

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation)
Against:)

LEIGH E. CONNEALY, M.D.)

File No. 8002014009657

Physician's and Surgeon's)
Certificate No. G57433)

Respondent)
_____)

DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on December 29, 2017.

IT IS SO ORDERED December 1, 2017.

MEDICAL BOARD OF CALIFORNIA

By: _____


Ronald Lewis, M.D.
Chair, Panel A

1 XAVIER BECERRA
Attorney General of California
2 E. A. JONES III
Supervising Deputy Attorney General
3 BENETH A. BROWNE
Deputy Attorney General
4 State Bar No. 202679
California Department of Justice
5 300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
6 Telephone: (213) 897-7816
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7 *Attorneys for Complainant*

8
9 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11
12 In the Matter of the Accusation Against:

Case No. 800-2014-009657

13 **LEIGH E. CONNEALY, M.D.**
14 **6 Hughes, Suite 100**
Irvine, CA 92618

OAH No. 2017060854

15 **Physician's and Surgeon's Certificate No. G**
16 **57433,**

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

17 Respondent.

18
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 PARTIES

22 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
23 of California (Board). She brought this action solely in her official capacity and is represented in
24 this matter by Xavier Becerra, Attorney General of the State of California, by Beneth A. Browne,
25 Deputy Attorney General.

26 2. Respondent Leigh E. Connealy, M.D. (Respondent) is represented in this proceeding by
27 attorney Richard A. Jaffe, whose address is: 770 L Street, Suite 950, Sacramento, CA 95814.

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1 **DISCIPLINARY ORDER**

2 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 57433 issued
3 to Respondent shall be and is hereby Publicly Reprimanded pursuant to California Business and
4 Professions Code section 2227, subdivision (a)(4). This Public Reprimand, which is issued in
5 connection with Accusation No. 800-2014-009657, is as follows:

6 "Documentation of symptoms and treatment for your patients L.S. and A.H. in the
7 patients' medical records was inadequate or inaccurate in violation of Business and
8 Professions Code sections 2234 and 2266."

9 1. **MEDICAL RECORD KEEPING COURSE** Within 60 calendar days of the effective
10 date of this Decision, Respondent shall enroll in a course in medical record keeping approved in
11 advance by the Board or its designee. Respondent shall provide the approved course provider
12 with any information and documents that the approved course provider may deem pertinent.
13 Respondent shall participate in and successfully complete the classroom component of the course
14 not later than six (6) months after Respondent's initial enrollment. Respondent shall successfully
15 complete any other component of the course within one (1) year of enrollment. The medical
16 record keeping course shall be at Respondent's expense and shall be in addition to the Continuing
17 Medical Education (CME) requirements for renewal of licensure.

18 A medical record keeping course taken after the acts that gave rise to the charges in the
19 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
20 or its designee, be accepted towards the fulfillment of this condition if the course would have
21 been approved by the Board or its designee had the course been taken after the effective date of
22 this Decision.

23 Respondent shall submit a certification of successful completion to the Board or its
24 designee not later than 15 calendar days after successfully completing the course, or not later than
25 15 calendar days after the effective date of the Decision, whichever is later.

26 **ACCEPTANCE**

27 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
28 discussed it with my attorney, Richard A. Jaffe. I understand the stipulation and the effect it will

1 have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and
2 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
3 Decision and Order of the Medical Board of California.

4
5 DATED: 10/2/17


LEIGH E. CONNEALY, M.D.
Respondent

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7
8 I have read and fully discussed with Respondent LEIGH E. CONNEALY, M.D. the terms
9 and conditions and other matters contained in the above Stipulated Settlement and Disciplinary
10 Order. I approve its form and content.

11
12 DATED: 10/2/17


RICHARD A. JAFFE
Attorney for Respondent

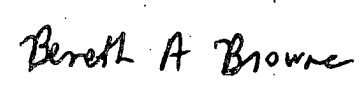
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16 ENDORSEMENT

17 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
18 submitted for consideration by the Medical Board of California.

19 Dated: October 2, 2017

Respectfully submitted,

20 XAVIER BECERRA
Attorney General of California
21 E. A. JONES III
Supervising Deputy Attorney General

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23 

24 BENETH A. BROWNE
Deputy Attorney General
25 Attorneys for Complainant
26

27 LA2016503784
28 62536562

Exhibit A

Accusation No. 800-2014-009657

1 XAVIER BECERRA
Attorney General of California
2 E. A. JONES III
Supervising Deputy Attorney General
3 BENETH A. BROWNE
Deputy Attorney General
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7 *Attorneys for Complainant*

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO Mar. 13 20 17
BY [Signature] ANALYST

8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 800-2014-009657

12 **LEIGH E. CONNEALY, M.D.**
13 **6 Hughes, Suite 100**
Irvine, CA 92618

A C C U S A T I O N

14 **Physician's and Surgeon's Certificate**
15 **No. G 57433,**

16 Respondent.

17 Complainant alleges:

18 **PARTIES**

19 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
20 capacity as the Executive Director of the Medical Board of California, Department of Consumer
21 Affairs (Board).

22 2. On or about June 16, 1986, the Medical Board issued Physician's and Surgeon's
23 Certificate Number G 57433 to Leigh E. Connealy, M.D. (Respondent). The Physician's and
24 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
25 herein and will expire on July 31, 2017, unless renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board, under the authority of the following
28 laws. All section references are to the Business and Professions Code unless otherwise indicated.

1 4. Section 2229, subdivision (a), of the Code states:

2 “Protection of the public shall be the highest priority for the Division of Medical Quality,^[1]
3 the California Board of Podiatric Medicine, and administrative law judges of the Medical Quality
4 Hearing Panel in exercising their disciplinary authority.”

5 5. Section 2004 of the Code states:

6 “The board shall have the responsibility for the following:

7 “(a) The enforcement of the disciplinary and criminal provisions of the Medical Practice
8 Act.

9 “(b) The administration and hearing of disciplinary actions.

10 “(c) Carrying out disciplinary actions appropriate to findings made by a panel or an
11 administrative law judge.

12 “(d) Suspending, revoking, or otherwise limiting certificates after the conclusion of
13 disciplinary actions.

14 “(e) Reviewing the quality of medical practice carried out by physician and surgeon
15 certificate holders under the jurisdiction of the board.

16 “. . .”

17 6. Section 2227 of the Code provides that a licensee who is found guilty under the
18 Medical Practice Act may have his or her license revoked, suspended for a period not to exceed
19 one year, placed on probation and required to pay the costs of probation monitoring, or such other
20 action taken in relation to discipline as the Board deems proper.

21 7. Section 2234 of the Code, states:

22 “The board shall take action against any licensee who is charged with unprofessional
23 conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not
24 limited to, the following:

25 “(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the
26 violation of, or conspiring to violate any provision of this chapter.

27 ¹ Pursuant to Business and Professions Code section 2002, the “Division of Medical
28 Quality” or “Division” shall be deemed to refer to the Medical Board of California.

1 **Patient A.H.**

2 10. On or about June 6, 2012, patient A.H.,² a 68-year old woman, supplied the Center
3 for New Medicine (CNM), Respondent's medical practice, with a patient medical history to
4 become a new patient. She reported no gynecological or genitourinary symptoms or illnesses.

5 11. On or about June 21, 2012, patient A.H. presented to the CNM for a comprehensive
6 evaluation. In the medical record, the chief complaint is listed as "new patient consult." There
7 are no gynecologic and genitourinary symptoms, illnesses or physical findings noted in the
8 patient's medical records.

9 12. On or about August 22, 2012, patient A.H. returned for a second visit. Medical
10 records indicate "Follow-up – results of expanded panel. . . ." There are no gynecologic and
11 genitourinary symptoms, illnesses or physical findings noted in the patient's medical records.

12 13. On or about October 16, 2012, patient A.H. presented at CNM. The chief complaint
13 was recorded as "Annual Pap." There are no gynecologic and genitourinary symptoms, illnesses
14 or physical findings noted. The physical exam documents "Vulva, BUS,³ Introitus, Vagina,
15 cervix, uterus, adnexa, rectal NML."⁴ The Annual Pap is performed. The signature on the note is
16 Respondent's nurse practitioner. A urinalysis on October 16 is negative for blood.

17 14. On October 17, 2012, the result of the Pap smear is, "negative for intraepithelial
18 lesion or malignancy" but it does reveal atrophic vaginitis.

19 15. On or about November 6, 2012, patient A.H. returned to CNM for a fourth time. The
20 appointment was with Respondent. Respondent documented physical findings as "Pap good."
21 Respondent noted no additional gynecologic symptoms, illnesses or physical findings beyond
22 "Pap good."

23 16. On or about January 8, 2013, patient A.H. returned to CNM for a fifth visit. The
24 appointment was with Respondent. Patient A.H. showed Respondent pictures from her cell
25 phone showing blood she had observed in the toilet after urinating on January 5, three days

26 _____
27 ²² Initials are used to protect the privacy of the individuals.

³ "BUS" references the urethra.

28 ⁴ Presumably, "NML" is used as an abbreviation for "normal."

1 earlier. Respondent counseled patient A.H. to “keep an eye on it” and to let her know if it
2 happens again. Respondent wrote the chief complaint as, “Follow up Bone Density results 5
3 months ago. . .” Respondent’s review of symptoms stated, “One week ago c/o blood while
4 urinating (from vagina). It is gone now. Pt advised to come in and get evaluated.” Respondent
5 documented no further gynecologic and genitourinary symptoms.

6 17. On or about March 27, 2013, patient A.H. returned to CNM for a follow up. Patient
7 A.H. again mentioned the blood in her urine to Respondent. Respondent documented the visit as
8 a follow up but did not document any gynecologic and genitourinary symptoms, illnesses or
9 physical findings in the progress note.

10 18. On or about May 2, 2013, patient A.H. returned to CNM and was seen by nurse
11 practitioner L.L. Patient A.H. again complained of vaginal bleeding and brought in pictures. The
12 nurse practitioner performed a pelvic examination. Later the same day, patient A.H. returned and
13 a pelvic ultrasound was performed.

14 19. On or about May 21, 2013, a urinalysis lab test for patient A.H. was negative for
15 blood.

16 20. On or about May 24, 2013, patient A.H. returned for a visit and saw nurse practitioner
17 L.L., who documented the chief complaint as, “history of DUB⁵ -> no more bleeding. . . .” The
18 impression is also documented as “history of DUB. . . .” The plan is documented as “needs
19 follow up in 2 weeks.” The records for the visit contain no further documentation regarding any
20 gynecologic and genitourinary symptoms, illness or physical findings.

21 21. On or about June 7, 2013, patient A.H. returned for a visit and saw nurse practitioner
22 L.L. A pelvic ultrasound was performed. The report from the pelvic ultrasound found that “the
23 endometrial strip measures 4.4 mm.” It further states, “IMPRESSION: 1. The uterus is diffusely
24 heterogeneous, perhaps due to several small fibroids. 2. The endometrium is normal. . . .”
25 Patient A.H.’s medical records contained two copies of the pelvic ultrasound. One has a
26 handwritten notation, “Dr. C 9/3/13.” The other is stamped June 18, 2013 and it includes a

27 _____
28 ⁵ “DUB” is an acronym for “dysfunctional uterine bleeding.”

1 handwritten notation indicating that patient A.H. has an appointment scheduled for June 21, 2013.

2 22. On or about June 21, 2013, patient A.H. returned for a visit and saw nurse practitioner
3 L.L. Patient A.H. complained of "hair thinning." There is no documentation of gynecologic and
4 genitourinary symptoms, illnesses or physical findings noted in the patient's medical records.

5 23. On or about June 24, 2013, patient A.H. returned for a visit with Respondent. She
6 complained again about blood appearing in the toilet when she urinated and she showed
7 Respondent pictures on her cell phone that she had taken of the blood in the toilet. Respondent
8 documented chief complaints as follow up on lab results and results of the pelvic ultrasound.
9 Respondent wrote in the medical record "Pelvic UTZ small fibroids endometrium 4.4."
10 Respondent documented an impression and plan which included no notations regarding
11 gynecologic and genitourinary symptoms, illnesses or physical findings.

12 24. On or about August 5, 2013, patient A.H. returned for her final visit at CNM and with
13 Respondent. Respondent wrote in the medical records that the visit was for "follow-up lab results
14 and hair loss." The medical records contain no documentation regarding gynecologic and
15 genitourinary symptoms, illness or physical findings.

16 25. On August 27, 2013, patient A.H. went to a different medical clinic and saw a
17 different doctor regarding the bleeding she had been having over several months. She told the
18 doctor that the ultrasound she had recently received had shown normal endometrial thickness.
19 The new doctor performed an endometrial biopsy which showed endometrial adenocarcinoma. A
20 new ultrasound showed thickened lining suggestive of malignancy.

21 26. On or about September 13, 2013, patient A.H. underwent a vaginal hysterectomy,
22 bilateral salpingo-oophorectomy and staging procedure. Subsequently, she received
23 chemotherapy and radiation therapy.

24 27. Respondent was negligent in her care and treatment of patient A.H. when she failed to
25 quickly investigate post-menopausal bleeding in order to exclude endometrial cancer or to initiate
26 treatment for it as soon as possible. She failed to perform an early endometrial biopsy with pelvic
27 ultrasound and/or refer her to a gynecologist.

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THIRD CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

35. Respondent Leigh E. Connealy, M.D. is subject to disciplinary action under section 2234 of the Code in that she engaged in unprofessional conduct. The circumstances are as follows:

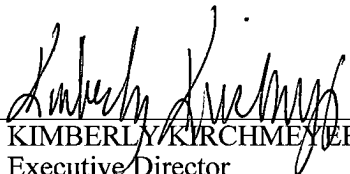
36. The facts and circumstances alleged in paragraphs 10 through 34 above are incorporated here as if fully set forth.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:

- 1. Revoking or suspending Physician's and Surgeon's Certificate Number G 57433, issued to Leigh E. Connealy, M.D.;
- 2. Revoking, suspending or denying approval of Leigh E. Connealy, M.D.'s authority to supervise physician assistants, pursuant to section 3527 of the Code;
- 3. Ordering Leigh E. Connealy, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and
- 4. Taking such other and further action as deemed necessary and proper.

DATED: March 13, 2017



 KIMBERLY KIRCHMEYER
 Executive Director
 Medical Board of California
 Department of Consumer Affairs
 State of California
Complainant

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