

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

In the Matter of the Accusation Against:

Santhi Sree Lingamneni, M.D.

Case No. 800-2019-054631

Physician's & Surgeon's
Certificate No. G 78794

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 April 30, 2021.

IT IS SO ORDERED: April 2, 2021.

MEDICAL BOARD OF CALIFORNIA



Ronald H. Lewis, M.D., Chair
Panel A

1 XAVIER BECERRA
Attorney General of California
2 JANE ZACK SIMON
Supervising Deputy Attorney General
3 CAITLIN ROSS
Deputy Attorney General
4 State Bar No. 271651
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7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

13 **SANTHI SREE LINGAMNENI, M.D.**
14 **2400 Moorpark Avenue, Suite 220**
San Jose, CA 95128

15 **Physician's and Surgeon's Certificate No. G**
16 **78794**

17 Respondent.

Case No. 800-2019-054631

OAH No. 2020090241

18
19
20 **STIPULATED SETTLEMENT AND**
21 **DISCIPLINARY ORDER**

22
23 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
24 entitled proceedings that the following matters are true:

25 **PARTIES**

26 1. William Prasifka (Complainant) is the Executive Director of the Medical Board of
27 California (Board). He brought this action solely in his official capacity and is represented in this
28 matter by Xavier Becerra, Attorney General of the State of California, by Caitlin Ross, Deputy
Attorney General.

1 2. Respondent Santhi Sree Lingamneni, M.D. (Respondent) is represented in this
2 proceeding by attorney Marglyn E. Paseka, Esq., SLOTE, LINKS & BOREMAN, LLP, One
3 Embarcadero Center, Suite 400, San Francisco, CA 94111.

4 3. On May 4, 1994, the Board issued Physician's and Surgeon's Certificate No. G 78794
5 to Santhi Sree Lingamneni, M.D. The Physician's and Surgeon's Certificate was in full force and
6 effect at all times relevant to the charges brought in Accusation No. 800-2019-054631, and will
7 expire on February 28, 2022, unless renewed.

8 **JURISDICTION**

9 4. Accusation No. 800-2019-054631 was filed before the Board, and is currently
10 pending against Respondent. The Accusation and all other statutorily required documents were
11 properly served on Respondent on April 1, 2020. Respondent filed her Notice of Defense
12 contesting the Accusation.

13 5. A copy of Accusation No. 800-2019-054631 is attached as exhibit A and incorporated
14 herein by reference.

15 **ADVISEMENT AND WAIVERS**

16 6. Respondent has carefully read, fully discussed with counsel, and understands the
17 charges and allegations in Accusation No. 800-2019-054631. Respondent has also carefully read,
18 fully discussed with her counsel, and understands the effects of this Stipulated Settlement and
19 Disciplinary Order.

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

26 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
27 every right set forth above.

1 CULPABILITY

2 9. Respondent understands and agrees that the charges and allegations in Accusation
3 No. 800-2019-054631, if proven at a hearing, constitute cause for imposing discipline upon her
4 Physician's and Surgeon's Certificate.

5 10. Respondent does not contest that, at an administrative hearing, complainant could
6 establish a prima facie case with respect to the charges and allegations in Accusation No. 800-
7 2019-054631, a true and correct copy of which is attached hereto as Exhibit A, and that she has
8 thereby subjected her Physician's and Surgeon's Certificate, No. G78794 to disciplinary action.
9 Respondent hereby gives up her right to contest those charges.

10 11. Respondent agrees that her Physician's and Surgeon's Certificate is subject to
11 discipline and she agrees to be bound by the Board's probationary terms as set forth in the
12 Disciplinary Order below.

13 CONTINGENCY

14 12. This stipulation shall be subject to approval by the Medical Board of California.
15 Respondent understands and agrees that counsel for Complainant and the staff of the Medical
16 Board of California may communicate directly with the Board regarding this stipulation and
17 settlement, without notice to or participation by Respondent or her counsel. By signing the
18 stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek
19 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
20 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary
21 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
22 action between the parties, and the Board shall not be disqualified from further action by having
23 considered this matter.

24 13. Respondent agrees that if she ever petitions for early termination or modification of
25 probation, or if an accusation and/or petition to revoke probation is filed against her before the
26 Board, all of the charges and allegations contained in Accusation No. 800-2019-054631 shall be
27 deemed true, correct and fully admitted by respondent for purposes of any such proceeding or any
28 other licensing proceeding involving Respondent in the State of California.

1 14. The parties understand and agree that Portable Document Format (PDF) and facsimile
2 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
3 signatures thereto, shall have the same force and effect as the originals.

4 15. In consideration of the foregoing admissions and stipulations, the parties agree that
5 the Board may, without further notice or opportunity to be heard by the Respondent, issue and
6 enter the following Disciplinary Order:

7 **DISCIPLINARY ORDER**

8 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 78794 issued
9 to Respondent Santhi Sree Lingamneni, M.D. is revoked. However, the revocation is stayed and
10 Respondent is placed on probation for thirty-five (35) months on the following terms and
11 conditions:

12 1. **CONTROLLED SUBSTANCES - ABSTAIN FROM USE.** Respondent shall abstain
13 completely from the personal use or possession of controlled substances as defined in the
14 California Uniform Controlled Substances Act, dangerous drugs as defined by Business and
15 Professions Code section 4022, and any drugs requiring a prescription. This prohibition does not
16 apply to medications lawfully prescribed to Respondent by another practitioner for a bona fide
17 illness or condition.

18 Within 15 calendar days of receiving any lawfully prescribed medications, Respondent
19 shall notify the Board or its designee of the: issuing practitioner's name, address, and telephone
20 number; medication name, strength, and quantity; and issuing pharmacy name, address, and
21 telephone number.

22 If Respondent has a confirmed positive biological fluid test for any substance (whether or
23 not legally prescribed) and has not reported the use to the Board or its designee, Respondent shall
24 receive a notification from the Board or its designee to immediately cease the practice of
25 medicine. The Respondent shall not resume the practice of medicine until the final decision on an
26 accusation and/or a petition to revoke probation is effective. An accusation and/or petition to
27 revoke probation shall be filed by the Board within 30 days of the notification to cease practice.
28 If the Respondent requests a hearing on the accusation and/or petition to revoke probation, the

1 Board shall provide the Respondent with a hearing within 30 days of the request, unless the
2 Respondent stipulates to a later hearing. If the case is heard by an Administrative Law Judge
3 alone, he or she shall forward a Proposed Decision to the Board within 15 days of submission of
4 the matter. Within 15 days of receipt by the Board of the Administrative Law Judge's proposed
5 decision, the Board shall issue its Decision, unless good cause can be shown for the delay. If the
6 case is heard by the Board, the Board shall issue its decision within 15 days of submission of the
7 case, unless good cause can be shown for the delay. Good cause includes, but is not limited to,
8 non-adoption of the proposed decision, requests for reconsideration, remands and other
9 interlocutory orders issued by the Board. The cessation of practice shall not apply to the
10 reduction of the probationary time period.

11 If the Board does not file an accusation or petition to revoke probation within 30 days of the
12 issuance of the notification to cease practice or does not provide Respondent with a hearing
13 within 30 days of a such a request, the notification of cease practice shall be dissolved.

14 2. ALCOHOL - ABSTAIN FROM USE. Respondent shall abstain completely from the
15 use of products or beverages containing alcohol.

16 If Respondent has a confirmed positive biological fluid test for alcohol, Respondent shall
17 receive a notification from the Board or its designee to immediately cease the practice of
18 medicine. The Respondent shall not resume the practice of medicine until the final decision on an
19 accusation and/or a petition to revoke probation is effective. An accusation and/or petition to
20 revoke probation shall be filed by the Board within 30 days of the notification to cease practice.

21 If the Respondent requests a hearing on the accusation and/or petition to revoke probation, the
22 Board shall provide the Respondent with a hearing within 30 days of the request, unless the
23 Respondent stipulates to a later hearing. the case is heard by an Administrative Law Judge alone,
24 he or she shall forward a Proposed Decision to the Board within 15 days of submission of the
25 matter. Within 15 days of receipt by the Board of the Administrative Law Judge's proposed
26 decision, the Board shall issues its Decision, unless good cause can be shown for the delay. If the
27 case is heard by the Board, the Board shall issue its decision within 15 days of submission of the
28 case, unless good cause can be shown for the delay. Good cause includes, but is not limited to,

1 non-adoption of the proposed decision, requests for reconsideration, remands and other
2 interlocutory orders issued by the Board. The cessation of practice shall not apply to the
3 reduction of the probationary time period.

4 If the Board does not file an accusation or petition to revoke probation within 30 days of the
5 issuance of the notification to cease practice or does not provide Respondent with a hearing
6 within 30 days of such a request, the notification of cease practice shall be dissolved.

7 3. BIOLOGICAL FLUID TESTING. Respondent shall immediately submit to
8 biological fluid testing, at Respondent's expense, upon request of the Board or its designee.
9 "Biological fluid testing" may include, but is not limited to, urine, blood, breathalyzer, hair
10 follicle testing, or similar drug screening approved by the Board or its designee. Prior to
11 practicing medicine, Respondent shall contract with a laboratory or service approved in advance
12 by the Board or its designee that will conduct random, unannounced, observed, biological fluid
13 testing. The contract shall require results of the tests to be transmitted by the laboratory or
14 service directly to the Board or its designee within four hours of the results becoming available.
15 Respondent shall maintain this laboratory or service contract during the period of probation.

16 A certified copy of any laboratory test result may be received in evidence in any
17 proceedings between the Board and Respondent.

18 If Respondent fails to cooperate in a random biological fluid testing program within the
19 specified time frame, Respondent shall receive a notification from the Board or its designee to
20 immediately cease the practice of medicine. The Respondent shall not resume the practice of
21 medicine until the final decision on an accusation and/or a petition to revoke probation is
22 effective. An accusation and/or petition to revoke probation shall be filed by the Board within 30
23 days of the notification to cease practice. If the Respondent requests a hearing on the accusation
24 and/or petition to revoke probation, the Board shall provide the Respondent with a hearing within
25 30 days of the request, unless the Respondent stipulates to a later hearing. If the case is heard by
26 an Administrative Law Judge alone, he or she shall forward a Proposed Decision to the Board
27 within 15 days of submission of the matter. Within 15 days of receipt by the Board of the
28 Administrative Law Judge's proposed decision, the Board shall issue its Decision, unless good

1 cause can be shown for the delay. If the case is heard by the Board, the Board shall issue its
2 decision within 15 days of submission of the case, unless good cause can be shown for the delay.
3 Good cause includes, but is not limited to, non-adoption of the proposed decision, requests for
4 reconsideration, remands and other interlocutory orders issued by the Board. The cessation of
5 practice shall not apply to the reduction of the probationary time period.

6 If the Board does not file an accusation or petition to revoke probation within 15 days of the
7 issuance of the notification to cease practice or does not provide Respondent with a hearing
8 within 30 days of such a request, the notification of cease practice shall be dissolved.

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

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

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

27 5. NOTIFICATION. Within seven (7) days of the effective date of this Decision, the
28 Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the

1 Chief Executive Officer at every hospital where privileges or membership are extended to
2 Respondent, at any other facility where Respondent engages in the practice of medicine,
3 including all physician and locum tenens registries or other similar agencies, and to the Chief
4 Executive Officer at every insurance carrier which extends malpractice insurance coverage to
5 Respondent. Respondent shall submit proof of compliance to the Board or its designee within 15
6 calendar days.

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

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

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

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

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

19 9. GENERAL PROBATION REQUIREMENTS.

20 Compliance with Probation Unit

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

22 Address Changes

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

28 Place of Practice

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

4 License Renewal

5 Respondent shall maintain a current and renewed California physician's and surgeon's
6 license.

7 Travel or Residence Outside California

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

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

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

17 11. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
18 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
19 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is
20 defined as any period of time Respondent is not practicing medicine as defined in Business and
21 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct
22 patient care, clinical activity or teaching, or other activity as approved by the Board. If
23 Respondent resides in California and is considered to be in non-practice, Respondent shall
24 comply with all terms and conditions of probation. All time spent in an intensive training
25 program which has been approved by the Board or its designee shall not be considered non-
26 practice and does not relieve Respondent from complying with all the terms and conditions of
27 probation. Practicing medicine in another state of the United States or Federal jurisdiction while
28 on probation with the medical licensing authority of that state or jurisdiction shall not be

1 considered non-practice. A Board-ordered suspension of practice shall not be considered as a
2 period of non-practice.

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

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

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

10 Periods of non-practice for a Respondent residing outside of California will relieve
11 Respondent of the responsibility to comply with the probationary terms and conditions with the
12 exception of this condition and the following terms and conditions of probation: Obey All Laws;
13 General Probation Requirements; Quarterly Declarations; Abstain from the Use of Alcohol and/or
14 Controlled Substances; and Biological Fluid Testing..

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

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

26 14. LICENSE SURRENDER. Following the effective date of this Decision, if
27 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy
28 the terms and conditions of probation, Respondent may request to surrender his or her license.

1 The Board reserves the right to evaluate Respondent's request and to exercise its discretion in
2 determining whether or not to grant the request, or to take any other action deemed appropriate
3 and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent
4 shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its
5 designee and Respondent shall no longer practice medicine. Respondent will no longer be subject
6 to the terms and conditions of probation. If Respondent re-applies for a medical license, the
7 application shall be treated as a petition for reinstatement of a revoked certificate.

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

13 16. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for
14 a new license or certification, or petition for reinstatement of a license, by any other health care
15 licensing action agency in the State of California, all of the charges and allegations contained in
16 Accusation No. 800-2019-054631 shall be deemed to be true, correct, and admitted by
17 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or
18 restrict license.

19
20 ACCEPTANCE

21 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
22 discussed it with my attorney, Marglyn E. Paseka, Esq., SLOTE, LINKS & BOREMAN, LLP,
23 One Embarcadero Center, Suite 400, San Francisco, CA 94111. I understand the stipulation and
24 the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated
25 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be

26 ///

27 ///

28 ///

1 bound by the Decision and Order of the Medical Board of California.

2
3 DATED: 03 / 07 / 2021



4 SANTHI SREE LINGAMNENI, M.D.
Respondent

5 I have read and fully discussed with Respondent Santhi Sree Lingamneni, M.D. the terms
6 and conditions and other matters contained in the above Stipulated Settlement and Disciplinary
7 Order. I approve its form and content.

8 DATED: 03 / 09 / 2021



9 MARGLYN E. PASEKA, ESQ.
Attorney for Respondent

10
11 **ENDORSEMENT**

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

14 DATED: _____

15 Respectfully submitted,
16 XAVIER BECERRA
Attorney General of California
17 JANE ZACK SIMON
Supervising Deputy Attorney General

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19 CAITLIN ROSS
20 Deputy Attorney General
Attorneys for Complainant

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bound by the Decision and Order of the Medical Board of California.

DATED: 03 / 07 / 2021



SANTHI SREE LINGAMNENI, M.D.
Respondent

I have read and fully discussed with Respondent Santhi Sree Lingamneni, M.D. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 03 / 09 / 2021



MARGLYN E. PASEKA, ESQ.
Attorney for Respondent

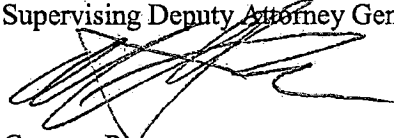
ENDORSEMENT

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

DATED: 3-9-21

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
JANE ZACK SIMON
Supervising Deputy Attorney General



CAITLIN ROSS
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2019-054631

1 XAVIER BECERRA
Attorney General of California
2 MARY CAIN-SIMON
Supervising Deputy Attorney General
3 GREG W. CHAMBERS
Deputy Attorney General
4 State Bar No. 237509
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 510-3382
6 Facsimile: (415) 703-5480
Attorneys for Complainant
7

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

12 In the Matter of the Accusation Against:

Case No. 800-2019-054631

13 **Santhi Sree Lingamneni, M.D.**
14 **Primary Care Medicine SCVMC**
2400 Moorpark Avenue, Suite 220
15 **San Jose, CA 95128**

A C C U S A T I O N

16 **Physician's and Surgeon's Certificate**
17 **No. G 78794,**

Respondent.

18
19 **PARTIES**

20 1. Christine J. Lally (Complainant) brings this Accusation solely in her official capacity
21 as the Interim Executive Director of the Medical Board of California, Department of Consumer
22 Affairs (Board).

23 2. On or about May 4, 1994, the Medical Board issued Physician's and Surgeon's
24 Certificate Number G 78794 to Santhi Sree Lingamneni, M.D. (Respondent). The Physician's
25 and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
26 herein and will expire on February 28, 2022, unless renewed.

27 ///

28 ///

JURISDICTION

1
2 3. This Accusation is brought before the Board, under the authority of the following
3 laws. All section references are to the Business and Professions Code (Code) unless otherwise
4 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 states, in part:

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

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

15 6. Section 2236 of the Code states:

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

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

23 7. Section 2239 of the Code states:

24 “(a) The use or prescribing for or administering to himself or herself, of any controlled
25 substance; or the use of any of the dangerous drugs specified in Section 4022, or of alcoholic
26 beverages, to the extent, or in such a manner as to be dangerous or injurious to the licensee, or to
27 any other person or to the public, or to the extent that such use impairs the ability of the licensee
28 to practice medicine safely or more than one misdemeanor or any felony involving the use,

1 consumption, or self-administration of any of the substances referred to in this section, or any
2 combination thereof, constitutes unprofessional conduct. The record of the conviction is
3 conclusive evidence of such unprofessional conduct.

4 “(b) A plea or verdict of guilty or a conviction following a plea of nolo contendere is
5 deemed to be a conviction within the meaning of this section. The Medical Board may order
6 discipline of the licensee in accordance with Section 2227 or the Medical Board may order the
7 denial of the license when the time for appeal has elapsed or the judgment of conviction has been
8 affirmed on appeal or when an order granting probation is made suspending imposition of
9 sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal
10 Code allowing such person to withdraw his or her plea of guilty and to enter a plea of not guilty,
11 or setting aside the verdict of guilty, or dismissing the accusation, complaint, information, or
12 indictment.”

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

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

23 **CAUSE FOR DISCIPLINE**

24 **(Unprofessional Conduct – Criminal Conviction/Dangerous Use of Alcohol)**

25 9. Respondent is subject to disciplinary action under section 2234 (unprofessional
26 conduct), and/or section 2236 and California Code of Regulations, title 16, section 1360 (criminal
27 conviction), and/or section 2239 (dangerous use of alcohol), in that on or about February 27,
28 2019, in a criminal proceeding entitled *The People of the State of California v Santhi Sree*

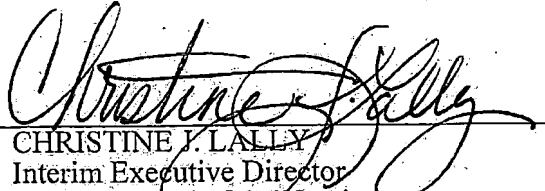
1 *Lingamneni*, in the San Mateo Superior Court, Case Number 18SM014216, Respondent was
2 convicted by plea of "no contest" to violating California Vehicle Code section 23152(b), driving
3 on or about November 7, 2018, in San Carlos, California, with a blood alcohol content ("BAC")
4 of 0.08% or more, as well as the enhancement of violating California Vehicle Code section
5 23578, driving with a BAC greater than 0.15%, on that same date and time in San Carlos,
6 California.

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 Number G 78794,
11 issued to Santhi Sree Lingamneni, M.D.;
- 12 2. Revoking, suspending or denying approval of Santhi Sree Lingamneni, M.D.'s
13 authority to supervise physician assistants and advanced practice nurses;
- 14 3. Ordering Santhi Sree Lingamneni, M.D., if placed on probation, to pay the Board the
15 costs of probation monitoring; and
- 16 4. Taking such other and further action as deemed necessary and proper.

17
18 DATED: APR 01 2020


CHRISTINE J. LALLY
Interim Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant