.N., Secretary, California Health and Welfare Agency.

The morning following the symposium, the Medical Board's Committee on Telemedicine met and requested additional information from board staff, including legal definitions, industry standards for the transmission of information, liability issues, and patient rights and confidentiality. The committee will meet again to consider what action it will ultimately recommend to the full board.

## Update: Licensure of Lay Midwives

For several years, Senator Lucy Killea of San Diego championed the cause of lay midwives in California by authoring bills in the Legislature. Her efforts culminated with the passage of Senate Bill 350 which became law in 1993. The final form of the licensing program resulted from negotiations with the California Medical Association and others, and provides training, examination and clinical experience requirements for licensure. The legislation required the Medical Board to begin implementation of the program in January 1994.

The board is pleased to announce that as of November 1995 the first two direct entry midwives have been licensed in California. Both candidates were licensed through reciprocity with the State of Washington. Still to be completed are the development and acceptance of a California-written examination for lay midwives. Staff continues to work diligently with the North American Registry of Midwives to revise and update its current examination to meet California's strict legal standards for licensing examinations. We anticipate the first administration of the newly revised exam to occur in early 1996.

# Outpatient Surgery Settings Require Accreditation by 7/1/96

Effective July 1, 1996, some outpatient surgery is prohibited unless it is performed in a licensed or accredited setting. AB 595 (Speier), passed in 1994, amended the Health & Safety and Business & Professions Codes to improve consumer protection in the growing arena of outpatient surgery.

Physicians presently performing surgery in unlicensed settings, such as their offices, may need to seek accreditation from one of the three approved accreditation agencies listed below. The law will prohibit, after July 1, 1996, physicians from performing surgery in unlicensed outpatient settings, using specified anesthesia. Section 2216 of the B&P Code states:

*"On or after July 1, 1996, no physician and surgeon shall perform procedures in an outpatient setting using anesthesia, except local anesthesia or peripheral nerve blocks, or both, complying with the community standard of practice, in doses that, when administered, have the probability of placing a patient at risk for loss of the patient's life-preserving protective reflexes, unless the setting is specified in Section 1248.1. Outpatient settings where anxiolytics and analgesics are administered are excluded when administered in compliance with the community standard of practice, in doses that do not have the probability of placing the patient at risk for loss of the patient's life-preserving protective reflexes."*

In plain English this means that if physicians perform surgery under anesthetic that has the probability of placing the patient at risk of losing life-preserving protective reflexes, then the setting must be licensed or accredited. The law exempts certain outpatient surgery settings, such as ambulatory surgical centers certified to participate in the Medicare program under Title XVIII, health facilities licensed as general acute care hospitals, federally operated clinics, facilities on recognized tribal reservations, and facilities used by dentists or physicians in compliance with

Article 2.7 or Article 2.8 of Chapter 4 of Division 2 of the B&P Code. If a facility falls under one of these exemptions, accreditation is not necessary.

Physicians who practice surgery in settings requiring accreditation should waste no time to begin the application process. The Medical Board has approved three accreditation agencies, which are:

Accreditation Association for Ambulatory Health Care,  
California Medical Association, Ambulatory Health Care  
Programs

P.O. Box 7690  
San Francisco, CA 94120-7690  
(415) 882-5168

American Association for Accreditation of Ambulatory  
Surgery Facilities

Accreditation Office  
1202 Allanson Road  
Mundelein, IL 60060  
(708) 949-6058  
(708) 566-4580 (FAX)

Joint Commission on Accreditation of Hospitals & Health  
Systems

One Renaissance Blvd.  
Oakbrook Terrace, IL 60181  
(708) 916-5730  
(708) 916-5644 (FAX)

Although July 1, 1996 is months away, physicians should not delay in filing an application. It may take months to arrange for a survey team to visit facilities, and the sooner an application is filed, the sooner the accreditation process may begin.

Physicians with questions concerning this new law may call the Medical Board at (916) 263-2393 for information.

## Skilled Nursing Facilities Must Report Substandard Care to Physicians

Effective July 1, 1995, a skilled nursing facility receiving Medicare and/or MediCal reimbursement that is found during a Licensing and Certification survey to have provided substandard quality of care must notify in writing the attending physician of each facility resident of such findings (Social Security Act sections 1819(g)(5)(C) and 1919(g)(5)(C) and Code of Federal Regulations (CFR) section 488.325).

Substandard quality of care is defined as one or more deficiencies related to the participation requirements under 42 CFR 483.13, Quality of Life; 483.15, Resident Behavior and Facility Practices; or 483.25, Quality of Care. The criteria for a finding of substandard quality of care is that it

constitutes immediate jeopardy; a pattern of, or widespread actual harm, that is not immediate jeopardy; or no actual harm, but a widespread potential for more than minimal harm that is not immediate jeopardy. (Immediate jeopardy means a situation in which the provider's noncompliance with one or more requirements of participation in Medicare and/or MediCal has caused, or is likely to cause, serious injury, harm, impairment, or death to a resident.)

The law and implementing regulations do not provide specific guidance as to what action the attending physician should take after receiving such notification. Therefore, physicians need to use their professional judgment on any action they deem necessary regarding the health of their patients.

# DISCIPLINARY ACTIONS: August 1, 1995 to October 31, 1995

## Decisions: Physicians and Surgeons

**AFRASIABI, MOHAMMAD ALI, M.D. (A-30301)**  
**Huntington Beach, CA**

B&P Code §725. Stipulated Decision. Repeated acts of clearly excessive use of diagnostic procedures in endocrinology practice costing several thousands of dollars and performed mainly at a laboratory facility he owned. Revoked, stayed, 5 years' probation on terms and conditions. September 22, 1995

**ALBION, MARTIN J., M.D. (C-24545) Woodacre, CA**  
B&P Code §§725, 2237. Stipulated Decision. Conviction for excessive prescribing of narcotic analgesics. Revoked, stayed, 3 years' probation on terms and conditions. October 5, 1995

**ALONSO, FRANCISCO, M.D. (A-23802) Los Banos, CA**  
B&P Code §2234(c). Stipulated Decision. Repeated negligent acts in gastrointestinal surgery. Revoked, stayed, 5 years' probation on terms and conditions. October 11, 1995

**BAKER, EDWARD, M.D. (G-70130) Antioch, CA**  
B&P Code §2236. Stipulated Decision. Conviction for disturbing the peace. Revoked, stayed, 5 years' probation on terms and conditions. August 16, 1995

**BARQUIN, OTTO P., M.D. (C-41848) Westminster, CA**  
B&P Code §§810, 2234(e). Created false medical records and filed dishonest billings for services never rendered to defraud patient's insurance company. Revoked. Default. September 13, 1995

**BRIDGEFORTH, GEORGE M., M.D. (G-56912) Chicago, IL**  
B&P Code §2233. Stipulated Decision. Conviction for indecent exposure. Public Letter of Reprimand. October 26, 1995

**BURKE, ROBERT C., M.D. (C-22163) Santa Monica, CA**  
B&P Code §§2238, 2239, 822. Stipulated Decision. Prescribed controlled substance to himself for self-use. Abused cocaine, Antivan, codeine, and Valium to the extent of impairing his ability to practice safely. Revoked, stayed, 7 years' probation on terms and conditions. October 6, 1995

**BURTON, THOMAS, M.D. (G-9416) Sun River, OR**  
B&P Code §2305. Stipulated Decision. Discipline by Minnesota Board for inappropriate "full-body, face-to-face" hugs with female inpatients in his psychiatric practice. Revoked, stayed, 3 years' probation on terms and conditions. October 6, 1995

**CHANG, MIN-SHONG, M.D. (A-37315) Hayward, CA**  
B&P Code §2234(b)(d). Stipulated Decision. General internist grossly negligent and incompetent in mismanaging an 80 year-old patient in a convalescent hospital deteriorating and suffering from "uncontrolled diabetes," particularly in his failure to monitor rising blood glucose level and combat dehydration and deterioration. Revoked, stayed, 3 years' probation on terms and conditions, including 21 days' actual suspension. October 11, 1995

**CHARNEY, STANTON M., M.D. (G-7606) Atherton, CA**  
B&P Code §§2236, 2234(c), 810. Stipulated Decision. Conviction for fraudulent billings to Medi-Cal for services not provided. Revoked, stayed, 3 years' probation on terms and condition, including 30 days' actual suspension. October 6, 1995

**CLARK, CORYDON G., M.D. (G-20348) Marysville, CA**  
B&P Code §2234(b)(c). Stipulated Decision. Unprofessional conduct, gross negligence, and repeated negligent acts in psychiatric practice in using inappropriate therapeutic techniques in treating adolescent patients diagnosed with ADHD or ADD (attention deficit disorder). Revoked, stayed, 6 years' probation on terms and conditions. September 13, 1995

**CORTES, JAIME RAFAEL, M.D. (A-30480) Oakland, CA**  
B&P Code §2234. Stipulated Decision. Inappropriate prescribing of Gentamicin, an antibiotic, to young patients without a good faith examination and with no evidence of infection other than tonsillitis or bronchitis constitutes repeated acts of negligence and incompetence. Revoked, stayed, 5 years' probation on terms and conditions. September 14, 1995

### Explanation of Disciplinary Language

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

2. **"Revoked - Default"**— After valid service of the Accusation (formal charges), the licensee fails to file the required response or fails to appear at the hearing. The license is forfeited through inaction.

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

4. **"Suspension from practice"**— The licensee is benched and prohibited from practicing for a specific period of time.

5. **"Temporary Restraining Order"**— A TRO is issued by a Superior Court Judge to halt practice immediately. When issued by an Administrative Law Judge, it is called an ISO (Interim Suspension Order).

6. **"Probationary Terms and Conditions"**— Examples: Complete a clinical training program. Take educational courses in specified subjects. Take a course in Ethics. Pass an oral clinical exam. Abstain from alcohol and drugs. Undergo psychotherapy or medical treatment. Surrender your DEA drug permit. Provide free services to a community facility.

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

8. **"Incompetence"**— Lack of knowledge or skills in discharging professional obligations.

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

10. **"Surrender"**— Resignation under a cloud. While charges are pending, the licensee turns in the license — subject to acceptance by the relevant Board.

11. **"Probationary License"**— A conditional license issued to an applicant on probationary terms and conditions. This is done when good cause exists for denial of the license application.

12. **"Effective date of Decision"**— Example: "July 8, 1994" at the bottom of the summary means the date the disciplinary decision goes into operation.

13. **"Judicial Review recently completed"**— The disciplinary decision was challenged through the court system—Superior Court, maybe Court of Appeal, maybe State Supreme Court—and the discipline was upheld. This notation explains, for example, why a case effective "October 10, 1992" is finally being reported for the first time four years later in 1996.

**DAVIS, CHARLES S., M.D. (A-27063) Chino, CA**

B&P Code §2234(b)(c)(d). Stipulated Decision. Charged with gross negligence and repeated acts of negligence in his care and treatment of 3 patients at a medical clinic. No admissions, but agrees board has good cause for discipline. Suspension for 180 days, stayed, 4 years' probation on terms and conditions. August 11, 1995

**DAVIS, RON EDWIN, M.D. (G-27063) Hemet, CA**

B&P Code §§2236, 2264. Stipulated Decision. Conviction for aiding and abetting his unlicensed office assistant to examine, diagnose, treat, and prescribe for patients in the doctor's walk-in clinic. Revoked, stayed, 3 years' probation on terms and conditions, including actual suspension of 45 days. October 19, 1995

**ELLISON, SAMUEL F., M.D. (A 41459) San Francisco, CA**

B&P Code §§726, 2234(b)(c)(e). Sexual misconduct. Public Letter of Reprimand. August 24, 1995

**FAUBLE, THOMAS, M.D. (C-27813) Arcadia, CA**

B&P Code §2234(c). Repeated negligent acts in care and treatment of patient in convalescent home. Public Letter of Reprimand. September 6, 1995

**FULLER, CHARLES, M.D. (G-23311) Los Angeles, CA**

B&P Code §§2234(b)(c)(d), 2238. Stipulated Decision. Cosmetic surgeon injected liquid silicone for lip augmentation in violation of a federal FDA law prohibiting liquid silicone injections for facial and soft tissue augmentations, thereby committing gross negligence, incompetence, and violation of federal drug laws. Revoked, stayed, 5 years' probation on terms and conditions, including 10 days' actual suspension. August 7, 1995

**HAREWOOD, IVOR HYLTON, M.D. (G-23311) Los Angeles, CA**

B&P Code §§650, 652, 2273. Stipulated Decision. Made payments to Los Angeles Management Services for patient referrals in violation of state kickback laws. Public Letter of Reprimand. October 23, 1995

**HARVEY, ROBERT ALAN, M.D. (C-27105) San Francisco, CA**

B&P Code §§495, 2233, 2234. Stipulated Decision. During breast augmentation surgery, plastic surgeon faulted for failure to properly react in a timely manner to a flat line reading registered by the EKG, despite the anesthesiologist's greater culpability and failures. Public Reprimand. October 30, 1995

**HERRERA, HENRY RICHARD, M.D. (G-31652) Rochester, NY**

B&P Code §2305. Discipline by New York Board for gross negligence when he became intimate with a female patient shortly after termination of the psychiatric relationship. Revoked. Default. August 28, 1995

**HILBERMAN, MARK, M.D. (G-16206) Carbondale, CO**

B&P Code §2305. Discipline by Colorado Board for failing to meet generally accepted medical standards in anesthesiology practice. Revoked, stayed, 4 years' probation on terms and conditions. September 15, 1995

**HINOJOSA, VITAL, M.D. (A-37463) Glendale, CA**

B&P Code §§2052, 2264, 2630, 4211, 2234(b)(d). Stipulated Decision. Gross negligence and incompetence in mismanaging a 10 year-old with diabetic ketoacidosis. Also, aided and abetted unlicensed help to prescribe drugs and perform physical therapy. Revoked, stayed, 3 years' probation on terms and conditions. August 9, 1995

**HUEMER, RICHARD P., M.D. (A-18706) Brush Prairie, WA**

B&P Code §2305. Stipulated Decision. Discipline by Washington

State Board for injecting patients with a new drug not yet approved by FDA or Washington state—a hormonal extract, adrenal cortical extract (ACE) and thymus extract. Public Reprimand. September 1, 1995

**HWANG, AURORA G., M.D. (A-40850) Lindsay, CA**

B&P Code §2234(d). Stipulated Decision. Incompetence in the care and treatment of 3 adult patients: (misdiagnosed malignant chest tumor, underestimated cardiac condition; mismanaged diabetes leading to foot gangrene). Revoked, stayed, 3 years' probation on terms and conditions. August 9, 1995

**JUSTER, IVER ALLEN, M.D. (G-33161) Downey, CA**

B&P Code §§2227(b), 2238, 2239. Stipulated Decision. Self-use of LSD and marijuana in a group use at home; gross negligence in treating a group member who overdosed on drugs; violated statutes regulating controlled substances. Revoked, stayed, 5 years' probation on terms and conditions. September 22, 1995

**KAHN, SIDNEY F., M.D. (C-21182) Norwalk, CA**

B&P Code §2234(c). Stipulated Decision. Repeated negligent acts in the management of an intestinal bypass surgery case (jejunoileal bypass); failed to recognize and surgically address a bowel obstruction until 12 days into postoperative care. Revoked, stayed, 5 years' probation on terms and conditions. August 31, 1995

**KAREFA-SMART, SUZANNE, M.D. (G-57792) Cypress, CA**

B&P Code §§125(a), 2234(a)(e), 2052, 2054, 2264, 2289. Aided and abetted an unlicensed person who owned and operated a medical clinic by allowing that person to use the doctor's license to bill Medi-Cal, issue prescriptions, render medical treatment and services, and issue false documents or reports. Revoked, stayed, 5 years' probation on terms and conditions, including actual suspension of 60 days. August 17, 1995

**Help Your Colleague  
By Making A Confidential Referral**

If you are concerned about a fellow physician whom you feel is abusing alcohol or other drugs or is mentally ill, you can get assistance by asking the Medical Board's Diversion Program to intervene.

The intervention will be made by staff trained in chemical dependency counseling or by physicians who are recovering from alcohol and drug addiction. As part of the intervention, the physician will be encouraged to seek treatment and be given the option of entering the Diversion Program. Participation in Diversion does not affect the physician's license.

Physicians are not required by law to report a colleague to the Medical Board. However, the Physicians Code of Ethics requires physicians to report a peer who is impaired or has a behavioral problem that may adversely affect his or her patients or practice of medicine to a hospital well-being committee or hospital administrator, or to an external impaired physicians program such as the Diversion Program.

Your referral may save a physician's life and can help ensure that the public is being protected. All calls are confidential. Call (916) 263-2600.

**Medical Board of California  
Physician Diversion Program  
1420 Howe Avenue, Suite 14  
Sacramento, CA 95825**



**KOOKER, ROBERT ALLEN, M.D. (G-32236) Loomis, CA**  
B&P Code §§2234, 2239. Stipulated Decision. Gross negligence by engaging in an intimate social relationship with a recently discharged, severely depressed patient still in therapy with another therapist. Abused and misused alcohol. Revoked, stayed, 5 years' probation on terms and conditions. August 31, 1995

**LANG, DONALD J., M.D. (A-19645) Loma Linda, CA**  
B&P Code §§2305, 2234(e). Stipulated Decision. Discipline by Michigan Board. Also, dishonesty in failing to disclose Michigan discipline on his application for hospital privileges in California. Revoked, stayed, 5 years' probation on terms and conditions. September 3, 1995

**L'ARDENT, DENNIS ROBERT, M.D. (G-31487) Las Vegas, NV**  
B&P Code §§726, 2227, 2234. Sexual misconduct with female patients. Gross negligence, repeated acts of negligence, incompetence. Also dishonesty in filing a false declaration in his Interim Suspension proceeding. Revoked. Default. August 31, 1995

**LEHMAN, LEWIS S., M.D. (C-39907) San Francisco, CA**  
B&P Code §2233. Prolonged prescriptions for narcotics based on misdiagnoses of illnesses, requiring withdrawal treatment. Public Letter of Reprimand. September 29, 1995

**LEVIN, ROY JEROLD, M.D. (A-24866) Newport Beach, CA**  
B&P Code §§725, 2234(b)(c)(d). Stipulated Decision. Excessive prescribing to patient addicted to demerol, a narcotic. Gross negligence, repeated negligent acts and incompetence. Revoked, stayed, 5 years' probation on terms and conditions. September 23, 1995

**LEVINSON, CARL, M.D. (G-4073) Menlo Park, CA**  
B&P Code §§2234(b)(c)(d), 2242, 2239, 2238. Conditional agreement. Prescribed Ritalin for himself, which is prohibited by the Uniform Controlled Substances Act. Also prescribed Ritalin to 2 sons as well as an occasional Valium for his wife, without keeping records establishing good faith prior exam and medical indication for the drugs, as required by B&P Code §2242. Public Letter of Reprimand. August 9, 1995

**LONG, WALTER K., M.D. (C-28907) Kingwood, TX**  
B&P Code §2305. Discipline by Texas Board for failing to practice medicine in an acceptable manner consistent with public health and welfare. Restrictions include no gastric reduction surgery for obesity. Revoked. Default. September 3, 1995

**MADRID, EDWARD J., M.D. (G-70631) Tempe, AZ**  
B&P Code §2305. Stipulated Decision. Discipline by Arizona Board for substance abuse. Revoked, stayed, 5 years' probation on terms and conditions. October 9, 1995

**MARTELL ALGIS, M.D. (C-28968) Reno, NV**  
B&P Code §2305. Discipline by Nevada Board for gross malpractice in obstetrical care. Revoked. Default. October 6, 1995

**MENDOZA, FRANCISCO REYNA, M.D. (G-63191) Santa Maria, CA**  
B&P Code §§2305, 2236. Stipulated Decision. Discipline by U.S. Air Force for irregularities in prescribing Schedule II controlled drugs. Also, federal conviction for unlawful possession of a controlled substance, and illegal distribution. Revoked, stayed, 5 years' probation on terms and conditions. September 21, 1995

**MILLER, WILLIAM DAVID, M.D. (G-46059) Columbia, MO**  
B&P Code §2305. Stipulated Decision. Discipline by Missouri Board

for self-prescribing Demerol in 1990. Drug-free since treatment program in 1990. California: Public Letter of Reprimand. If he returns to California, many conditions may be imposed. September 7, 1995

**MITTS, GORDON MURRAY, M.D. (G-35729) Bakersfield, CA**  
Violated terms and conditions of probation under prior discipline. Add 2 more years of probation to the 5-year probation imposed on May 1, 1991, thus extending probation to May 1, 1998. October 30, 1995

**NELSON, GERALD EUGENE, M.D. (C-31746) Del Mar, CA**  
B&P Code §§726, 2234(b)(c). Stipulated Decision. Sexual abuse and sexual misconduct during psychotherapy sessions. Gross negligence and repeated negligent acts. Revoked, stayed, 10 years' probation on terms and conditions. September 22, 1995

**NORTON, JANE ESPEJO, M.D. (G-34784) Palm Desert, CA**  
B&P Code §2234(b)(c)(d). Stipulated Decision. Charged with gross negligence, repeated negligent acts and incompetence in the care of 3 cosmetic surgery patients. No admissions, but agrees to stipulated penalty. One year suspension, stayed, 5 years' probation on terms and conditions. September 8, 1995

**ONG, TJHIANG, M.D. (A-30643) Hesperia, CA**  
B&P Code §§2234, 822. Suffers from mental and physical illness affecting his competency to the extent his ability to practice safely is impaired. Revoked. Default. September 25, 1995

**O'CONNOR, DENNIS MICHAEL, M.D. (G-23349) Monterey, CA**  
B&P Code §§2238, 2234(e). Conditional agreement. Attempted to obtain 100 Lorazepam 2 mg., a Schedule IV controlled substance, for his own use by cashing a prescription written on his own pad for a fictitious individual. Public Letter of Reprimand. October 12, 1995

**PASCUAL, PARODE PABLO, M.D. (A-30986) Cerritos, CA**  
B&P Code §§725, 2233. Conditional agreement. Excessive prescribing of controlled substances. Public Letter of Reprimand. October 30, 1995

**PATEL, JIJIBHOY J., M.D. (C-38717) Stockton, CA**  
B&P Code §§2236, 2234(e). Stipulated Decision. Conviction for income tax evasion. Dishonesty. Revoked, stayed, 2 years' probation on terms and conditions. October 16, 1995

**PEARSON, JAMES EDWARD, M.D. (G-51915) Menlo Park, CA**  
B&P Code §§2236, 2242, 2238, 2234(b)(d)(e), 821. Refused to comply with a board order compelling a psychiatric exam. Engaged in unlawful sexual activity with a homeless woman he picked up, while she was unconscious due to his administration to her of sedative drugs, resulting in a criminal conviction of numerous violations of the Penal Code and the Uniform Controlled Substances Act. Sentenced to 15 years in state prison. Revoked. Default. October 5, 1995

**PIZZI, WILSON B., M.D. (CFE-11998) Waynesburg, PA**  
B&P Code §2305. Discipline by Pennsylvania Board for conviction for fraudulent billing of the Medicaid Act. Revoked. Default. August 31, 1995

**PUGH, GEORGE ARTHUR, M.D. (G-38318) Oakland, CA**  
B&P Code §2233. By Stipulation. Patient told doctor he hurt thumb in altercation with police. Yet, M.D. wrote in worker's comp report that surgery for the thumb was caused by a fall from a ladder on the patient's moving van. Public Letter of Reprimand. September 21, 1995



**RACHELS, ARTHUR WESLEY, M.D. (C-32680)**

**Los Angeles, CA**

B&P Code §§2236, 2237. Stipulated Decision. Conviction for distributing controlled substances by writing prescriptions that were outside the usual course of his medical practice and for non-legitimate medical purposes. Revoked, stayed, 2 years' probation on terms and conditions. September 28, 1995

**RATZLAFF, ELMER H., M.D. (G-35193) Maui, HI**

B&P Code §2305. Stipulated Decision. Discipline by Hawaii Medical Board for improprieties associated with the operation of a laboratory, security, labeling and selling of controlled substances, multiple billing and advertising. Revoked, stayed, 5 years' probation on terms and conditions. October 24, 1995

**RAUTZEN, JAMES, M.D. (C-37787) Huntington Beach, CA**

B&P Code §§2292, 2293, 2234(d). Stipulated Decision. ER physician failed to pass board-ordered professional competency exam, specifically the emergency medicine portion of the exam. Revoked, stayed, 3 years' probation on terms and conditions. August 17, 1995

**READER, AUGUST L., M.D. (G-34886) Los Angeles, CA**

B&P Code §2286. Stipulated Decision. Aiding and abetting the unlicensed corporate practice of medicine. Public Letter of Reprimand. Agrees to cooperate in the case against the lay owner of several medical clinics. October 6, 1995

**REES, JOSEPH R., M.D. (G-15150) Ogden, UT**

B&P Code §2305. Stipulated Decision. Disciplines: by Utah Board (11-25-91) for self-use of drugs; by Wyoming Board (6-23-93) for alcohol abuse; by U.S. Air Force (1-29-93) for medical mismanagement and inadequate documentation. California: Revoked, stayed, 5 years' probation on terms and conditions. September 25, 1995

**ROBERTSON, CAROL SIMS, M.D. (G-65165) Southfield, MI**

B&P Code §2305. Discipline by Michigan Board for her convictions on 84 counts of federal crimes including Medicaid fraud, unlawful distribution of controlled substances, aiding and abetting, racketeering, mail fraud, and conspiracies. Revoked. Default. August 23, 1995

**ROSENZWEIG, MARVIN V., M.D. (G-4323) Berkeley, CA**

B&P Code §2234. Stipulated Decision. Sexual relations with a therapy patient constitutes unprofessional conduct. Revoked, stayed, 5 years' probation on terms and conditions. September 5, 1995

**SCHANKMAN, ALAN ROBERT, M.D. (G-35202)**

**N. Hollywood, CA**

B&P Code §§490, 2236, 2234(e). Stipulated Decision. Conviction for 36 counts of Medicare fraud related to eye surgeries involving second billings for corneal wedge resection following cataract surgeries. Falsely stated that corneal transplants were performed (reimbursable) when in fact, wedge resections were done (not reimbursable). Revoked, stayed, 5 years' probation on terms and conditions, including 1-year actual suspension from the date of the interim suspension order. September 21, 1995

**SELA, MICHAEL, M.D. (A-38986) Pasadena, CA**

B&P Code §§726, 2234(b)(c). Sexual misconduct, gross negligence and repeated negligent acts in examining OB-GYN patients. Revoked. August 8, 1995. Judicial review recently completed.

**SIEGEL, LEON, M.D. (G-6900) Petaluma, CA**

B&P Code §§2234(b), 2239, 2305. Stipulated Decision. Gross negligence in psychotherapy practice. Self-administration of a

controlled substance prescribed for another. Also, a past discipline by the New York Board. Revoked, stayed, 5 years' probation on terms and conditions. October 16, 1995

**SLOAN, RALPH, M.D. (A-27283) Sun Valley, CA**

B&P Code §725. Stipulated Decision. Repeated acts of excessive prescribing of controlled substances to 1 patient. Revoked, stayed, 5 years' probation on terms and conditions. September 7, 1995

**SLOAN, TIMOTHY, M.D. (G-35657) Valley Springs, CA**

B&P Code §§2234(c), 2238. Repeated negligent acts in the care and treatment of 3 patients at the hospital. Also issued false prescriptions in the names of former patients to provide his wife (a nurse) with the drugs needed for her addiction. Revoked, stayed, 5 years' probation on terms and conditions. August 21, 1995

**SOKOLL, MARTIN DAVID, M.D. (C-41608) Iowa City, IA**

B&P Code §2305. Stipulated Decision. Discipline by Iowa Medical Board for prescribing controlled substances to patients without appropriate examination and medical need; and for excessive self-use of drugs and alcohol. Revoked, stayed, 5 years' probation on terms and conditions. October 20, 1995

**SPECHT, THOMAS C., M.D. (G-37062) Truckee, CA**

B&P Code §§2234, 2236, 2237, 2238, 2239. Stipulated Decision. Narcotic addiction and abuse. Anesthesiologist convicted of obtaining or attempting to obtain controlled substances by fraud, deceit, misrepresentation, subterfuge, and by concealment of a material fact. Revoked, stayed, 7 years' probation on terms and conditions. August 21, 1995

**SPRINGER, JAMES W., M.D. (C-18207) Porterville, CA**

Failed to enroll and participate in the board's Diversion Program for his alcohol problems, as required by the probation order of a prior discipline. Add 2 more years to his original 5-year period of probation. August 31, 1995

**SRIVASTAVA, KRISHNA, M.D. (A-36466) Upland, CA**

B&P Code §§2234(b)(c)(d)(e), 2262. Two female patients in state prison died during his medical watch for care and treatment. Gross negligence, incompetence, repeated negligent acts, alteration of records, dishonesty. Revoked. August 16, 1995. Judicial review recently completed.

**STALBERG, JOHN, M.D. (G-23091) Santa Monica, CA**

B&P Code §§2238, 4051. Furnished prescription medication to a non-patient. Was not in compliance with the conditions set forth in B&P Code §4051 regulating drug dispensing in the office or place of practice. One-year suspension, stayed, 1-year probation on terms and conditions. October 30, 1995

**SUEKSDORF, WILLIAM D., M.D. (C-36552) Santa Monica, CA**

B&P Code §§2234, 2238. Stipulated Decision. Psychiatrist permitted his nurse to sign the doctor's name to prescriptions for dangerous drugs, to authorize refills of prescriptions, and to authorize the use of generic rather than brand-name drugs. Revoked, stayed, 4 years' probation on terms and conditions. September 1, 1995

**VOLEN, MICHAEL PAUL, M.D. (G-20983) Mill Valley, CA**

B&P Code §2233. By stipulation. Aided and abetted the unlicensed corporate practice of medicine by a general corporation owned by a lay person (BackPax Medical Center). Public Reprimand. Agrees to cooperate in the case against the lay person and his many medical enterprises. September 11, 1995

**WEISER, RICHARD ALLEN, M.D. (C-31874) Los Gatos, CA**  
B&P Code §2234. Stipulated Decision. General practitioner referred patients for psychotherapy to his wife who was not licensed in any category to provide and bill for psychotherapeutic services. Revoked, stayed, 2 years' probation on terms and conditions. September 18, 1995

**WILSON, EDWARD K., M.D. (A-21304) Los Angeles, CA**  
B&P Code §2234(b)(d). Stipulated Decision. Failed to adequately take or document the patient's history and physical examinations in pregnancy termination cases. 180 days' suspension, stayed, 4 years' probation on terms and conditions. August 31, 1995

**WOLFF, DAVID G., M.D. (G-50509) Sioux City, IA**  
B&P Code §2305. Stipulated Decision. Discipline by Iowa Board for excessive use of a controlled drug. Revoked, stayed, 5 years' probation on terms and conditions. October 10, 1995

### ACUPUNCTURISTS

**TUCKER, DENNIS, L.Ac. (AC-976) Nevada City, CA**  
B&P Code §4955. Stipulated Decision. Used unlicensed devices and failed to get informed consents from patients to use the dermatron vollmeter device and the cold laser point stimulation device as required by H&S Code §§24172 and 24173. Public Reprimand. August 14, 1995

**PARK, KI HONG, L.Ac. (AC-1548) Bellflower, CA**  
B&P Code §§496, 4955. Violation of the security of the licensing examination. Revoked. Default. September 18, 1995

**KOO, JAHOO, L.Ac. (AC-2426) Santa Clara, CA**  
B&P Code §§4955(d), 4956. Stipulated Decision. Presented false insurance claims for patients involved in minor traffic accident. Conviction. Revoked, stayed, 5 years' probation on terms and conditions. October 18, 1995

**WANG, JASON, L.Ac. (AC-2403) S. Lake Tahoe, CA**  
B&P Code §4955(g). Stipulated Decision. Gross negligence in his care, examination, and palpitation of female parts. Revoked, stayed, 5 years' probation on terms and conditions, including actual suspension of 60 days. October 30, 1995

### HEARING AID DISPENSERS

**SCAGGS, BECKY (HA-2531) Santa Ana, CA**  
B&P Code §§3401(g)(e)(l)(m), 3427.5. Misrepresented herself as a registered nurse to gain more business. Fraud in fitting and selling hearing aids. False advertisement. Unlawful and unlicensed practice. Revoked. Default. August 5, 1995

**WORKMAN, JANICE aka LONG, JANICE (HA-2979) San Diego, CA**  
B&P Code §§3401(g)(l), 3427.5. Refused refunds for unsatisfactory hearing aids. Refused adjustments. Fraud and misrepresentation. Song-Beverly Consumer Warranty Law violation. Revoked. Default. August 31, 1995

### PHYSICIAN ASSISTANTS

**GROTEWALD, THOMAS M., P.A. (PA-10775) Canyon Country, CA**  
B&P Code §§490, 3531. Stipulated Decision. Conviction of possession of cocaine for sale. Revoked, stayed, 3 years' probation on terms and conditions. August 4, 1995

**HARVEY, MARK C., P.A. (PA-12278) Diamond Bar, CA**  
B&P Code §3527(a). Stipulated Decision. Practicing under a physician without a P.A. supervisor permit; lack of transport and backup procedures for emergency cases; lack of written protocols and guidelines. Public Reapproval. August 15, 1995

**SYKES, FLETCHER, P.A. (PA-10082) Chino Hills, CA**  
B&P Code §3527(a). Stipulated Decision. Companion to Mark Harvey, P.A. case. Practicing under a physician without a P.A. supervisor permit; lack of transport and backup procedures for emergency cases; lack of written protocols and guidelines. Public Reapproval. August 15, 1995

### DOCTORS OF PODIATRIC MEDICINE

**ATRY, FRANCIS F., D.P.M. (E-3660) West Covina, CA**  
B&P Code §§2225.5, 2225, 2052, 2234(e). Failure to produce patient records to Podiatric Board pursuant to patient consent constituted unprofessional conduct. Engaging in podiatric practice before license was issued constituted unlawful practice and dishonesty. Revoked. Default. August 10, 1995

**YAGOOBIAN, EDWARD MARTIN, D.P.M. (E-2172) Diamond Bar, CA**  
B&P Code §§490, 651, 725, 726, 2234(b)(c)(d), 2239, 2261, 2262. Conviction for unlawful possession of a concealed dagger on his person; a concealed pistol in a vehicle; a switch blade knife on his person. False advertisement listing associates under him when he practices solo. Clearly excessive administration, treatment, and diagnostic procedures. Gross negligence, repeated negligent acts, incompetence, self-abuse of controlled substances, false documents and alterations, practicing under the influence of drugs, practicing outside the scope of podiatry, sexual misconduct. Revoked. Default. October 25, 1995

### PHYSICAL THERAPIST

**PRANDINI, JOHN ANTONIO (PT-9505) Fresno, CA**  
B&P Code §§726, 2660(h)(l). Stipulated Decision. Sexual misconduct with physical therapy female patients. Gross negligence, dishonesty. Revoked. October 25, 1995

### PSYCHOLOGISTS

**BOYLAN, RICHARD J., Ph.D. (PSY-10047) Sacramento, CA**  
Seven counts of gross negligence in the care of 3 patients. Revoked. August 4, 1995

**COCHAGNE-OLSEN, JENIFER, Ph.D. (PSY-11823) Encino, CA**  
B&P Code §2960(a)(b)(j)(n). Conviction for filing fraudulent claims to the Victims of Crimes Program and the Board of Control for psychotherapy services she did not provide. Solicitation of patients to buy and market face creams and vitamins, in which she has an interest, constitute exploitation and an extreme departure from the standard of care and practice for psychologists. Revoked. September 18, 1995

**CRAUSMAN, BURT, Ph.D. (PSY-1533) Los Angeles, CA**  
B&P Code §2960(j). Gross negligence in the treatment of 2 patients. Revoked, stayed, 5 years' probation with terms and conditions. September 15, 1995

**GIGL, JOHN L., Ph.D. (PSY-4022) Susanville, CA**  
B&P Code §§2960, 820. Gross negligence/dishonesty, corrupt or

fraudulent acts. Respondent must submit to a psychological evaluation. If passed, accusation will be withdrawn. If failed, revocation, stayed, 3 years' probation. September 26, 1995

**KAYRA-STUART, FORTUNEE, Ph.D. (PSY-9810) Albany, CA**  
No admission to charges of improperly supervising a psychological assistant. Withdrawal of accusation and Public Reprimand will be issued if 2 conditions are met within 1 year. September 21, 1995

**KENT, CHERYL C., Ph.D. (PSY-4987) Cameron Park, CA**  
B&P Code §2960(p). Functioned outside field of competence in the care of single patient in 1990 and 1991. Revoked, stayed, 3 years' probation. September 5, 1995

**LIEBERWITZ, MICHAEL J., Ph.D. (PSY-8022)**  
**Half Moon Bay, CA**

B&P Code §2960(j). Gross negligence in inappropriate dual relationship with a patient in 1992. Revoked, stayed, 7 years' probation. September 1, 1995

**NEWMAN, ROBERT C., Ph.D. (PSY-5125) Redlands, CA**  
B&P Code §2960(j)(o). Gross negligence and sexual misconduct with 1 patient and for establishing an ongoing social relationship with another patient. Revoked. September 18, 1995

#### **PSYCHOLOGICAL ASSISTANTS**

**GOLDMAN, SANDRA ( PSB-23096) Pleasanton, CA**  
Sexual misconduct with a patient. Probationary psychological assistant registration granted—5 years' probation. September 19, 1995

**ISRAELY, YEHUDA (PSB-20453) Albany, CA**  
B&P Code §§2960(c)(j)(p)(r), 2913. Gross negligence in the treatment of a patient and repeated negligent acts. Misrepresentation of license. Functioned outside scope of education, training and experience. Revoked. September 19, 1995

#### **RESPIRATORY CARE PRACTITIONERS**

**HOWEY, MARK (RCP-15497) Lakewood, CA**  
Conviction for spousal abuse; conviction for possession of methamphetamine and being under the influence. Conviction for alcohol-related driving. Long history of substance abuse. Revoked. October 23, 1995

**HUA, HONG SHUN (RCP-13856) El Monte, CA**  
Stipulated Decision. Recorded false and inaccurate information in a patient's record regarding respiratory care treatment. Revoked, stayed, 5 years' probation on terms and conditions. October 21, 1995

**JACOBS, ARTHUR (RCP-12434) Burbank, CA**  
Procured license by fraud in failing to disclose a conviction in his license application. Revoked. Default. September 25, 1995

**TORRES, TROY (RCP-12621) Lodi, CA**  
Federal conviction for possession of controlled substances (steroids, Schedule III). He purchased quantities of steroids in Mexico and transported them to the U.S. concealed in a vehicle. Revoked, stayed, 5 years' probation on terms and conditions. October 23, 1995

**UMBENHOWER, JAMES (RCP-5984) Sunnyvale, CA**  
Violated terms of probation of prior discipline. Revoked. Default. August 11, 1995

#### **SURRENDER OF LICENSE WHILE CHARGES PENDING PHYSICIANS AND SURGEONS**

**BLAKEWOOD, ROBERT R., M.D. (C-28287) San Anselmo, CA**  
October 11, 1995

**BUIE, DAN H., JR., M.D. (C-20730) Wellesey Hills, MA**  
August 11, 1995

**CHAN, KWOK WEI, M.D. (C-42736) Shrewsbury, MA**  
August 25, 1995

**FISH, MARK H., M.D. (C-39948) Los Alamitos, CA**  
October 18, 1995

**HEISELT, LAWRENCE R., M.D. (C-23995) Tucson, AZ**  
October 23, 1995

**KAPLAN, MARK, M.D. (A-35993) Los Angeles, CA**  
August 18, 1995

**LAMBERT, PAUL W., M.D. (C-16439) Clarkston, WA**  
September 7, 1995

**PORTNOY, BARRY FRANKLIN, M.D. (G-18464) Longwood, FL**  
September 1, 1995

**RENSON, JEAN FELIX, M.D. (A-26553) Stockton, CA**  
November 7, 1995

**SIROHI, ARUN, M.D. (A-44840) Glenn Mills, PA**  
October 4, 1995

**SOHL, FREDERICK, M.D. (A-19907) S. Pasadena, CA**  
August 22, 1995

**SPAR, HARVEY ROBERT, M.D. (C-26588) Camarillo, CA**  
August 23, 1995

**STOHLMAN, GEORGE C., M.D. (C-26997) Temple Terrace, FL**  
September 5, 1995

#### **ACUPUNCTURISTS**

**CHUNG, HAK BONG, L.Ac. (AC-2685) Los Angeles, CA**  
October 30, 1995

**KIM, JANG WON, L.Ac. (AC-796) Garden Grove, CA**  
September 18, 1995

**UELSES, MARK C., L.Ac. (AC-4199) San Diego, CA**  
September 18, 1995

#### **HEARING AID DISPENSER**

**RICHARDSON, BETTYANNE (HA-521) Riverside, CA**  
August 10, 1995

#### **PHYSICIAN ASSISTANT**

**PFENNING, JOHN N., P.A. (PA-11885) Ruidoso, NM**  
September 29, 1995

#### **PSYCHOLOGIST**

**GILBERT, LINDA M., Ph.D. (PSY-11180) Riverside, CA**  
September 5, 1995

#### **RESPIRATORY CARE PRACTITIONER**

**CARLTON, BRENDA (RCP-114126) Mill Valley, CA**  
September 4, 1995

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### ACTION REPORT-JANUARY 1996

For information or comments about the *Action Report*, please contact:  
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For additional copies of this report, please fax your company name, address, telephone number, and contact person to: Yolanda Gonsolis, Medical Board Executive Office, at (916) 263-2387, or mail your request to her at 1426 Howe Avenue, Suite 54, Sacramento, CA 95825.