

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

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

Adel A. Boutros, M.D.

**Physician's & Surgeon's
Certificate No. A 47792**

Respondent.

Case No. 800-2018-050393

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 October 3, 2022.

IT IS SO ORDERED: September 1, 2022.

MEDICAL BOARD OF CALIFORNIA



**Laurie Rose Lubiano, J.D., Chair
Panel A**

1 ROB BONTA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 KAROLYN M. WESTFALL
Deputy Attorney General
4 State Bar No. 234540
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 738-9465
7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

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

13 In the Matter of the First Amended Accusation
14 Against:

15 **ADEL A. BOUTROS, M.D.**
24432 Muirlands Blvd., #101
16 Lake Forest, CA 92630-3939

17 **Physician's and Surgeon's Certificate**
18 **No. A 47792,**

Respondent.

Case No. 800-2018-050393

OAH No. 2021120385

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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

22 **PARTIES**

23 1. William Prasifka (Complainant) is the Executive Director of the Medical Board of
24 California (Board). He brought this action solely in his official capacity and is represented in this
25 matter by Rob Bonta, Attorney General of the State of California, by Karolyn M. Westfall,
26 Deputy Attorney General.

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2 course would have been approved by the Board or its designee had the course been taken after
3 the effective date of this Decision.

4 Respondent shall submit a certification of successful completion to the Board or its
5 designee not later than 15 calendar days after successfully completing the course, or not later than
6 15 calendar days after the effective date of the Decision, whichever is later.

7 Any failure to fully comply with this term and condition of the Disciplinary Order shall
8 constitute unprofessional conduct and will subject Respondent's Physician's and Surgeon's
9 Certificate to further disciplinary action.

10 2. INVESTIGATION/ENFORCEMENT COST RECOVERY. Within 60 calendar days
11 of the effective date of this Decision, Respondent is hereby ordered to reimburse the Board its
12 costs of investigation and enforcement, in the amount of \$982.50 (nine hundred eighty-two
13 dollars and fifty cents). Costs shall be payable to the Medical Board of California.

14 The filing of bankruptcy by Respondent shall not relieve Respondent of the responsibility
15 to repay investigation and enforcement costs.

16 Any failure to fully comply with this term and condition of the Disciplinary Order shall
17 constitute unprofessional conduct and will subject Respondent's Physician's and Surgeon's
18 Certificate to further disciplinary action.

19 ACCEPTANCE

20 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
21 discussed it with my attorney, Larry T. Pleiss, Esq. I understand the stipulation and the effect it
22 will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and
23 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
24 Decision and Order of the Medical Board of California.

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26 DATED: 5.12.22



ADEL A. BOUTROS MD
Respondent

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

DATED: May 12, 2022

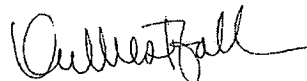

LARRY T. PLEISS, ESQ.
Attorney for Respondent

ENDORSEMENT

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

DATED: 5/12/22

Respectfully submitted,
ROB BONTA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General



KAROLYN M. WESTFALL
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

First Amended Accusation No. 800-2018-050393

1 ROB BONTA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 KAROLYN M. WESTFALL
Deputy Attorney General
4 State Bar No. 234540
600 West Broadway, Suite 1800
5 San Diego, CA 92101
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10 **BEFORE THE**
11 **MEDICAL BOARD OF CALIFORNIA**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
13 **STATE OF CALIFORNIA**

13 In the Matter of the First Amended Accusation
14 Against:

Case No. 800-2018-050393

FIRST AMENDED ACCUSATION

15 **ADEL A. BOUTROS, M.D.**
16 **24432 Muirlands Blvd., #101**
Lake Forest, CA 92630-3939

17 **Physician's and Surgeon's Certificate**
18 **No. A 47792,**

Respondent.

19
20 **PARTIES**

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

24 2. On or about December 4, 1989, the Board issued Physician's and Surgeon's
25 Certificate No. A 47792 to Adel A. Boutros, 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 January 31, 2023, unless renewed.

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JURISDICTION

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2 3. This First Amended Accusation, which supersedes the Accusation filed on October
3 26, 2021, is brought before the Board, under the authority of the following laws. All section
4 references are to the Business and Professions Code (Code) unless otherwise indicated.

5 4. Section 2227 of the Code states, in pertinent part:

6 (a) A licensee whose matter has been heard by an administrative law judge of
7 the Medical Quality Hearing Panel as designated in Section 11371 of the Government
8 Code, or whose default has been entered, and who is found guilty, or who has entered
9 into a stipulation for disciplinary action with the board, may, in accordance with the
10 provisions of this chapter:

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

12 (2) Have his or her right to practice suspended for a period not to exceed one
13 year upon order of the board.

14 (3) Be placed on probation and be required to pay the costs of probation
15 monitoring upon order of the board.

16 (4) Be publicly reprimanded by the board. The public reprimand may include a
17 requirement that the licensee complete relevant educational courses approved by the
18 board.

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

21 ...

22 5. Section 2234 of the Code, states, in pertinent part:

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

26 ...

27 (c) Repeated negligent acts. To be repeated, there must be two or more
28 negligent acts or omissions. An initial negligent act or omission followed by a
separate and distinct departure from the applicable standard of care shall constitute
repeated negligent acts.

 ...

 6. Section 2266 of the Code states: The failure of a physician and surgeon to maintain
adequate and accurate records relating to the provision of services to their patients constitutes
unprofessional conduct.

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COST RECOVERY

7. Section 125.3 of the Code states:

(a) Except as otherwise provided by law, in any order issued in resolution of a disciplinary proceeding before any board within the department or before the Osteopathic Medical Board upon request of the entity bringing the proceeding, the administrative law judge may direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

(b) In the case of a disciplined licentiate that is a corporation or a partnership, the order may be made against the licensed corporate entity or licensed partnership.

(c) A certified copy of the actual costs, or a good faith estimate of costs where actual costs are not available, signed by the entity bringing the proceeding or its designated representative shall be prima facie evidence of reasonable costs of investigation and prosecution of the case. The costs shall include the amount of investigative and enforcement costs up to the date of the hearing, including, but not limited to, charges imposed by the Attorney General.

(d) The administrative law judge shall make a proposed finding of the amount of reasonable costs of investigation and prosecution of the case when requested pursuant to subdivision (a). The finding of the administrative law judge with regard to costs shall not be reviewable by the board to increase the cost award. The board may reduce or eliminate the cost award, or remand to the administrative law judge if the proposed decision fails to make a finding on costs requested pursuant to subdivision (a).

(e) If an order for recovery of costs is made and timely payment is not made as directed in the board's decision, the board may enforce the order for repayment in any appropriate court. This right of enforcement shall be in addition to any other rights the board may have as to any licensee to pay costs.

(f) In any action for recovery of costs, proof of the board's decision shall be conclusive proof of the validity of the order of payment and the terms for payment.

(g)(1) Except as provided in paragraph (2), the board shall not renew or reinstate the license of any licensee who has failed to pay all of the costs ordered under this section.

(2) Notwithstanding paragraph (1), the board may, in its discretion, conditionally renew or reinstate for a maximum of one year the license of any licensee who demonstrates financial hardship and who enters into a formal agreement with the board to reimburse the board within that one-year period for the unpaid costs.

(h) All costs recovered under this section shall be considered a reimbursement for costs incurred and shall be deposited in the fund of the board recovering the costs to be available upon appropriation by the Legislature.

(i) Nothing in this section shall preclude a board from including the recovery of the costs of investigation and enforcement of a case in any stipulated settlement.

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1 (j) This section does not apply to any board if a specific statutory provision in
2 that board's licensing act provides for recovery of costs in an administrative
disciplinary proceeding.

3 **FIRST CAUSE FOR DISCIPLINE**

4 **(Repeated Negligent Acts)**

5 8. Respondent has subjected his Physician's and Surgeon's Certificate No. A 47792 to
6 disciplinary action under sections 2227 and 2234, as defined by section 2234, subdivision (c), of
7 the Code, in that he committed repeated negligent acts in his care and treatment of Patient A,¹ as
8 more particularly alleged hereinafter:

9 9. On or about July 27, 2017, Patient A, a then 61-year-old wheelchair-bound female,
10 was admitted from the hospital to the Palm Retirement Center (PRC). Patient A was discharged
11 with prescriptions for various vitamins and medications, including but not limited to, ciproflaxin
12 for infection, ferrous sulfate for iron deficiency, metformin for diabetes, and oxybutynin for
13 bladder control. Patient A's primary diagnoses upon admission were a urinary tract infection,
14 hyperlipidemia, essential hypertension, type two diabetes mellitus, unspecified glaucoma,
15 generalized muscle weakness, and dementia.

16 10. Between on or about July 27, 2017, and on or about November 1, 2019, Patient A
17 received primary care treatment from Respondent at PRC on approximately nine (9) visits. At
18 every visit, Respondent's documented plan was to "refill all current medications." At every visit,
19 the patient's chart identifies a recurring medication of ciproflaxin that was not actually prescribed
20 or continued.

21 11. On or about August 22, 2017, Respondent met with Patient A at PRC. Patient A
22 expressed no complaints at that visit. Respondent's cursory chart notes for this visit, or any visit
23 thereafter, did not include a mental status examination or any documented concerns about the

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27 ¹ To protect the privacy of the patient involved, the patient's name has not been included
28 in this pleading. Respondent is aware of the identity of the patient referred to herein.

1 patient from her family or the PRC staff. At the conclusion of this visit, Respondent diagnosed
2 Patient A with, among other things, quadriplegia,² anxiety, and dementia.

3 12. On or about October 5, 2017, Respondent met with patient A at PRC. At this visit,
4 Patient A complained of feeling anxious and agitated. Respondent's cursory chart notes for this
5 visit did not include a mental status examination or any further details about her anxiety or
6 agitation. At the conclusion of this visit, Respondent maintained Patient A on her prior
7 medications, but added Ativan³ .5mg.

8 13. Between on or about October 5, 2017, and on or about September 12, 2019,
9 Respondent maintained Patient A on monthly prescriptions of Ativan for anxiety.

10 14. On or about October 9, 2018, Respondent met with Patient A at PRC. At this visit,
11 Patient A complained of increased agitation, feeling more anxious, a burning sensation during
12 urination, and a cough. Respondent's cursory chart notes for this visit did not include any further
13 details about her agitation or anxiety. At the conclusion of this visit, Respondent maintained
14 Patient A on her prior medications, but added Haldol⁴ 1 mg, and requested a psychiatric
15 consultation.

16 15. On or about October 10, 2018, and on or about October 28, 2018, Respondent
17 prescribed Patient A temazepam⁵ 15 mg. Respondent did not see the patient on those dates and
18 the prescriptions are not documented anywhere in the patient's chart.⁶

19 ² Respondent's diagnosis of quadriplegia is repeated throughout Patient A's chart. At the
20 subject interview, Respondent identified that the accurate diagnosis for this patient was
hemiplegia.

21 ³ Ativan (brand name for lorazepam) is a Schedule IV controlled substance pursuant to
22 Health and Safety Code section 11057, subdivision (d), and a dangerous drug pursuant to
23 Business and Professions Code section 4022. It belongs to a group of drugs called
benzodiazepines.

24 ⁴ Haldol (brand name for haloperidol) is an antipsychotic medication used to treat various
25 mental/mood disorders, and a dangerous drug pursuant to Business and Professions Code section
4022.

26 ⁵ Temazepam (brand name Restoril) is a Schedule IV controlled substance pursuant to
27 Health and Safety Code section 11057, subdivision (d), and a dangerous drug pursuant to
Business and Professions Code section 4022. It belongs to a group of drugs called
benzodiazepines.

28 ⁶ At his subject interview, Respondent admitted that he sometimes calls in a prescription
for temazepam if the patient cannot sleep.

1 16. On or about April 30, 2019, Respondent prescribed Patient A sixteen (16) tablets of
2 Haldol 5 mg with twelve (12) refills, sixty-two (62) tablets of Ativan 1 mg with five (5) refills,
3 and thirty-one (31) tablets of temazepam 15 mg with five (5) refills. Respondent did not see the
4 patient on that day and the prescriptions are not documented anywhere in the patient's chart.

5 17. On or about August 16, 2019, Respondent prescribed Patient A sixty-two (62) tablets
6 of Ativan 1 mg for anxiety and thirty one (31) tablets of temazepam 15 mg for insomnia.
7 Respondent did not see the patient on that day and the prescriptions are not documented anywhere
8 in the patient's chart.

9 18. On or about April 6, 2020, Respondent provided a letter to an investigator for the
10 Board regarding the care and treatment he provided to Patient A. In this letter, Respondent
11 indicated that Patient A was lost several times and was brought back to PRC by police, and was
12 found several times in the street in the middle of traffic. During his subject interview on or about
13 December 8, 2020, Respondent admitted that statement was in error, and that he confused this
14 patient with another patient.

15 19. Respondent committed repeated negligent acts in his care and treatment of Patient A,
16 which included, but was not limited to, the following:

17 A. Prescribing two benzodiazepines to Patient A at the same time;

18 B. Prescribing benzodiazepines and antipsychotic medications to Patient A
19 without identifying and/or documenting the severity of symptoms necessitating the
20 medications; and

21 C. Prescribing medications to Patient A without documenting the prescriptions in
22 the patient's chart.

23 **SECOND CAUSE FOR DISCIPLINE**

24 **(Failure to Maintain Adequate and Accurate Records)**

25 20. Respondent has further subjected his Physician's and Surgeon's Certificate No.
26 A 47792 to disciplinary action under sections 2227 and 2234, as defined by section 2266, of the
27 Code, in that Respondent failed to maintain adequate and accurate records regarding his care and

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1 treatment of Patient A, as more particularly alleged in paragraphs 8 through 19 (C), above, which
2 are hereby incorporated by reference and realleged as if fully set forth herein.

3 **PRAYER**

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


6 1. Revoking or suspending Physician's and Surgeons Certificate No. A 47792, issued to
7 Respondent Adel A. Boutros, M.D.;

8 2. Revoking, suspending or denying approval of Respondent Adel A. Boutros, M.D.'s
9 authority to supervise physician assistants and advanced practice nurses;

10 3. Ordering Respondent Adel A. Boutros, M.D., to pay the Board the costs of the
11 investigation and enforcement of this case, and if placed on probation, to pay the Board the costs
12 of probation monitoring; and

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

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15 DATED: JAN 31 2022

16 
17 WILLIAM PRASIFKA
18 Executive Director
19 Medical Board of California
20 Department of Consumer Affairs
21 State of California
22 Complainant

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