

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

In the Matter of the Accusation
Against:

Leeanne Park, M.D.

Physician's and Surgeon's
Certificate No. A 146290

Respondent.

Case No.: 800-2019-059879

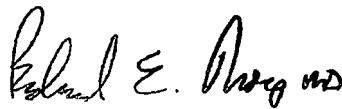
DECISION

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 November 4, 2021.

IT IS SO ORDERED: October 5, 2021.

MEDICAL BOARD OF CALIFORNIA



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

1 ROB BONTA
Attorney General of California
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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:

Case No. 800-2019-059879

13 **LEEANNE PARK, M.D.**
14 **13845 Saratoga Ave., Apt 4**
Saratoga, CA 95070-5465

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

15 **Physician's and Surgeon's Certificate No. A**
16 **146290**

17 Respondent.

18
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

23 **PARTIES**

24 1. William Prasifka (Complainant) is the Executive Director of the Medical Board of
25 California (Board). He brought this action solely in his official capacity and is represented in this
26 matter by Rob Bonta, Attorney General of the State of California, by Rebecca D. Wagner, Deputy
27 Attorney General.
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 in Accusation No. 800-
4 2019-059879 and that she has thereby subjected her license to disciplinary action.

5 10. ACKNOWLEDGMENT. Respondent acknowledges the Disciplinary Order below,
6 requiring the disclosure of probation pursuant to Business and Professions Code section 2228.1,
7 serves to protect the public interest.

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

11 CONTINGENCY

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

22 13. Respondent agrees that if she ever petitions for early termination or modification of
23 probation, or if an accusation and/or petition to revoke probation is filed against her before the
24 Board, all of the charges and allegations contained in Accusation No. 800-2019-059879 shall be
25 deemed true, correct and fully admitted by Respondent for purposes of any such proceeding or /
26 any other licensing proceeding involving Respondent in the State of California.
27
28

1 Board or its designee. Respondent shall maintain a record of all controlled substances ordered,
2 prescribed, dispensed, administered, or possessed by Respondent, and any recommendation or
3 approval which enables a patient or patient's primary caregiver to possess or cultivate marijuana
4 for the personal medical purposes of the patient within the meaning of Health and Safety Code
5 section 11362.5, during probation, showing all of the following: 1) the name and address of the
6 patient; 2) the date; 3) the character and quantity of controlled substances involved; and 4) the
7 indications and diagnosis for which the controlled substances were furnished.

8 Respondent shall keep these records in a separate file or ledger, in chronological order. All
9 records and any inventories of controlled substances shall be available for immediate inspection
10 and copying on the premises by the Board or its designee at all times during business hours and
11 shall be retained for the entire term of probation.

12 3. 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 4. ALCOHOL - ABSTAIN FROM USE. Respondent shall abstain completely from the
23 use of products or beverages containing alcohol.

24 5. PRESCRIBING PRACTICES COURSE. Within 60 calendar days of the effective
25 date of this Decision, Respondent shall enroll in a course in prescribing practices approved in
26 advance by the Board or its designee. Respondent shall provide the approved course provider
27 with any information and documents that the approved course provider may deem pertinent.
28 Respondent shall participate in and successfully complete the classroom component of the course

1 not later than six (6) months after Respondent's initial enrollment. Respondent shall successfully
2 complete any other component of the course within one (1) year of enrollment. The prescribing
3 practices course shall be at Respondent's expense and shall be in addition to the Continuing
4 Medical Education (CME) requirements for renewal of licensure.

5 A prescribing practices course taken after the acts that gave rise to the charges in the
6 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
7 or its designee, be accepted towards the fulfillment of this condition if the course would have
8 been approved by the Board or its designee had the course been taken after the effective date of
9 this Decision.

10 Respondent shall submit a certification of successful completion to the Board or its
11 designee not later than 15 calendar days after successfully completing the course, or not later than
12 15 calendar days after the effective date of the Decision, whichever is later.

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

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

28 Respondent shall submit a certification of successful completion to the Board or its

1 designee not later than 15 calendar days after successfully completing the program or not later
2 than 15 calendar days after the effective date of the Decision, whichever is later.

3 7. PSYCHOTHERAPY. Within 60 calendar days of the effective date of this Decision,
4 Respondent shall submit to the Board or its designee for prior approval the name and
5 qualifications of a California-licensed board certified psychiatrist or a licensed psychologist who
6 has a doctoral degree in psychology and at least five years of postgraduate experience in the
7 diagnosis and treatment of emotional and mental disorders. Upon approval, Respondent shall
8 undergo and continue psychotherapy treatment, including any modifications to the frequency of
9 psychotherapy, until the Board or its designee deems that no further psychotherapy is necessary.

10 The psychotherapist shall consider any information provided by the Board or its designee
11 and any other information the psychotherapist deems relevant and shall furnish a written
12 evaluation report to the Board or its designee. Respondent shall cooperate in providing the
13 psychotherapist with any information and documents that the psychotherapist may deem
14 pertinent.

15 Respondent shall have the treating psychotherapist submit quarterly status reports to the
16 Board or its designee. The Board or its designee may require Respondent to undergo psychiatric
17 evaluations by a Board-appointed board certified psychiatrist. If, prior to the completion of
18 probation, Respondent is found to be mentally unfit to resume the practice of medicine without
19 restrictions, the Board shall retain continuing jurisdiction over Respondent's license and the
20 period of probation shall be extended until the Board determines that Respondent is mentally fit
21 to resume the practice of medicine without restrictions.

22 Respondent shall pay the cost of all psychotherapy and psychiatric evaluations.

23 8. SOLO PRACTICE PROHIBITION. Respondent is prohibited from engaging in the
24 solo practice of medicine. Prohibited solo practice includes, but is not limited to, a practice
25 where: 1) Respondent merely shares office space with another physician but is not affiliated for
26 purposes of providing patient care, or 2) Respondent is the sole physician practitioner at that
27 location.

28 If Respondent fails to establish a practice with another physician or secure employment in

1 an appropriate practice setting within 60 calendar days of the effective date of this Decision,
2 Respondent shall receive a notification from the Board or its designee to cease the practice of
3 medicine within three (3) calendar days after being so notified. The Respondent shall not resume
4 practice until an appropriate practice setting is established.

5 If, during the course of the probation, the Respondent's practice setting changes and the
6 Respondent is no longer practicing in a setting in compliance with this Decision, the Respondent
7 shall notify the Board or its designee within five (5) calendar days of the practice setting change.
8 If Respondent fails to establish a practice with another physician or secure employment in an
9 appropriate practice setting within 60 calendar days of the practice setting change, Respondent
10 shall receive a notification from the Board or its designee to cease the practice of medicine within
11 three (3) calendar days after being so notified. The Respondent shall not resume practice until an
12 appropriate practice setting is established.

13 9. PROHIBITED PRACTICE. During probation, Respondent is prohibited from
14 practicing medicine in any setting other than a hospital. The Board may, in its sole discretion,
15 authorize Respondent to practice in a non-hospital setting in the future but in no event may
16 Respondent practice medicine other than in a hospital, or at her current Board-approved
17 employer, without prior Board approval.

18 10. NOTICE OF EMPLOYER OR SUPERVISOR INFORMATION. Within seven (7)
19 days of the effective date of this Decision, Respondent shall provide to the Board the names,
20 physical addresses, mailing addresses, and telephone numbers of any and all employers and
21 supervisors. Respondent shall also provide specific, written consent for the Board, Respondent's
22 worksite monitor, and Respondent's employers and supervisors to communicate regarding
23 Respondent's work status, performance, and monitoring.

24 For purposes of this section, "supervisors" shall include the Chief of Staff and Health or
25 Well Being Committee Chair, or equivalent, if applicable, when the Respondent has medical staff
26 privileges.

27 11. BIOLOGICAL FLUID TESTING. Respondent shall immediately submit to
28 biological fluid testing, at Respondent's expense, upon request of the Board or its designee.

1 “Biological fluid testing” may include, but is not limited to, urine, blood, breathalyzer, hair
2 follicle testing, or similar drug screening approved by the Board or its designee. Respondent shall
3 make daily contact with the Board or its designee to determine whether biological fluid testing is
4 required. Respondent shall be tested on the date of the notification as directed by the Board or its
5 designee. The Board may order a Respondent to undergo a biological fluid test on any day, at
6 any time, including weekends and holidays. Except when testing on a specific date as ordered by
7 the Board or its designee, the scheduling of biological fluid testing shall be done on a random
8 basis. The cost of biological fluid testing shall be borne by the Respondent.

9 During the first year of probation, Respondent shall be subject to 52 to 104 random tests.
10 During the second year of probation and for the duration of the probationary term, up to five (5)
11 years, Respondent shall be subject to 36 to 104 random tests per year. Only if there has been no
12 positive biological fluid tests in the previous five (5) consecutive years of probation, may testing
13 be reduced to one (1) time per month. Nothing precludes the Board from increasing the number
14 of random tests to the first-year level of frequency for any reason.

15 Prior to practicing medicine, Respondent shall contract with a laboratory or service,
16 approved in advance by the Board or its designee, that will conduct random, unannounced,
17 observed, biological fluid testing and meets all of the following standards:

- 18 (a) Its specimen collectors are either certified by the Drug and Alcohol Testing Industry
19 Association or have completed the training required to serve as a collector for the United
20 States Department of Transportation.
- 21 (b) Its specimen collectors conform to the current United States Department of
22 Transportation Specimen Collection Guidelines.
- 23 (c) Its testing locations comply with the Urine Specimen Collection Guidelines published
24 by the United States Department of Transportation without regard to the type of test
25 administered.
- 26 (d) Its specimen collectors observe the collection of testing specimens.
- 27 (e) Its laboratories are certified and accredited by the United States Department of Health
28 and Human Services.

1 (f) Its testing locations shall submit a specimen to a laboratory within one (1) business day
2 of receipt and all specimens collected shall be handled pursuant to chain of custody
3 procedures. The laboratory shall process and analyze the specimens and provide legally
4 defensible test results to the Board within seven (7) business days of receipt of the
5 specimen. The Board will be notified of non-negative results within one (1) business day
6 and will be notified of negative test results within seven (7) business days.

7 (g) Its testing locations possess all the materials, equipment, and technical expertise
8 necessary in order to test Respondent on any day of the week.

9 (h) Its testing locations are able to scientifically test for urine, blood, and hair specimens
10 for the detection of alcohol and illegal and controlled substances.

11 (i) It maintains testing sites located throughout California.

12 (j) It maintains an automated 24-hour toll-free telephone system and/or a secure on-line
13 computer database that allows the Respondent to check in daily for testing.

14 (k) It maintains a secure, HIPAA-compliant website or computer system that allows staff
15 access to drug test results and compliance reporting information that is available 24 hours a
16 day.

17 (l) It employs or contracts with toxicologists that are licensed physicians and have
18 knowledge of substance abuse disorders and the appropriate medical training to interpret
19 and evaluate laboratory biological fluid test results, medical histories, and any other
20 information relevant to biomedical information.

21 (m) It will not consider a toxicology screen to be negative if a positive result is obtained
22 while practicing, even if the Respondent holds a valid prescription for the substance.

23 Prior to changing testing locations for any reason, including during vacation or other travel,
24 alternative testing locations must be approved by the Board and meet the requirements above.

25 The contract shall require that the laboratory directly notify the Board or its designee of
26 non-negative results within one (1) business day and negative test results within seven (7)
27 business days of the results becoming available. Respondent shall maintain this laboratory or
28 service contract during the period of probation.

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

3 If a biological fluid test result indicates Respondent has used, consumed, ingested, or
4 administered to himself or herself a prohibited substance, the Board shall order Respondent to
5 cease practice and instruct Respondent to leave any place of work where Respondent is practicing
6 medicine or providing medical services. The Board shall immediately notify all of Respondent's
7 employers, supervisors and work monitors, if any, that Respondent may not practice medicine or
8 provide medical services while the cease-practice order is in effect.

9 A biological fluid test will not be considered negative if a positive result is obtained while
10 practicing, even if the practitioner holds a valid prescription for the substance. If no prohibited
11 substance use exists, the Board shall lift the cease-practice order within one (1) business day.

12 After the issuance of a cease-practice order, the Board shall determine whether the positive
13 biological fluid test is in fact evidence of prohibited substance use by consulting with the
14 specimen collector and the laboratory, communicating with the licensee, his or her treating
15 physician(s), other health care provider, or group facilitator, as applicable.

16 For purposes of this condition, the terms "biological fluid testing" and "testing" mean the
17 acquisition and chemical analysis of a Respondent's urine, blood, breath, or hair.

18 For purposes of this condition, the term "prohibited substance" means an illegal drug, a
19 lawful drug not prescribed or ordered by an appropriately licensed health care provider for use by
20 Respondent and approved by the Board, alcohol, or any other substance the Respondent has been
21 instructed by the Board not to use, consume, ingest, or administer to himself or herself.

22 If the Board confirms that a positive biological fluid test is evidence of use of a prohibited
23 substance, Respondent has committed a major violation, as defined in section 1361.52(a), and the
24 Board shall impose any or all of the consequences set forth in section 1361.52(b), in addition to
25 any other terms or conditions the Board determines are necessary for public protection or to
26 enhance Respondent's rehabilitation.

27 12. PSYCHIATRIC/SUBSTANCE ABUSE EVALUATIONS: At the Board's
28 discretion, and on whatever periodic basis that may be required by the Board or its designee,

1 Respondent shall undergo and complete a psychiatric and/or substance abuse evaluation (and
2 associated testing, if deemed necessary) by a Board-appointed evaluator, who shall consider any
3 information provided by the Board or its designee and any other information the evaluator deems
4 relevant, and shall furnish a written evaluation report to the Board or its designee. Respondent
5 shall cooperate fully with any evaluation, and shall pay the cost of all evaluations and testing.
6 Respondent shall comply with all restrictions or conditions recommended by the evaluator within
7 15 calendar days after being notified by the Board or its designee.

8 13. SUBSTANCE ABUSE SUPPORT GROUP MEETINGS. Within thirty (30) days
9 of the effective date of this Decision, Respondent shall submit to the Board or its designee, for its
10 prior approval, the name of a substance abuse support group which he or she shall attend for the
11 duration of probation. Respondent shall attend substance abuse support group meetings at least
12 once per week, or as ordered by the Board or its designee. Respondent shall pay all substance
13 abuse support group meeting costs.

14 The facilitator of the substance abuse support group meeting shall have a minimum of three
15 (3) years experience in the treatment and rehabilitation of substance abuse, and shall be licensed
16 or certified by the state or nationally certified organizations. The facilitator shall not have a
17 current or former financial, personal, or business relationship with Respondent within the last five
18 (5) years. Respondent's previous participation in a substance abuse group support meeting led by
19 the same facilitator does not constitute a prohibited current or former financial, personal, or
20 business relationship.

21 The facilitator shall provide a signed document to the Board or its designee showing
22 Respondent's name, the group name, the date and location of the meeting, Respondent's
23 attendance, and Respondent's level of participation and progress. The facilitator shall report any
24 unexcused absence by Respondent from any substance abuse support group meeting to the Board,
25 or its designee, within twenty-four (24) hours of the unexcused absence.

26 14. WORKSITE MONITOR FOR SUBSTANCE-ABUSING LICENSEE. Within
27 thirty (30) calendar days of the effective date of this Decision, Respondent shall submit to the
28 Board or its designee for prior approval as a worksite monitor, the name and qualifications of one

1 or more licensed physician and surgeon, other licensed health care professional if no physician
2 and surgeon is available, or, as approved by the Board or its designee, a person in a position of
3 authority who is capable of monitoring the Respondent at work.

4 The worksite monitor shall not have a current or former financial, personal, or familial
5 relationship with Respondent, or any other relationship that could reasonably be expected to
6 compromise the ability of the monitor to render impartial and unbiased reports to the Board or its
7 designee. If it is impractical for anyone but Respondent's employer to serve as the worksite
8 monitor, this requirement may be waived by the Board or its designee, however, under no
9 circumstances shall Respondent's worksite monitor be an employee or supervisee of the licensee.

10 The worksite monitor shall have an active unrestricted license with no disciplinary action
11 within the last five (5) years, and shall sign an affirmation that he or she has reviewed the terms
12 and conditions of Respondent's disciplinary order and agrees to monitor Respondent as set forth
13 by the Board or its designee.

14 Respondent shall pay all worksite monitoring costs.

15 The worksite monitor shall have face-to-face contact with Respondent in the work
16 environment on as frequent a basis as determined by the Board or its designee, but not less than
17 once per week; interview other staff in the office regarding Respondent's behavior, if requested
18 by the Board or its designee; and review Respondent's work attendance.

19 The worksite monitor shall verbally report any suspected substance abuse to the Board and
20 Respondent's employer or supervisor within one (1) business day of occurrence. If the suspected
21 substance abuse does not occur during the Board's normal business hours, the verbal report shall
22 be made to the Board or its designee within one (1) hour of the next business day. A written
23 report that includes the date, time, and location of the suspected abuse; Respondent's actions; and
24 any other information deemed important by the worksite monitor shall be submitted to the Board
25 or its designee within 48 hours of the occurrence.

26 The worksite monitor shall complete and submit a written report monthly or as directed by
27 the Board or its designee which shall include the following: (1) Respondent's name and
28 Physician's and Surgeon's Certificate number; (2) the worksite monitor's name and signature; (3)

1 the worksite monitor's license number, if applicable; (4) the location or location(s) of the
2 worksite; (5) the dates Respondent had face-to-face contact with the worksite monitor; (6) the
3 names of worksite staff interviewed, if applicable; (7) a report of Respondent's work attendance;
4 (8) any change in Respondent's behavior and/or personal habits; and (9) any indicators that can
5 lead to suspected substance abuse by Respondent. Respondent shall complete any required
6 consent forms and execute agreements with the approved worksite monitor and the Board, or its
7 designee, authorizing the Board, or its designee, and worksite monitor to exchange information.

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

17 15. VIOLATION OF PROBATION CONDITION FOR SUBSTANCE ABUSING
18 LICENSEES. Failure to fully comply with any term or condition of probation is a violation of
19 probation.

20 A. If Respondent commits a major violation of probation as defined by section
21 1361.52, subdivision (a), of Title 16 of the California Code of Regulations, the Board shall take
22 one or more of the following actions:

23 (1) Issue an immediate cease-practice order and order Respondent to undergo a clinical
24 diagnostic evaluation to be conducted in accordance with section 1361.5, subdivision (c)(1), of
25 Title 16 of the California Code of Regulations, at Respondent's expense. The cease-practice
26 order issued by the Board or its designee shall state that Respondent must test negative for at least
27 a month of continuous biological fluid testing before being allowed to resume practice. For
28 purposes of determining the length of time a Respondent must test negative while undergoing

1 continuous biological fluid testing following issuance of a cease-practice order, a month is
2 defined as thirty calendar (30) days. Respondent may not resume the practice of medicine until
3 notified in writing by the Board or its designee that he or she may do so.

4 (2) Increase the frequency of biological fluid testing.

5 (3) Refer Respondent for further disciplinary action, such as suspension, revocation, or
6 other action as determined by the Board or its designee.

7 B. If Respondent commits a minor violation of probation as defined by section
8 1361.52, subdivision (c), of Title 16 of the California Code of Regulations, the Board shall take
9 one or more of the following actions:

10 (1) Issue a cease-practice order;

11 (2) Order practice limitations;

12 (3) Order or increase supervision of Respondent;

13 (4) Order increased documentation;

14 (5) Issue a citation and fine, or a warning letter;

15 (6) Order Respondent to undergo a clinical diagnostic evaluation to be conducted in
16 accordance with section 1361.5, subdivision (c)(1), of Title 16 of the California Code of
17 Regulations, at Respondent's expense;

18 (7) Take any other action as determined by the Board or its designee.

19 C. Nothing in this Decision shall be considered a limitation on the Board's authority
20 to revoke Respondent's probation if he or she has violated any term or condition of probation. If
21 Respondent violates probation in any respect, the Board, after giving Respondent notice and the
22 opportunity to be heard, may revoke probation and carry out the disciplinary order that was
23 stayed. If an Accusation, or Petition to Revoke Probation, or an Interim Suspension Order is filed
24 against Respondent during probation, the Board shall have continuing jurisdiction until the matter
25 is final, and the period of probation shall be extended until the matter is final.

26 16. NOTIFICATION. Within seven (7) days of the effective date of this Decision, the
27 Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the
28 Chief Executive Officer at every hospital where privileges or membership are extended to

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

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

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

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

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

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

18 20. GENERAL PROBATION REQUIREMENTS.

19 Compliance with Probation Unit

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

21 Address Changes

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

27 Place of Practice

28 Respondent shall not engage in the practice of medicine in Respondent's or patient's place

1 of residence, unless the patient resides in a skilled nursing facility or other similar licensed
2 facility.

3 License Renewal

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

6 Travel or Residence Outside California

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

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

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

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

1 period of non-practice.

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

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

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

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

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


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

25 25. LICENSE SURRENDER. Following the effective date of this Decision, if
26 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy
27 the terms and conditions of probation, Respondent may request to surrender his or her license.
28 The Board reserves the right to evaluate Respondent's request and to exercise its discretion in

1 I have read and fully discussed with Respondent LEEANNE PARK, M.D. the terms and
2 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.

3 I approve its form and content.

4 DATED: 7/21/21


5 GREGORY ABRAMS
6 Attorney for Respondent

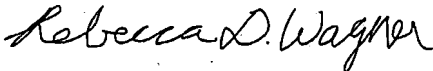
7 **ENDORSEMENT**

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

10 DATED: July 21, 2021

11 Respectfully submitted,

12 ROB BONTA
13 Attorney General of California
14 MARY CAIN-SIMON
15 Supervising Deputy Attorney General



16 REBECCA D. WAGNER
17 Deputy Attorney General
18 Attorneys for Complainant

19
20 SF2021400697
21 LeeAnne Park, M.D. Stipulated Settlement and Disciplinary Order

Exhibit A

Accusation No. 800-2019-059879

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ROB BONTA
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E-mail: Rebecca.Wagner@doj.ca.gov
Attorneys for Complainant

MEDICAL BOARD OF CALIFORNIA
I do hereby certify that this document is a true
and correct copy of the original on file in this
office.
Tiffany Alexander
Signature
For Custodian of Records
Title
6-21-2021
Date

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

In the Matter of the Accusation Against:

Case No. 800-2019-059879

Leeanne Park, M.D.
13845 Saratoga Ave., Apt. 4
Saratoga, CA 95070-5465

ACCUSATION

Physician's and Surgeon's Certificate
No. A 146290,

Respondent.

PARTIES

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

2. On or about December 1, 2016, the Medical Board issued Physician's and Surgeon's Certificate Number A 146290 to Leeanne Park, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2022, unless renewed.

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 2227 of the Code provides that a licensee who is found guilty under the
6 Medical Practice Act may have her license revoked, suspended for a period not to exceed one
7 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:

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 "..."

16 "(e) The commission of any act involving dishonesty or corruption that is substantially
17 related to the qualifications, functions, or duties of a physician and surgeon.

18 "(f) Any action or conduct that would have warranted the denial of a certificate.

19 "..."

20 6. Section 2239 of the Code states:

21 "(a) The use or prescribing for or administering to himself or herself, of any controlled
22 substance; or the use of any of the dangerous drugs specified in Section 4022, or of alcoholic
23 beverages, to the extent, or in such a manner as to be dangerous or injurious to the licensee, or to
24 any other person or to the public, or to the extent that such use impairs the ability of the licensee
25 to practice medicine safely or more than one misdemeanor or any felony involving the use,
26 consumption, or self-administration of any of the substances referred to in this section, or any
27 combination thereof, constitutes unprofessional conduct. The record of the conviction is
28 conclusive evidence of such unprofessional conduct.

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

10 7. Section 820 of the Code states:

11 “Whenever it appears that any person holding a license, certificate or permit under this
12 division or under any initiative act referred to in this division may be unable to practice his or her
13 profession safely because the licentiate’s ability to practice is impaired due to mental illness, or
14 physical illness affecting competency, the licensing agency may order the licentiate to be
15 examined by one or more physicians and surgeons or psychologists designated by the agency.
16 The report of the examiners shall be made available to the licentiate and may be received as direct
17 evidence in proceedings conducted pursuant to Section 822.”

18 8. Section 822 of the Code states:

19 “If a licensing agency determines that its licentiate’s ability to practice his or her profession
20 safely is impaired because the licentiate is mentally ill, or physically ill affecting competency, the
21 licensing agency may take action by any one of the following methods:

22 “(a) Revoking the licentiate’s certificate or license.

23 “(b) Suspending the licentiate’s right to practice.

24 “(c) Placing the licentiate on probation.

25 “(d) Taking such other action in relation to the licentiate as the licensing agency in its
26 discretion deems proper.”

27 9. Health and Safety Code section 11153 is a criminal statute which provides that a
28 prescription for a controlled substance shall only be issued for a legitimate medical purpose by a

1 practitioner acting in the usual course of her professional practice and that a knowing violation of
2 the statute is felony.

3 10. Health and Safety Code section 11350(a) is a criminal statute which makes it illegal
4 to possess a usable amount of a controlled substance without a valid prescription. Health and
5 Safety Code section 11055(c)(8) defines fentanyl as a Schedule II controlled substance. Health
6 and Safety Code section 11057(d)(21) defines midazolam as a Schedule IV depressant controlled
7 substance. Health and Safety Code section 11375(b)(2) provides that any person who possesses a
8 controlled substance listed in 11375(c) is guilty of a misdemeanor. Penal Code section 503
9 provides that unlawfully taking property that has been entrusted to you constitutes the crime of
10 embezzlement.

11 11. 2228.1(a)(1)(B) of the Code provides that a licensee convicted of drug or alcohol
12 abuse directly resulting in harm to patients or use to an extent that such use impairs the ability of
13 the licensee to practice safely must disclose the terms of any probation, the Board's contact
14 information, and how to locate additional information regarding the discipline.

15 FACTUAL ALLEGATIONS

16 12. On July 1, 2019, Respondent began part-time work as an anesthesiologist at a
17 California hospital upon completion of her residency. By August 30, 2019, the hospital received
18 a report that Respondent was diverting fentanyl¹ for personal use. A subsequent hospital
19 investigation revealed that Respondent prescribed fentanyl and other controlled substances
20 consistently—and significantly—higher than her peers.

21 13. On September 2, 2019, Respondent came to the hospital despite not being scheduled
22 for work and took two vials of fentanyl meant for a patient who was not under her care and who
23 was not scheduled for surgery until the next day. The hospital called the local sheriff's
24 department to report the theft. Respondent admitted to hospital staff and the deputies that she had
25 taken fentanyl from the hospital multiple times between June 2019 and September 2019.

26 _____
27 ¹ Fentanyl is a powerful synthetic opioid analgesic similar to morphine but is much more
28 potent. Fentanyl is a Schedule II controlled substance and a dangerous drug pursuant to section
4022 of the Code. It is commonly used as a pain medication and, together with other
medications, is used as anesthesia.

1 Respondent consented to a search of her vehicle and deputies located a 20-gauge syringe in the
2 driver's side door panel with a trace amount of clear liquid and a red substance with a similar
3 appearance to blood. Sealed containers of midazolam² and propofol³ were located in her scrub
4 uniform pocket in her car.

5 14. On September 2, 2019, Respondent admitted to diverting fentanyl for personal use
6 beginning as early as February 2019, while still a resident, due to personal distress. Respondent
7 described to law enforcement that she would take excess fentanyl from the vials distributed to
8 patients for her personal use. She would pretend to waste the excess fentanyl in front of staff but
9 would keep it to use later. She said she needed more fentanyl to avoid withdrawal symptoms, and
10 she took the midazolam and propofol as cover because they are often used together with the
11 fentanyl as anesthesia. During her subject interview held on October 26, 2020, Respondent
12 admitted that she used fentanyl intravenously from March 2019 until September 2019.
13 Respondent was interviewed and evaluated for a Board-ordered psychiatric evaluation and
14 described that she began escalating her use of fentanyl and started using every day or she would
15 begin feeling sick. Respondent stated that after she was confronted on September 2, 2019, she
16 never used fentanyl again.

17 15. From September 2, 2019 to September 7, 2019, Respondent went to in-patient
18 detoxification and, thereafter, immediately entered an in-patient residential 30-day drug program,
19 where she was diagnosed with a severe opioid use disorder. Respondent then attended a 90-day
20 intensive out-patient treatment program. Respondent has been monitored ever since leaving in-
21 patient treatment by Pacific Assistance Group (PAG), a physician monitoring support program,
22 which has been conducting 48 to 52 random urine screens per year on Respondent, testing for
23 drugs and alcohol.⁴

24 ² Midazolam is a benzodiazepine medication used for anesthesia, procedural sedation,
25 trouble sleeping, and severe agitation. It is a Schedule IV controlled substance and a dangerous
26 drug pursuant to section 4022 of the Code.

27 ³ Propofol is prescription anesthetic used to cause relaxation and sleepiness before and
28 during surgery and other medical procedures.

⁴ All of Respondent's urine screens have been negative (except for authorized
prescriptions), with the exception of one test on October 8, 2019. This was positive for alcohol
metabolites which appears to have been the result of Respondent taking ZZZquil, which contains
alcohol, for assistance sleeping.

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SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct: Unlawful Theft of Controlled Substances From Employer)


20. Respondent Leeanne Park, M.D. is subject to disciplinary action under section 2234(e) and/or 2239 of the Code in that Respondent, as outlined above in paragraphs 12 through 16, did commit an act involving dishonesty or corruption that is substantially related to the qualifications, functions, or duties of a physician and surgeon by stealing fentanyl, midazolam, and propofol from her employing hospital, and by lying about the purpose of those controlled substances.

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 A 146290, issued to Leeanne Park, M.D.;
2. Revoking, suspending or denying approval of Leeanne Park, M.D.'s authority to supervise physician assistants and advanced practice nurses;
3. Ordering Leeanne Park, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and
4. Ordering Leeanne Park, M.D. to disclose probation status, length of probation, the probation end date, practice restrictions, the board's telephone number, and how the patient can find further information regarding the probation pursuant to 2228.1 of the Code;
5. Taking such other and further action as deemed necessary and proper.

DATED: JUN 04 2021


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

SF2021400697