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8 *Attorneys for Complainant*

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

13 In the Matter of the Accusation Against:

Case No. 8002017032192.

14 **PAUL ANDREW STANTON, M.D.**
15 15990 TUSCOLA RD
APPLE VALLEY, CA 92307

OAH No. 2019060158

16 Physician's and Surgeon's Certificate
17 No. G 85199,

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

18 Respondent.

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

22 **PARTIES**

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

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2. Respondent Paul Andrew Stanton, M.D. (Respondent) is represented in this proceeding by attorney Natalie P. Vance, Esq., whose address is: 801 K Street, Suite 2100, Sacramento, CA 95814.

3. On or about May 14, 1999, the Board issued Physician's and Surgeon's Certificate No. G 85199 to Respondent. The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 8002017032192, and will expire on November 30, 2018, unless renewed.

JURISDICTION

4. On May 1, 2019, Accusation No. 8002017032192 was filed before the Board, and is currently pending against Respondent. A true and correct copy of Accusation No. 8002017032192 and all other statutorily required documents were properly served on Respondent on May 1, 2019. Respondent timely filed his Notice of Defense contesting the Accusation. A true and correct copy of Accusation No. 8002017032192 is attached as Exhibit A and incorporated herein by reference as if fully set forth herein.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and fully understands the charges and allegations in Accusation No. 8002017032192. Respondent has also carefully read, fully discussed with counsel, and fully understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Having the benefit of counsel, Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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CULPABILITY

8. Respondent does not contest that, at an administrative hearing, Complainant could establish a prima facie case with respect to the charges and allegations contained in Accusation No. 8002017032192 and that he has thereby subjected his license to disciplinary action.

9. Respondent agrees that if he ever petitions for early termination or modification of probation, or if the Board ever petitions for revocation of probation, all of the charges and allegations contained in Accusation No. 8002017032192 shall be deemed true, correct and fully admitted by respondent for purposes of that proceeding or any other licensing proceeding involving respondent in the State of California.

10. Respondent agrees that his Physician's and Surgeon's Certificate No. G 85199 is subject to discipline and he agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

CONTINGENCY

11. This Stipulated Settlement and Disciplinary Order shall be subject to approval of the Board. The parties agree that this Stipulated Settlement and Disciplinary Order shall be submitted to the Board for its consideration in the above-entitled matter and, further, that the Board shall have a reasonable period of time in which to consider and act on this Stipulated Settlement and Disciplinary Order after receiving it. By signing this stipulation, Respondent fully understands and agrees that he may not withdraw his agreement or seek to rescind this stipulation prior to the time the Board considers and acts upon it.

12. The parties agree that this Stipulated Settlement and Disciplinary Order shall be null and void and not binding upon the parties unless approved and adopted by the Board, except for this paragraph, which shall remain in full force and effect. Respondent fully understands and agrees that in deciding whether or not to approve and adopt this Stipulated Settlement and Disciplinary Order, the Board may receive oral and written communications from its staff and/or the Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the Board, any member thereof, and/or any other person from future participation in this or any other matter affecting or involving respondent. In the event that the Board does not, in its

1 discretion, approve and adopt this Stipulated Settlement and Disciplinary Order, with the
2 exception of this paragraph, it shall not become effective, shall be of no evidentiary value
3 whatsoever, and shall not be relied upon or introduced in any disciplinary action by either party
4 hereto. Respondent further agrees that should this Stipulated Settlement and Disciplinary Order
5 be rejected for any reason by the Board, Respondent will assert no claim that the Board, or any
6 member thereof, was prejudiced by its/his/her review, discussion and/or consideration of this
7 Stipulated Settlement and Disciplinary Order or of any matter or matters related hereto.

8 **ADDITIONAL PROVISIONS**

9 13. This Stipulated Settlement and Disciplinary Order is intended by the parties herein to
10 be an integrated writing representing the complete, final and exclusive embodiment of the
11 agreements of the parties in the above-entitled matter.

12 14. The parties agree that copies of this Stipulated Settlement and Disciplinary Order,
13 including copies of the signatures of the parties, may be used in lieu of original documents and
14 signatures and, further, that such copies shall have the same force and effect as originals.

15 15. In consideration of the foregoing admissions and stipulations, the parties agree that
16 the Board may, without further notice or formal proceeding, issue and enter the following
17 Disciplinary Order:

18 **DISCIPLINARY ORDER**

19 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 85199 issued
20 to Respondent Paul Andrew Stanton, M.D., is hereby revoked. However, the revocation is stayed
21 and Respondent is placed on probation for five (5) years from the effective date of the Decision
22 on the following terms and conditions.

23 1. **COMMUNITY SERVICE - FREE SERVICES.** Within 60 calendar days of the
24 effective date of this Decision, Respondent shall submit to the Board or its designee for prior
25 approval a community service plan in which Respondent shall, within the first 2 years of
26 probation, provide eighty (80) hours of free services (e.g., medical or nonmedical) to a
27 community or non-profit organization. If the term of probation is designated for 2 years or less,

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1 the community service hours must be completed not later than 6 months prior to the completion
2 of probation.

3 Prior to engaging in any community service, Respondent shall provide a true copy of the
4 Decision(s) to the chief of staff, director, office manager, program manager, officer, or the chief
5 executive officer at every community or non-profit organization where Respondent provides
6 community service and shall submit proof of compliance to the Board or its designee within 15
7 calendar days. This condition shall also apply to any change(s) in community service.

8 Community service performed prior to the effective date of the Decision shall not be
9 accepted in fulfillment of this condition.

10 2. PROFESSIONALISM PROGRAM (ETHICS COURSE). Within 60 calendar days of
11 the effective date of this Decision, Respondent shall enroll in a professionalism program, that
12 meets the requirements of Title 16, California Code of Regulations (CCR) section 1358.1.
13 Respondent shall participate in and successfully complete that program. Respondent shall
14 provide any information and documents that the program may deem pertinent. Respondent shall
15 successfully complete the classroom component of the program not later than six (6) months after
16 Respondent's initial enrollment, and the longitudinal component of the program not later than the
17 time specified by the program, but no later than one (1) year after attending the classroom
18 component. The professionalism program shall be at Respondent's expense and shall be in
19 addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

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

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

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1 3. MONITORING - BILLING. Within 30 calendar days of the effective date of this
2 Decision, Respondent shall submit to the Board or its designee for prior approval as a billing
3 monitor, the name and qualifications of one or more licensed physicians and surgeons whose
4 licenses are valid and in good standing, and who are preferably American Board of Medical
5 Specialties (ABMS) certified. A monitor shall have no prior or current business or personal
6 relationship with Respondent, or other relationship that could reasonably be expected to
7 compromise the ability of the monitor to render fair and unbiased reports to the Board, including
8 but not limited to any form of bartering, shall be in Respondent's field of practice, and must agree
9 to serve as Respondent's monitor. Respondent shall pay all monitoring costs.

10 The Board or its designee shall provide the approved monitor with copies of the Decision(s)
11 and Accusation(s), and a proposed monitoring plan. Within 15 calendar days of receipt of the
12 Decision(s), Accusation(s), and proposed monitoring plan, the monitor shall submit a signed
13 statement that the monitor has read the Decision(s) and Accusation(s), fully understands the role
14 of a monitor, and agrees or disagrees with the proposed monitoring plan. If the monitor disagrees
15 with the proposed monitoring plan, the monitor shall submit a revised monitoring plan with the
16 signed statement for approval by the Board or its designee.

17 Within 60 calendar days of the effective date of this Decision, and continuing throughout
18 probation, Respondent's billing shall be monitored by the approved monitor. Respondent shall
19 make all records available for immediate inspection and copying on the premises by the monitor
20 at all times during business hours and shall retain the records for the entire term of probation.

21 If Respondent fails to obtain approval of a monitor within 60 calendar days of the effective
22 date of this Decision, Respondent shall receive a notification from the Board or its designee to
23 cease the practice of medicine within three (3) calendar days after being so notified. Respondent
24 shall cease the practice of medicine until a monitor is approved to provide monitoring
25 responsibility.

26 The monitor(s) shall submit a quarterly written report to the Board or its designee which
27 includes an evaluation of Respondent's performance, indicating whether Respondent's practices
28 are within the standards of practice of billing, and whether Respondent is practicing medicine

1 safely, billing appropriately or both. It shall be the sole responsibility of Respondent to ensure
2 that the monitor submits the quarterly written reports to the Board or its designee within 10
3 calendar days after the end of the preceding quarter.

4 If the monitor resigns or is no longer available, Respondent shall, within 5 calendar days of
5 such resignation or unavailability, submit to the Board or its designee, for prior approval, the
6 name and qualifications of a replacement monitor who will be assuming that responsibility within
7 15 calendar days. If Respondent fails to obtain approval of a replacement monitor within 60
8 calendar days of the resignation or unavailability of the monitor, Respondent shall receive a
9 notification from the Board or its designee to cease the practice of medicine within three (3)
10 calendar days after being so notified. Respondent shall cease the practice of medicine until a
11 replacement monitor is approved and assumes monitoring responsibility.

12 In lieu of a monitor, Respondent may participate in a professional enhancement program
13 approved in advance by the Board or its designee that includes, at minimum, quarterly chart
14 review, semi-annual practice assessment, and semi-annual review of professional growth and
15 education. Respondent shall participate in the professional enhancement program at Respondent's
16 expense during the term of probation.

17 4. PROHIBITED PRACTICE. During probation, Respondent is prohibited from
18 submitting worker's compensation claims. After the effective date of this Decision, all patients
19 being treated by the Respondent shall be notified that the Respondent is prohibited from
20 submitting worker's compensation claims. Any new patients must be provided this notification at
21 the time of their initial appointment.

22 Respondent shall maintain a log of all patients to whom the required oral notification was
23 made. The log shall contain the: 1) patient's name, address and phone number; 2) patient's
24 medical record number, if available; 3) the full name of the person making the notification; 4) the
25 date the notification was made; and 5) a description of the notification given. Respondent shall
26 keep this log in a separate file or ledger, in chronological order, shall make the log available for
27 immediate inspection and copying on the premises at all times during business hours by the Board
28 or its designee, and shall retain the log for the entire term of probation.

1 5. NOTIFICATION. Within seven (7) days of the effective date of this Decision, the
2 Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the
3 Chief Executive Officer at every hospital where privileges or membership are extended to
4 Respondent, at any other facility where Respondent engages in the practice of medicine,
5 including all physician and locum tenens registries or other similar agencies, and to the Chief
6 Executive Officer at every insurance carrier which extends malpractice insurance coverage to
7 Respondent. Respondent shall submit proof of compliance to the Board or its designee within 15
8 calendar days.

9 This condition shall apply to any change(s) in hospitals, other facilities or insurance carrier.

10 6. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE
11 NURSES. During probation, Respondent is prohibited from supervising physician assistants and
12 advanced practice nurses.

13 7. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws, all rules
14 governing the practice of medicine in California and remain in full compliance with any court
15 ordered criminal probation, payments, and other orders.

16 8. QUARTERLY DECLARATIONS. Respondent shall submit quarterly declarations
17 under penalty of perjury on forms provided by the Board, stating whether there has been
18 compliance with all the conditions of probation.

19 Respondent shall submit quarterly declarations not later than 10 calendar days after the end
20 of the preceding quarter.

21 9. GENERAL PROBATION REQUIREMENTS.

22 Compliance with Probation Unit

23 Respondent shall comply with the Board's probation unit.

24 Address Changes

25 Respondent shall, at all times, keep the Board informed of Respondent's business and
26 residence addresses, email address (if available), and telephone number. Changes of such
27 addresses shall be immediately communicated in writing to the Board or its designee. Under no
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1 circumstances shall a post office box serve as an address of record, except as allowed by Business
2 and Professions Code section 2021(b).

3 Place of Practice

4 Respondent shall not engage in the practice of medicine in Respondent's or patient's place
5 of residence, unless the patient resides in a skilled nursing facility or other similar licensed
6 facility.

7 License Renewal

8 Respondent shall maintain a current and renewed California physician's and surgeon's
9 license.

10 Travel or Residence Outside California

11 Respondent shall immediately inform the Board or its designee, in writing, of travel to any
12 areas outside the jurisdiction of California which lasts, or is contemplated to last, more than thirty
13 (30) calendar days.

14 In the event Respondent should leave the State of California to reside or to practice,
15 Respondent shall notify the Board or its designee in writing 30 calendar days prior to the dates of
16 departure and return.

17 10. INTERVIEW WITH THE BOARD OR ITS DESIGNEE. Respondent shall be
18 available in person upon request for interviews either at Respondent's place of business or at the
19 probation unit office, with or without prior notice throughout the term of probation.

20 11. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
21 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
22 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is
23 defined as any period of time Respondent is not practicing medicine as defined in Business and
24 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct
25 patient care, clinical activity or teaching, or other activity as approved by the Board. If
26 Respondent resides in California and is considered to be in non-practice, Respondent shall
27 comply with all terms and conditions of probation. All time spent in an intensive training
28 program which has been approved by the Board or its designee shall not be considered non-

1 practice and does not relieve Respondent from complying with all the terms and conditions of
2 probation. Practicing medicine in another state of the United States or Federal jurisdiction while
3 on probation with the medical licensing authority of that state or jurisdiction shall not be
4 considered non-practice. A Board-ordered suspension of practice shall not be considered as a
5 period of non-practice.

6 In the event Respondent's period of non-practice while on probation exceeds 18 calendar
7 months, Respondent shall successfully complete the Federation of State Medical Board's Special
8 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program
9 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model
10 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

11 Respondent's period of non-practice while on probation shall not exceed two (2) years.

12 Periods of non-practice will not apply to the reduction of the probationary term.

13 Periods of non-practice for a Respondent residing outside of California will relieve
14 Respondent of the responsibility to comply with the probationary terms and conditions with the
15 exception of this condition and the following terms and conditions of probation: Obey All Laws;
16 General Probation Requirements; Quarterly Declarations.

17 12. COMPLETION OF PROBATION. Respondent shall comply with all financial
18 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the
19 completion of probation. Upon successful completion of probation, Respondent's certificate shall
20 be fully restored.

21 13. VIOLATION OF PROBATION. Failure to fully comply with any term or condition
22 of probation is a violation of probation. If Respondent violates probation in any respect, the
23 Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and
24 carry out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke Probation,
25 or an Interim Suspension Order is filed against Respondent during probation, the Board shall have
26 continuing jurisdiction until the matter is final, and the period of probation shall be extended until
27 the matter is final.

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14. LICENSE SURRENDER. Following the effective date of this Decision, if Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy the terms and conditions of probation, Respondent may request to surrender his or her license. The Board reserves the right to evaluate Respondent's request and to exercise its discretion in determining whether or not to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its designee and Respondent shall no longer practice medicine. Respondent will no longer be subject to the terms and conditions of probation. If Respondent re-applies for a medical license, the application shall be treated as a petition for reinstatement of a revoked certificate.

15. PROBATION MONITORING COSTS. Respondent shall pay the costs associated with probation monitoring each and every year of probation, as designated by the Board, which may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of California and delivered to the Board or its designee no later than January 31 of each calendar year.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Natalie Vance, Esq. I fully understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate No. G 85199. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: Oct. 11th, 2019

Paul Andrew Stanton M.D.
PAUL ANDREW STANTON, M.D.
Respondent

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1 I have read and fully discussed with Respondent Paul Andrew Stanton, M.D. the terms and
2 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
3 I approve its form and content.
4

5 DATED: 10/14/19

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6 NATALIE VANCE, ESQ.
7 *Attorney for Respondent*

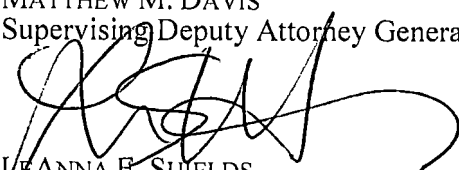
8 **ENDORSEMENT**

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

11 DATED: 10.14.19

Respectfully submitted,

12 XAVIER BECERRA
13 Attorney General of California
14 MATTHEW M. DAVIS
15 Supervising Deputy Attorney General

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17 LEANNA E. SHIELDS
18 Deputy Attorney General
19 *Attorneys for Complainant*
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Exhibit A

Accusation No. 8002017032192

1 XAVIER BECERRA
2 Attorney General of California
3 MATTHEW M. DAVIS
4 Supervising Deputy Attorney General
5 LEANNA E. SHIELDS
6 Deputy Attorney General
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13 Facsimile: (619) 645-2061

14 *Attorneys for Complainant*

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO MAY 1 2019
BY ANA PASTOR ANALYST

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

In the Matter of the Accusation Against:

Case No. 8002017032192

PAUL ANDREW STANTON, M.D.
15990 TUSCOLA ROAD
APPLE VALLEY, CA 92307

A C C U S A T I O N

Physician's and Surgeon's Certificate
No. G 85199,

Respondent.

Complainant alleges:

PARTIES

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

2. On or about May 14, 1999, the Medical Board issued Physician's and Surgeon's Certificate No. G 85199 to PAUL ANDREW STANTON, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on November 30, 2020, unless renewed.

JURISDICTION

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

4. Section 2227 of the Code states:

“(a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary action with the board, may, in accordance with the provisions of this chapter:

“(1) Have his or her license revoked upon order of the board.

“(2) Have his or her right to practice suspended for a period not to exceed one year upon order of the board.

“(3) Be placed on probation and be required to pay the costs of probation monitoring upon order of the board.

“(4) Be publicly reprimanded by the board. The public reprimand may include a requirement that the licensee complete relevant educational courses approved by the board.

“(5) Have any other action taken in relation to discipline as part of an order of probation, as the board or an administrative law judge may deem proper.

“(b) Any matter heard pursuant to subdivision (a), except for warning letters, medical review or advisory conferences, professional competency examinations, continuing education activities, and cost reimbursement associated therewith that are agreed to with the board and successfully completed by the licensee, or other matters made confidential or privileged by existing law, is deemed public, and shall be made available to the public by the board pursuant to Section 803.1.”

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1 5. Section 2234 of the Code, states, in pertinent part:

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

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

7 “...

8 “(e) The commission of any act involving dishonesty or corruption which is
9 substantially related to the qualifications, functions, or duties of a physician and
10 surgeon.

11 “...”

12 6. Section 2236 of the Code states:

13 “(a) The conviction of any offense substantially related to the qualifications,
14 functions, or duties of a physician and surgeon constitutes unprofessional conduct
15 within the meaning of this chapter [Chapter 5, the Medical Practice Act]. The record
16 of conviction shall be conclusive evidence only of the fact that the conviction
17 occurred.

18 “(b) The district attorney, city attorney, or other prosecuting agency shall notify
19 the Medical Board of the pendency of an action against a licensee charging a felony
20 or misdemeanor immediately upon obtaining information that the defendant is a
21 licensee. The notice shall identify the licensee and describe the crimes charged and
22 the facts alleged. The prosecuting agency shall also notify the clerk of the court in
23 which the action is pending that the defendant is a licensee, and the clerk shall record
24 prominently in the file that the defendant holds a license as a physician and surgeon.

25 “(c) The clerk of the court in which a licensee is convicted of a crime shall,
26 within 48 hours after the conviction, transmit a certified copy of the record of
27 conviction to the board. The division may inquire into the circumstances surrounding
28 the commission of a crime in order to fix the degree of discipline or to determine if

1 the conviction is of an offense substantially related to the qualifications, functions, or
2 duties of a physician and surgeon.

3 “(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is
4 deemed to be a conviction within the meaning of this section and Section 2236.1.
5 The record of conviction shall be conclusive evidence of the fact that the conviction
6 occurred.”

7 7. California Code of Regulations, title 16, section 1360, states:

8 “For the purposes of denial, suspension or revocation of a license, certificate or
9 permit pursuant to Division 1.5 (commencing with Section 475) of the code, a crime
10 or act shall be considered to be substantially related to the qualifications, functions or
11 duties of a person holding a license, certificate or permit under the Medical Practice
12 Act if to a substantial degree it evidences present or potential unfitness of a person
13 holding a license, certificate or permit to perform the functions authorized by the
14 license, certificate or permit in a manner consistent with the public health, safety or
15 welfare. Such crimes or acts shall include but not be limited to the following:
16 Violating or attempting to violate, directly or indirectly, or assisting in or abetting the
17 violation of, or conspiring to violate any provision of the Medical Practice Act.”

18 **FIRST CAUSE FOR DISCIPLINE**

19 **(Conviction of a Crime Substantially Related to the Qualifications, Functions,**
20 **or Duties of a Physician and Surgeon)**

21 8. Respondent has subjected his Physician’s and Surgeon’s Certificate No. G 85199 to
22 disciplinary action under sections 2227 and 2234, as defined by 2236, of the Code, and section
23 1360 of title 16 of the California Code of Regulations, in that he was convicted of a crime
24 substantially related to the qualifications, functions, or duties of a physician and surgeon, as more
25 particularly alleged hereinafter:

26 9. On or about April 3, 2017, in the case entitled *The People of the State of California v.*
27 *Paul Andrew Stanton*, Case No. 17CF0800 a criminal complaint was filed in the Superior Court
28 of California, County of Orange, Central Justice Center, charging Respondent with one (1) count

1 of violating section 550, subdivision (a)(6), of the Penal Code (Conspiracy to Commit Medical
2 Insurance Fraud), one (1) count of violating section 549 of the Penal Code (False and Fraudulent
3 Claim), one (1) count of violating section 650 of the Business and Professions Code (Rebates for
4 Patient Referrals), and six (6) counts of violating section 550, subdivision (b)(3), of the Penal
5 Code (Insurance Fraud), all felonies.

6 10. On or about February 1, 2018, Respondent signed a change of plea form admitting
7 guilt as to one (1) count of violating section 549 of the Penal Code (False and Fraudulent Claim),
8 as a misdemeanor, reduced by the district attorney pursuant to section 17, subdivision (b), of the
9 Penal Code.

10 11. On or about February 1, 2018, Respondent's plea of guilty was entered and
11 Respondent was sentenced to criminal probation for a period of three years with various terms
12 and conditions of probation, including payment of restitution in the amount of \$11,000.00.

13 **SECOND CAUSE FOR DISCIPLINE**

14 **(Dishonest or Corrupt Acts)**

15 12. Respondent has further subjected his Physician's and Surgeon's Certificate No.
16 G 85199 to disciplinary action under sections 2227 and 2234, as defined by section 2234,
17 subdivision (e), in that he has committed dishonest and corrupt acts, as more particularly alleged
18 in paragraphs 8 through 11, above, which are hereby incorporated by reference and realleged as if
19 fully set forth herein.

20 **THIRD CAUSE FOR DISCIPLINE**

21 **(Violations of the Medical Practice Act)**

22 13. Respondent has further subjected his Physician's and Surgeon's Certificate No.
23 G 85199 to disciplinary action under sections 2227 and 2234, as defined by section 2234,
24 subdivision (a), in that he has committed violations of provisions of the Medical Practice Act, as
25 more particularly alleged in paragraphs 8 through 12, above, which are hereby incorporated by
26 reference and realleged as if fully set forth herein.

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1 PRAYER

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


4 1. Revoking or suspending Physician's and Surgeon's Certificate No. G 85199, issued
5 to Respondent Paul Andrew Stanton, M.D.;

6 2. Revoking, suspending or denying approval of Respondent Paul Andrew Stanton,
7 M.D.'s authority to supervise physician assistants and advanced practice nurses;

8 3. Ordering Respondent Paul Andrew Stanton, M.D., if placed on probation, to pay the
9 Board the costs of probation monitoring; and

10 4. Taking such other and further action as deemed necessary and proper.
11

12 DATED:
13 May 1, 2019


14 KIMBERLY KIRCHMEYER
15 Executive Director
16 Medical Board of California
17 Department of Consumer Affairs
18 State of California
19 Complainant

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