

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

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

Paul H. Berman, M.D.

**Physician's and Surgeon's
Certificate No. G 12381**

Respondent.

Case No. 800-2019-052115

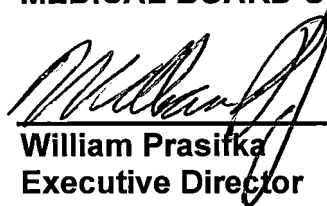
DECISION

The attached Stipulated Surrender of License and 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 September 23, 2021.

IT IS SO ORDERED September 16, 2021.

MEDICAL BOARD OF CALIFORNIA



**William Prasifka
Executive Director**

1 XAVIER BECERRA
Attorney General of California
2 MARY CAIN-SIMON
Supervising Deputy Attorney General
3 State Bar No. 113083
4 455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 510-3884
5 Facsimile: (415) 703-5480
Attorneys for Complainant
6

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

11 In the Matter of the Accusation Against:

Case No. 800-2019-052115

12 **PAUL H. BERMAN, M.D.**
13 **P.O. Box 909**
Soquel CA 95073-0909
800-2019-052115

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

14 **Physician's and Surgeon's Certificate No. G**
15 **12381**

16 Respondent.

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

20 **PARTIES**

21 1. William Prasifka (Complainant) is the Executive Director of the Medical Board of
22 California (Board). He brought this action solely in his official capacity and is represented in this
23 matter by Xavier Becerra, Attorney General of the State of California, by Mary Cain-Simon,
24 Supervising Deputy Attorney General.

25 2. PAUL H. BERMAN, M.D. (Respondent) is representing himself in this proceeding
26 and has chosen not to exercise his right to be represented by counsel.

27 3. On or about September 15, 1966, the Board issued Physician's and Surgeon's
28 Certificate No. G 12381 to PAUL H. BERMAN, M.D. (Respondent). The Physician's and

1 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in
2 Accusation No. 800-2019-052115 and will expire on March 31, 2022, unless renewed.

3 **JURISDICTION**

4 4. Accusation No. 800-2019-052115 was filed before the Board, and is currently
5 pending against Respondent. The Accusation and all other statutorily required documents were
6 properly served on Respondent on January 1, 2020. Respondent timely filed his Notice of
7 Defense contesting the Accusation. A copy of Accusation No. 800-2019-052115 is attached as
8 Exhibit A and incorporated by reference.

9 **ADVISEMENT AND WAIVERS**

10 5. Respondent has carefully read, and understands the charges and allegations in
11 Accusation No. 800-2019-052115. Respondent also has carefully read, and understands the
12 effects of this Stipulated Surrender of License and Order.

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

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

22 **CULPABILITY**

23 8. Respondent admits the truth of each and every charge and allegation in Accusation
24 No. 800-2019-052115, agrees that cause exists for discipline, and hereby surrenders his
25 Physician's and Surgeon's Certificate No. G 12381 for the Board's formal acceptance.

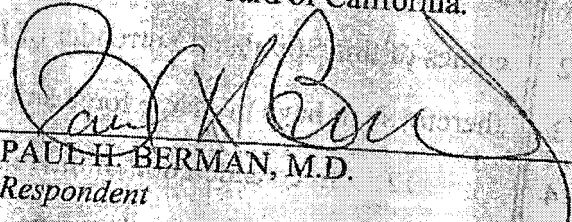
26 9. Respondent understands that by signing this stipulation, he enables the Board to issue
27 an order accepting the surrender of his Physician's and Surgeon's Certificate without further
28 process.

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4. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 800-2019-052115 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

ACCEPTANCE

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

DATED: June 3rd 2021 
PAUL H. BERMAN, M.D.
Respondent

ENDORSEMENT

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

DATED: _____ Respectfully submitted,
XAVIER BECERRA
Attorney General of California
MARY CAIN-SIMON
Supervising Deputy Attorney General

MARY CAIN-SIMON
Supervising Deputy Attorney General
Attorneys for Complainant

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4. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 800-2019-052115 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

ACCEPTANCE

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

DATED: _____
PAUL H. BERMAN, M.D.
Respondent

ENDORSEMENT

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

DATED: June 4, 2021

Respectfully submitted,
XAVIER BECERRA
Attorney General of California
MARY CAIN-SIMON
Supervising Deputy Attorney General
Mary Cain Simon
MARY CAIN-SIMON
Supervising Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2019-052115

1 XAVIER BECERRA
Attorney General of California
2 MARY CAIN-SIMON
Supervising Deputy Attorney General
3 State Bar No. 113083
4 455 Golden Gate Avenue, Suite 11000
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11 In the Matter of the Accusation Against:

Case No. 800-2019-052115

12 **Paul H. Berman, M.D.**
13 **P.O. Box 909**
Soquel, CA 95073-0909

ACCUSATION

14
15 **Physician's and Surgeon's Certificate**
No. G 12381,

16 Respondent.

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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 September 15, 1966, the Medical Board issued Physician's and Surgeon's
24 Certificate Number G 12381 to Paul H. Berman, M.D. (Respondent). The Physician's and
25 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
26 herein and will expire on March 31, 2022, unless renewed.

27 ///

28 ///

1 **JURISDICTION**

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 822 of the Code states:

6 If a licensing agency determines that its licentiate's ability to practice his or her
7 profession safely is impaired because the licentiate is mentally ill, or physically ill
8 affecting competency, the licensing agency may take action by any one of the
9 following methods:

10 (a) Revoking the licentiate's certificate or license.

11 (b) Suspending the licentiate's right to practice.

12 (c) Placing the licentiate on probation.

13 (d) Taking such other action in relation to the licentiate as the licensing agency
14 in its discretion deems proper.

15 The licensing section shall not reinstate a revoked or suspended certificate or
16 license until it has received competent evidence of the absence or control of the
17 condition which caused its action and until it is satisfied that with due regard for the
18 public health and safety the person's right to practice his or her profession may be
19 safely reinstated.

20 5. The actions and incidents alleged herein occurred in California.

21 **CAUSE FOR BOARD ACTION**

22 **(Physical and/or Mental Impairment)**

23 6. Respondent Paul H. Berman, M.D. is subject to action under section 822 in that good
24 cause exists to believe that Respondent's ability to practice medicine safely may be impaired by
25 physical and/or mental illness. The circumstances are as follows:

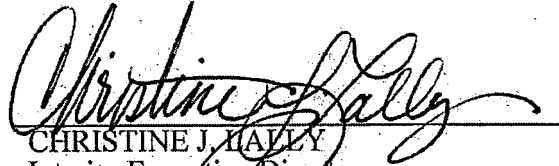
26 7. On January 14, 2019, Sutter Valley Medical Center reported to the Board that,
27 following a voluntary medical examination, Respondent agreed to voluntary relinquishment of his
28 surgical privileges based on his state of health. Respondent subsequently agreed with Board
examiners that his health no longer permits him to practice surgery, and while Respondent is able
to practice medicine in an outpatient clinical setting with no restrictions, Respondent would
continue intermittent monitoring to assure that his status remains the same.

PRAYER

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

1. Revoking or suspending Physician's and Surgeon's Certificate Number G 12381, issued to Paul H. Berman, M.D.;
2. Revoking, suspending or denying approval of Paul H. Berman, M.D.'s authority to supervise physician assistants and advanced practice nurses;
3. Ordering Paul H. Berman, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and
4. Taking such other and further action as deemed necessary and proper.

DATED: MAY 05 2020


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

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