

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

In the Matter of the Accusation  
Against:

Nigel L. Kent, M.D.

Physician's and Surgeon's  
Certificate No. A 43767

Respondent.

Case No. 800-2018-051111

DECISION

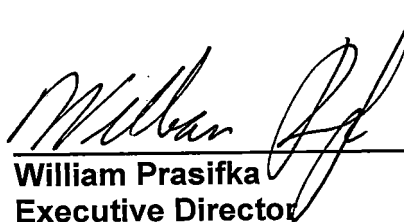
The attached Stipulated Surrender of License and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on

DEC 16 2020

IT IS SO ORDERED DEC 09 2020

MEDICAL BOARD OF CALIFORNIA

  
\_\_\_\_\_  
William Prasifka  
Executive Director

1 XAVIER BECERRA  
Attorney General of California  
2 ALEXANDRA M. ALVAREZ  
Supervising Deputy Attorney General  
3 KEITH C. SHAW  
Deputy Attorney General  
4 State Bar No. 227029  
600 West Broadway, Suite 1800  
5 San Diego, CA 92101  
P.O. Box 85266  
6 San Diego, CA 92186-5266  
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7 Facsimile: (619) 645-2012

8 *Attorneys for Complainant*

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

14 In the Matter of the Accusation Against:

Case No. 8002018051111

15 **NIGEL L. KENT, M.D.**  
16 **1868 Paros Circle**  
**Costa Mesa, CA 92626**

OAH No. 2020030551

17 **Physician's and Surgeon's Certificate No.**  
**A 43767**

**STIPULATED SURRENDER OF  
LICENSE 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. William Prasifka (Complainant) is the Executive Director of the Medical Board of  
24 California (Board). He brought this action solely in his official capacity and is represented in this  
25 matter by Xavier Becerra, Attorney General of the State of California, by Keith C. Shaw, Deputy  
26 Attorney General.

27 2. Nigel L. Kent, M.D. (Respondent) is representing himself in this proceeding and has  
28 chosen not to exercise his right to be represented by counsel.

1 3. On or about June 22, 1987, the Board issued Physician's and Surgeon's Certificate  
2 No. A 43767 to Nigel L. Kent, M.D. (Respondent). The Physician's and Surgeon's Certificate  
3 expired on June 30, 2019, and has not been renewed.

4 **JURISDICTION**

5 4. Accusation No. 8002018051111 was filed before the Board, and is currently pending  
6 against Respondent. The Accusation and all other statutorily required documents were properly  
7 served on Respondent on February 14, 2020. Respondent timely filed his Notice of Defense  
8 contesting the Accusation. A copy of Accusation No. 8002018051111 is attached as Exhibit A  
9 and incorporated by reference.

10 **ADVISEMENT AND WAIVERS**

11 5. Respondent has carefully read, and understands the charges and allegations in  
12 Accusation No. 8002018051111. Respondent also has carefully read, and understands the effects  
13 of this Stipulated Surrender of License and Disciplinary Order.

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

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
22 every right set forth above.

23 **CULPABILITY**

24 8. Respondent admits the truth of each and every charge and allegation in Accusation  
25 No. 8002018051111, agrees that cause exists for discipline and hereby surrenders his Physician's  
26 and Surgeon's Certificate No. A 43767 for the Board's formal acceptance.

27 ///

28 ///



1 hereto. Respondent further agrees that should this Stipulated Surrender of License and Disciplinary  
2 Order be rejected for any reason by the Executive Director on behalf of the Board, Respondent will  
3 assert no claim that the Executive Director, the Board, or any member thereof, was prejudiced by  
4 its/his review, discussion and/or consideration of this Stipulated Surrender of License and  
5 Disciplinary Order, or of any matter or matters related hereto.

6 14. The parties understand and agree that Portable Document Format (PDF) and  
7 facsimile copies of this Stipulated Surrender of License and Disciplinary Order, including  
8 Portable Document Format (PDF) and facsimile signatures thereto, shall have the same force and  
9 effect as the originals.

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

12 **ORDER**

13 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 43767, issued  
14 to Respondent Nigel L. Kent, M.D., is surrendered and accepted by the Board.

15 1. Respondent shall lose all rights and privileges as a physician and surgeon in  
16 California as of the effective date of the Board's Decision and Order.

17 2. Respondent shall cause to be delivered to the Board his pocket license and, if one was  
18 issued, his wall certificate on or before the effective date of the Decision and Order.

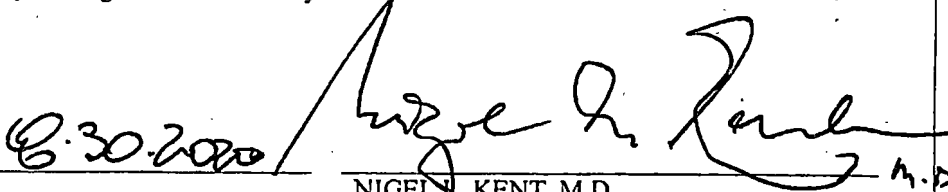
19 3. If Respondent ever files an application for licensure or a petition for reinstatement in  
20 the State of California, the Board shall treat it as a petition for reinstatement. Respondent agrees  
21 that he will not petition for reinstatement for at least two (2) years following the effective date of  
22 the decision. Respondent must comply with all the laws, regulations and procedures for  
23 reinstatement of a revoked or surrendered license in effect at the time the petition is filed, and all  
24 of the charges and allegations contained in Accusation No. 8002018051111 shall be deemed to be  
25 true, correct and admitted by Respondent when the Board determines whether to grant or deny the  
26 petition.

27 4. If Respondent should ever apply or reapply for a new license or certification, or  
28 petition for reinstatement of a license, by any other health care licensing agency in the State of

1 California, all of the charges and allegations contained in Accusation, No. 8002018051111 shall  
2 be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of  
3 Issues or any other proceeding seeking to deny or restrict licensure.

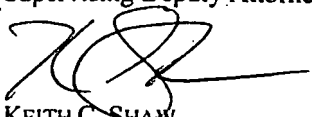
4 **ACCEPTANCE**

5 I have carefully read the Stipulated Surrender of License and Disciplinary Order. I  
6 understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate.  
7 I enter into this Stipulated Surrender of License and Disciplinary Order voluntarily, knowingly,  
8 and intelligently, and agree to be bound by the Decision and Order of the Medical Board of  
9 California.

10  
11 DATED: 8.30.2020   
12 NIGEL L. KENT, M.D.  
13 *Respondent*

14 **ENDORSEMENT**

15 The foregoing Stipulated Surrender of License and Disciplinary Order is hereby  
16 respectfully submitted for consideration by the Medical Board of California of the Department of  
17 Consumer Affairs.

18 DATED: 9/4/2020  
19 Respectfully submitted,  
20 XAVIER BECERRA  
21 Attorney General of California  
22 ALEXANDRA M. ALVAREZ  
23 Supervising Deputy Attorney General  
24   
25 KEITH C. SHAW  
26 Deputy Attorney General  
27 *Attorneys for Complainant*

26 SD2019703074  
27 82481778.docx

**Exhibit A**

**Accusation No. 8002018051111**

FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO 8/6/14 20 20  
BY Jana Reason ANALYST

1 XAVIER BECERRA  
Attorney General of California  
2 ALEXANDRA M. ALVAREZ  
Supervising Deputy Attorney General  
3 KEITH C. SHAW  
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6 San Diego, CA 92186-5266  
Telephone: (619) 738-9515  
7 Facsimile: (619) 645-2012  
8 *Attorneys for Complainant*

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

14 In the Matter of the Accusation Against:  
15 **NIGEL L. KENT, M.D.**  
16 **1868 Paros Circle**  
**Costa Mesa, CA 92626**  
17 **Physician's and Surgeon's Certificate**  
18 **No. A 43767,**  
19  
20 Respondent.

Case No. 800-2018-051111  
**ACCUSATION**

22 **PARTIES**

- 23 1. Christine J. Lally (Complainant) brings this Accusation solely in her official capacity  
24 as the Interim Executive Director of the Medical Board of California, Department of Consumer  
25 Affairs (Board).
- 26 2. On or about June 22, 1987, the Medical Board issued Physician's and Surgeon's  
27 Certificate No. A 43767 to Nigel L. Kent, M.D. (Respondent). The Physician's and Surgeon's  
28 Certificate expired on June 30, 2019, and has not been renewed.



1 JURISDICTION

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

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

9 5. Section 2234 of the Code requires the Board to take action against any licensee who  
10 is charged with unprofessional conduct, defined to include “[v]iolating or attempting to violate,  
11 directly or indirectly, assisting in or abetting the violation of, or conspiring to violate any  
12 provision of this chapter.”

13 6. Section 2236 of the Code states:

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

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

21 7. Section 2239 of the Code states:

22 “(a) The use .....of alcoholic beverages, to the extent, or in such a manner as to be  
23 dangerous or injurious to the licensee, or to any other person or to the public, or to the  
24 extent that such use impairs the ability of the licensee to practice medicine safely or more  
25 than one misdemeanor or any felony involving the use, consumption, or self-administration  
26 of any of the substances referred to in this section, or any combination thereof, constitutes  
27 unprofessional conduct. The record of the conviction is conclusive evidence of such  
28 unprofessional conduct.





1 DISCIPLINARY CONSIDERATIONS

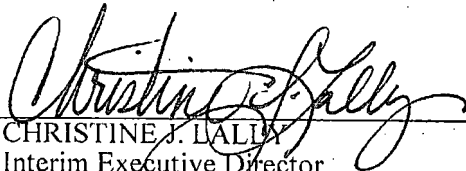
2 15. To determine the degree of discipline, if any, to be imposed on Respondent Nigel L.  
3 Kent, M.D., Complainant alleges that on or about February 24, 2010, in the Superior Court of  
4 California, County of Orange, in the case entitled, *The People of the State of California v. Nigel*  
5 *Leigh Kent*, Respondent was convicted of VC section 23152(a) – Driving Under the Influence of  
6 Alcohol. The record of the criminal proceeding is incorporated as if fully set forth herein.

7 PRAYER

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

- 10 1. Revoking or suspending Physician's and Surgeon's Certificate No. A 43767, issued  
11 to Nigel L. Kent, M.D.;
- 12 2. Revoking, suspending or denying approval of Nigel L. Kent, M.D.'s authority to  
13 supervise physician assistants and advanced practice nurses;
- 14 3. Ordering Nigel L. Kent, M.D., if placed on probation, to pay the Board the costs of  
15 probation monitoring; and
- 16 4. Taking such other and further action as deemed necessary and proper.

17 DATED: FEB 14 2020

18   
19 CHRISTINE J. LALLY  
20 Interim Executive Director  
21 Medical Board of California  
22 Department of Consumer Affairs  
23 State of California  
24 Complainant

23 SD2019703074  
24 72090742