

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

**In the Matter of the Accusation
Against:**

Suzie E. Schuder, M.D.

**Physician's and Surgeon's
Certificate No. G 82171**

Case No.: 800-2017-034617

Respondent.

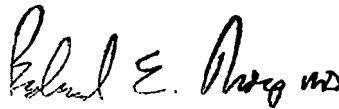
DECISION

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 August 27, 2021.

IT IS SO ORDERED: July 30, 2021.

MEDICAL BOARD OF CALIFORNIA



**Richard E. Thorp, M.D., Chair
Panel B**

1 ROB BONTA
Attorney General of California
2 MATTHEW M. DAVIS
Supervising Deputy Attorney General
3 JASON J. AHN
Deputy Attorney General
4 State Bar No. 253172
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 738-9433
7 Facsimile: (619) 645-2061

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:

15 **SUZIE E. SCHUDER, M.D.**
16 **881 Dover Drive, Suite 350**
Newport Beach, CA 92663

17 **Physician's and Surgeon's Certificate**
18 **No. G 82171**

19 Respondent.

Case No. 800-2017-034617

OAH No. 2020070987

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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

24 **PARTIES**

25 1. William Prasifka (Complainant) is the Executive Director of the Medical Board of
26 California (Board). He brought this action solely in his official capacity and is represented in this
27 matter by Rob Bonta, Attorney General of the State of California, by Jason J. Ahn, Deputy
28 Attorney General.

1 2. Respondent Suzie E. Schuder, M.D. (Respondent) is represented in this proceeding
2 by attorney John D. Bishop, Esq., whose address is: 5000 Birch Street, Suite 7000, Newport
3 Beach, CA 92660-8151.

4 3. On or about February 21, 1996, the Board issued Physician's and Surgeon's
5 Certificate No. G 82171 to Suzie E. Schuder, M.D. (Respondent). The Physician's and Surgeon's
6 Certificate was in full force and effect at all times relevant to the charges brought in Accusation
7 No. 800-2017-034617, and will expire on June 30, 2023, unless renewed.

8 **JURISDICTION**

9 4. On July 9, 2020, Accusation No. 800-2017-034617 was filed before the Board, and is
10 currently pending against Respondent. The Accusation and all other statutorily required
11 documents were properly served on Respondent on or about July 9, 2020. Respondent timely
12 filed her Notice of Defense contesting the Accusation.

13 5. A copy of Accusation No. 800-2017-034617 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 fully understands the
17 charges and allegations in Accusation No. 800-2017-034617. 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.

28 ///

1 **CULPABILITY**

2 9. Respondent does not contest that, at an administrative hearing, Complainant could
3 establish a *prima facie* case with respect to the charges and allegations contained in Accusation
4 800-2017-034617, a copy of which is attached hereto as Exhibit A, and that she has thereby
5 subjected her Physician's and Surgeon's Certificate No. G 82171 to disciplinary action.

6 10. Respondent fully agrees that if an accusation is ever filed against her before the
7 Medical Board of California, all of the charges and allegations contained in Accusation No. 800-
8 2017-034617 shall be deemed true, correct, and fully admitted by Respondent for purposes of that
9 proceeding or any other licensing proceeding involving Respondent in the State of California.

10 11. Respondent fully agrees that her Physician's and Surgeon's Certificate No. G 82171
11 is subject to discipline and she agrees to be bound by the Board's imposition of discipline as set
12 forth in the Disciplinary Order below.

13 **CONTINGENCY**

14 12. This stipulation shall be subject to approval by the Medical Board of California.
15 Respondent fully understands and fully agrees that counsel for Complainant and the staff of the
16 Medical Board of California may communicate directly with the Board regarding this stipulation
17 and 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. The parties agree that this Stipulated Settlement and Disciplinary Order shall be null
25 and void and not binding upon the parties unless approved and adopted by the Board, except for
26 this paragraph, which shall remain in full force and effect. Respondent fully understands and
27 agrees that in deciding whether or not to approve and adopt this Stipulated Settlement and
28 Disciplinary Order, the Board may receive oral and written communications from its staff and/or

1 the Attorney General's Office. Communications pursuant to this paragraph shall not disqualify
2 the Board, any member thereof, and/or any other person from future participation in this or any
3 other matter affecting or involving Respondent. In the event that the Board does not, in its
4 discretion, approve and adopt this Stipulated Settlement and Disciplinary Order, with the
5 exception of this paragraph, it shall not become effective, shall be of no evidentiary value
6 whatsoever, and shall not be relied upon or introduced in any disciplinary action by either party
7 hereto. Respondent further agrees that should this Stipulated Settlement and Disciplinary Order
8 be rejected for any reason by the Board, Respondent will assert no claim that the Board, or any
9 member thereof, was prejudiced by its/his/her review, discussion and/or consideration of this
10 Stipulated Settlement and Disciplinary Order or of any matter or matters related hereto.

11 **ADDITIONAL PROVISIONS**

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

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

18 16. In consideration of the foregoing admissions and stipulations, the parties agree the
19 Board may, without further notice to or opportunity to be heard by Respondent, issue and enter
20 the following Disciplinary Order:

21 **DISCIPLINARY ORDER**

22 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 82171 issued
23 to Respondent Suzie E. Schuder, M.D. is revoked. However, the revocation is stayed and
24 Respondent is placed on probation for five (5) years on the following terms and conditions:

25 1. **COMMUNITY SERVICE - FREE SERVICES.** Within 60 calendar days of the
26 effective date of this Decision, Respondent shall submit to the Board or its designee for prior
27 approval a community service plan in which Respondent shall, within the first 2 years of
28 probation, provide 100 hours of free services (e.g., medical or nonmedical) to a community or

1 non-profit organization. If the term of probation is designated for 2 years or less, the community
2 service hours must be completed not later than 6 months prior to the completion 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. EDUCATION COURSE. Within 60 calendar days of the effective date of this
11 Decision, and on an annual basis thereafter, Respondent shall submit to the Board or its designee
12 for its prior approval educational program(s) or course(s) which shall not be less than 40 hours
13 per year, for each year of probation. The educational program(s) or course(s) shall be aimed at
14 correcting any areas of deficient practice or knowledge and shall be Category I certified. The
15 educational program(s) or course(s) shall be at Respondent's expense and shall be in addition to
16 the Continuing Medical Education (CME) requirements for renewal of licensure. Following the
17 completion of each course, the Board or its designee may administer an examination to test
18 Respondent's knowledge of the course. Respondent shall provide proof of attendance for 65
19 hours of CME of which 40 hours were in satisfaction of this condition.

20 3. PROFESSIONALISM PROGRAM (ETHICS COURSE). Within 60 calendar days of
21 the effective date of this Decision, Respondent shall enroll in a professionalism program, that
22 meets the requirements of Title 16, California Code of Regulations (CCR) section 1358.1.
23 Respondent shall participate in and successfully complete that program. Respondent shall
24 provide any information and documents that the program may deem pertinent. Respondent shall
25 successfully complete the classroom component of the program not later than six (6) months after
26 Respondent's initial enrollment, and the longitudinal component of the program not later than the
27 time specified by the program, but no later than one (1) year after attending the classroom
28 component. The professionalism program shall be at Respondent's expense and shall be in

1 addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

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

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

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

19 The Board or its designee shall provide the approved monitor with copies of the Decision(s)
20 and Accusation(s), and a proposed monitoring plan. Within 15 calendar days of receipt of the
21 Decision(s), Accusation(s), and proposed monitoring plan, the monitor shall submit a signed
22 statement that the monitor has read the Decision(s) and Accusation(s), fully understands the role
23 of a monitor, and agrees or disagrees with the proposed monitoring plan. If the monitor disagrees
24 with the proposed monitoring plan, the monitor shall submit a revised monitoring plan with the
25 signed statement for approval by the Board or its designee.

26 Within 60 calendar days of the effective date of this Decision, and continuing throughout
27 probation, Respondent's billing shall be monitored by the approved monitor. Respondent shall
28 make all records available for immediate inspection and copying on the premises by the monitor

1 at all times during business hours and shall retain the records for the entire term of probation.

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

7 The monitor(s) shall submit a quarterly written report to the Board or its designee which
8 includes an evaluation of Respondent's performance, indicating whether Respondent's practices
9 are within the standards of practice of billing, and whether Respondent is practicing medicine
10 safely, billing appropriately or both. It shall be the sole responsibility of Respondent to ensure
11 that the monitor submits the quarterly written reports to the Board or its designee within 10
12 calendar days after the end of the preceding quarter.

13 If the monitor resigns or is no longer available, Respondent shall, within 5 calendar days of
14 such resignation or unavailability, submit to the Board or its designee, for prior approval, the
15 name and qualifications of a replacement monitor who will be assuming that responsibility within
16 15 calendar days. If Respondent fails to obtain approval of a replacement monitor within 60
17 calendar days of the resignation or unavailability of the monitor, Respondent shall receive a
18 notification from the Board or its designee to cease the practice of medicine within three (3)
19 calendar days after being so notified. Respondent shall cease the practice of medicine until a
20 replacement monitor is approved and assumes monitoring responsibility.

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

26 ///

27 ///

28 ///

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 ADVANCED PRACTICE NURSES. During probation,
11 Respondent is prohibited from supervising advanced practice nurses.

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

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

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

20 9. GENERAL PROBATION REQUIREMENTS.

21 Compliance with Probation Unit

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

23 Address Changes

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

1 Place of Practice

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

5 License Renewal

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

8 Travel or Residence Outside California

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

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

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

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

on probation with the medical licensing authority of that state or jurisdiction shall not be considered non-practice. A Board-ordered suspension of practice shall not be considered as a period of non-practice.

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

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

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

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

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

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

///

///

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

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

16 16. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for
17 a new license or certification, or petition for reinstatement of a license, by any other healthcare
18 licensing action agency in the State of California, all of the charges and allegations contained in
19 Accusation No. 800-2017-034617 shall be deemed to be true, correct, and admitted by
20 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or
21 restrict license.

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 ACCEPTANCE

2 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
3 discussed it with my attorney, John D. Bishop, Esq. I fully understand the stipulation and the
4 effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated
5 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and fully agree to be
6 bound by the Decision and Order of the Medical Board of California.

7
8 DATED: 7-9-21


9 SUZIE E. SCHUDER, M.D.
Respondent

10
11
12 I have read and fully discussed with Respondent Suzie E. Schuder, M.D. the terms and
13 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
14 I approve its form and content.

15
16 DATED: 7-9-21


17 JOHN D. BISHOP, ESQ.
Attorney for Respondent
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ENDORSEMENT

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

DATED: 5/13/2021

Respectfully submitted,

ROB BONTA
Attorney General of California
MATTHEW M. DAVIS
Supervising Deputy Attorney General



JASON J. AHN
Deputy Attorney General
Attorneys for Complainant

SD2020301875
82855340.docx

Exhibit A

1 XAVIER BECERRA
Attorney General of California
2 MATTHEW M. DAVIS
Supervising Deputy Attorney General
3 JASON J. AHN
Deputy Attorney General
4 State Bar No. 253172
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 738-9433
7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

9
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. 800-2017-034617

14 **Suzie E. Schuder, M.D.**
15 **881 Dover Drive, Suite 350**
Newport Beach, CA 92663-5962

A C C U S A T I O N

16 **Physician's and Surgeon's**
17 **Certificate No. G 82171,**

18 **Respondent.**

19
20 **PARTIES**

21 1. William Prasifka (Complainant) brings this Accusation solely in his official capacity
22 as the Executive Director of the Medical Board of California, Department of Consumer Affairs
23 (Board).

24 2. On or about February 21, 1996, the Medical Board issued Physician's and Surgeon's
25 Certificate No. G 82171 to Suzie E. Schuder, M.D. (Respondent). The Physician's and Surgeon's
26 Certificate was in full force and effect at all times relevant to the charges brought herein and will
27 expire on June 30, 2021, unless renewed.

28 **///**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

4. Section 2227 of the Code states:

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

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

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

5. Section 2234 of the Code, states:

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

///

///

///

1 6. Section 2236 of the Code states:

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

6 “...

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

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

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

21 8. Unprofessional conduct under Business and Professions Code section 2234 is conduct
22 which breaches the rules or ethical code of the medical profession, or conduct which is
23 unbecoming a member in good standing of the medical profession, and which demonstrates an
24 unfitness to practice medicine. (*Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564,
25 575.)

26 **FIRST CAUSE FOR DISCIPLINE**

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

29 9. Respondent has subjected her Physician's and Surgeon's Certificate No. G 82171 to
30 disciplinary action under sections 2227 and 2234, as defined by section 2236, subdivision (a), of
31 the Code, in that she has been convicted of a crime substantially related to the qualifications,
32 functions, or duties of a physician and surgeon, as more particularly alleged hereinafter:

33 10. On or about March 29, 2018, Orange County District Attorney's Office filed a criminal
34 information against Respondent, in the case of the *People of the State of California vs. Suzie*

1 *Schuder*, Case No. 17CF1242 (criminal information). Count 1 alleges that on or about January 8,
2 2012, Respondent committed a felony violation of Penal Code section 550, subdivision (a)(6),
3 "knowingly make or cause to be made any false or fraudulent claim for a payment of a health care
4 benefit." Count 2 alleges that on or about April 10, 2012, Respondent committed a felony violation
5 of Penal Code section 550, subdivision (a)(5), "knowingly prepare, make, or subscribe any writing,
6 with the intent to present or use it, or to allow it to be presented, in support of any false or fraudulent
7 [insurance] claim." Count 3 alleges that on or about July 26, 2012, Respondent committed a felony
8 violation of Penal Code section 550, subdivision (a)(5), "knowingly prepare, make, or subscribe
9 any writing, with the intent to present or use it, or to allow it to be presented, in support of any false
10 or fraudulent [insurance] claim."

11 11. On or about May 14, 2019, Respondent pled guilty to Count 4 of the criminal
12 information, which was added by interlineation, alleging that on or about April 10, 2012, through
13 August 24, 2013, Respondent committed a misdemeanor violation of Penal Code section 550,
14 subdivision (a)(6), "knowingly make or cause to be made any false or fraudulent claim for payment
15 of a health care benefit." Respondent admitted to the following factual basis: "In Orange Co[unty]
16 on or between April 10, 2012, and August 24, 2013, I knowingly signed urine drug prescription at
17 the request of Philip and Pam Ganong, owners of Ghostline labs, without having seen the patients,
18 knowing the prescriptions would be used to support fraudulent claims to Anthem Blue Cross and
19 Cigna Ins[urance] Co[mpanies]." Respondent was sentenced to, among other things, three years
20 of probation, victim restitution in the amount of \$21,784.22, and various fines and fees.

21 **SECOND CAUSE FOR DISCIPLINE**

22 **(General Unprofessional Conduct)**

23 12. Respondent has further subjected her Physician's and Surgeon's Certificate No.
24 G 82171 to disciplinary action under sections 2227 and 2234, as defined by section 2234, of the
25 Code, in that she has engaged in conduct which breaches the rules or ethical code of the medical
26 profession, or conduct which is unbecoming a member in good standing of the medical
27 profession, and which demonstrates an unfitness to practice medicine, as more particularly
28 alleged in paragraphs 9 through 11, above, which are hereby incorporated by reference and

1 realleged as if fully set forth herein.

2 **PRAYER**

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


5 1. Revoking or suspending Physician's and Surgeon's Certificate No. G 82171, issued
6 to Suzie E. Schuder, M.D.;

7 2. Revoking, suspending or denying approval of Suzie E. Schuder, M.D.'s authority to
8 supervise physician assistants and advanced practice nurses;

9 3. Ordering Suzie E. Schuder, M.D., if placed on probation, to pay the Board the costs
10 of probation monitoring; and

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

12 **JUL 09 2020**
13 DATED: _____



WILLIAM PRASIEKA
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

18 SD2020301875
19 82354659.docx

20

21

22

23

24

25

26

27

28