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

In the Matter of the Accusation Against: Lonna Larsh, M.D. Physician's & Surgeon's Certificate No. G 75442 Respondent.	Case No. 800-2019-054265

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 December 2, 2022.

IT IS SO ORDERED: November 3, 2022.

MEDICAL BOARD OF CALIFORNIA

Laurie Rose Lubiano, M.D., Chair
Panel A

ROB BONTA
Attorney General of California
MARY CAIN-SIMON
Supervising Deputy Attorney General
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BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: **LONNA LARSH, M.D.** **709 Frederick Street** **Santa Cruz, CA 95062-2204** **Physician's and Surgeon's Certificate No. G 75442** Respondent.	Case No. 800-2019-054265 OAH No. 2022030442 **STIPULATED SETTLEMENT AND DISCIPLINARY ORDER**

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

PARTIES

1. William Prasifka (Complainant) is the Executive Director of the Medical Board of California (Board). He brought this action solely in his official capacity and is represented in this matter by Rob Bonta, Attorney General of the State of California, by David Carr, Deputy Attorney General.

2. Lonna Larsh, M.D., is represented in this proceeding by attorney Sarvnaz R. Mackin, of Nelson Hardiman, whose address is: 1100 Glendon Ave., 14th Floor, Los Angeles, CA 90024.

3. On October 27, 1992, the Board issued Physician's and Surgeon's Certificate No. G 75442 to Lonna Larsh, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2019-054265, and will expire on September 30, 2022, unless renewed.

JURISDICTION

4. Accusation No. 800-2019-054265 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on December 17, 2021. Respondent timely filed her Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2019-054265 is attached as Exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2018-047847. Respondent has also carefully read, fully discussed with her counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

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

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

CULPABILITY

9. Respondent understands and agrees that the charges and allegations in Accusation No. 800-201-054265, if proven at a hearing, constitute cause for imposing discipline upon her Physician's and Surgeon's Certificate.

10. Respondent agrees that, at a hearing, Complainant could establish a prima facie case or factual basis for the charges in the Accusation, and that Respondent hereby gives up her right to contest those charges.

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

RESERVATION

12. The admissions made by Respondent herein are only for the purposes of this proceeding, or any other proceedings in which the Medical Board of California or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

CONTINGENCY

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

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

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

DISCIPLINARY ORDER

A. PUBLIC REPRIMAND

IT IS HEREBY ORDERED that Respondent Lonna Larsh, M.D., Physician's and Surgeon's Certificate No. G 75442, shall be and hereby is publically reprimanded pursuant to Business and Professions Code section 2227. This Public Reprimand, which is issued in connection with Respondent's conduct as set forth in Accusation No. 800-2019-054265, is as follows: Pursuant to Business and Professions Code sections 2234 and 2234, subdivision (c), you demonstrated unprofessional conduct through repeated negligent acts in the treatment of Patient One by unduly relying on a physical examination and initial assessment of the patient performed by a non-physician and failing to document an adequate clinical basis for Patient One's subsequent treatment. Consequently, the Board issues this Public Reprimand.

B. IT IS FURTHER ORDERED:

1. PROFESSIONALISM COURSE. Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in a professionalism course that meets the requirements of Title 16, California Code of Regulations section 1358.1. Respondent shall participate in and successfully complete the program. Respondent shall provide the approved course provider with any information and documents that the approved course provider may deem pertinent. Respondent shall participate in and successfully complete the classroom component of the course not later than six (6) months after Respondent's initial enrollment, and the longitudinal component of the program not later than the time specified by the program, but not later than one (1) year after attending the classroom component. The professionalism course shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

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

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

2. ADDITIONAL CONTINUING MEDICAL EDUCATION Within 60 calendar days of the effective date of this Decision Respondent shall submit to the Board or its designee for its prior approval educational program(s) or course(s) which shall include medical record-keeping and initial patient assessment and which shall not less than 25 hours above and in addition to the 25 hours of CME required for license renewal. The educational program(s) or course(s) shall be at Respondent's expense. Following the completion of each course, the Board or its designee may administer an examination to test Respondent's knowledge of the course.

3. INVESTIGATION AND ENFORCEMENT COSTS RECOVERY Respondent is hereby ordered to reimburse the Board for its costs of investigation and enforcement in this case incurred after January 1, 2022, in the amount of $3,091 (Three Thousand, Ninety-One Dollars). Costs shall be payable to the Medical Board of California. Any requests for a payment plan shall be submitted in writing by Respondent to the Board. The filing of bankruptcy by Respondent shall not relieve her of the responsibility to repay investigation and enforcement costs.

4. FUTURE ADMISSIONS CLAUSE 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 action agency in the State of California, all of the charges and allegations contained in Accusation No. 800-2019-054265 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 a license.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Sarvnaz R. Mackin. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and

Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 5/17/2021

LONNA LARSH, M.D.
Respondent

I have read and fully discussed with Respondent Lonna Larsh, 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: 5/17/22

SARVNAZ R. MACKIN
Attorney for Respondent

ENDORSEMENT

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

DATED: May 19, 2022

ROB BONTA
Attorney General of California
MARY CAIN-SIMON
Supervising Deputy Attorney General

DAVID CARR
Deputy Attorney General
Attorneys for Complainant

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EXHIBIT A
ACCUSATION NO. 800-2019-054265

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Attorneys for Complainant

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

In the Matter of the Accusation Against: **LONNA LARSH, M.D.** **709 Frederick St.** **Santa Cruz, CA 95062-2204** **Physician's and Surgeon's Certificate No. G 75442,** Respondent.	Case No. 800-2019-054265 **ACCUSATION**

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 October 27, 1992, the Board issued Physician's and Surgeon's Certificate Number G 75442 to Lonna Larsh, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the allegations brought herein and will expire on September 30, 2022, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 2001.1 of the Code makes public protection the Board's highest priority.

5. Section 2227 of the Code states:

> (a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary action with the board, may, in accordance with the provisions of this chapter:
>
> (1) Have his or her license revoked upon order of the board.
>
> (2) Have his or her right to practice suspended for a period not to exceed one year upon order of the board.
>
> (3) Be placed on probation and be required to pay the costs of probation monitoring upon order of the board.
>
> (4) Be publicly reprimanded by the board. The public reprimand may include a requirement that the licensee complete relevant educational courses approved by the board.
>
> (5) Have any other action taken in relation to discipline as part of an order of probation, as the board or an administrative law judge may deem proper.
>
> (b) Any matter heard pursuant to subdivision (a), except for warning letters, medical review or advisory conferences, professional competency examinations, continuing education activities, and cost reimbursement associated therewith that are agreed to with the board and successfully completed by the licensee, or other matters made confidential or privileged by existing law, is deemed public, and shall be made available to the public by the board pursuant to Section 803.1.

6. Section 2234 of the Code, states:

> The board shall take action against any licensee who is charged with unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:
>
> (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.
>
> (b) Gross negligence.
>
> (c) Repeated negligent acts. To be repeated, there must be two or more 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.

(1) An initial negligent diagnosis followed by an act or omission medically appropriate for that negligent diagnosis of the patient shall constitute a single negligent act.

(2) When the standard of care requires a change in the diagnosis, act, or omission that constitutes the negligent act described in paragraph (1), including, but not limited to, a reevaluation of the diagnosis or a change in treatment, and the licensee's conduct departs from the applicable standard of care, each departure constitutes a separate and distinct breach of the standard of care.

(d) Incompetence.

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

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

(g) The failure by a certificate holder, in the absence of good cause, to attend and participate in an interview by the board. This subdivision shall only apply to a certificate holder who is the subject of an investigation by the board.

7. 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."

8. Effective beginning January 1, 2022, section 125.3 of the Code provides that the Board may request the administrative law judge to 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, with failure of the licensee to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

9. The events described herein occurred in Santa Cruz County, California.

FIRST CAUSE FOR DISCIPLINE

(Gross Negligence/Repeated Negligent Acts)

10. Respondent Lonna Larsh, M.D., is subject to disciplinary action under Code sections 2234(b) and/or 2234(c), in that her care and treatment of Patient One[1] included departures from the standard of care constituting gross negligence and/or repeated negligent acts.

[1] The patient is referred to herein as Patient One to preserve patient confidentiality. The patient's full name will be provided to Respondent upon request.

11. In response to online advertising, Patient One visited Natural Foundations[2] clinic on January 16, 2018, to inquire about laser treatment for weight loss. After meeting with a non-physician staff member or the chiropractor co-owner of the clinic, Patient One purchased a treatment package of laser treatments and hormone replacement for weight loss. The Natural Foundations medical records for Patient One contain an undated, one-page medical questionnaire but no record of a physical examination of the patient or a focused medical history conducted by anyone at any time. A one-page "V-Shape Informed Consent Form" for "radio-frequency device" treatment of skin wrinkles bears Patient One's signature, without an accompanying date, and Respondent's signature with an accompanying date of May 11, 2018. The medical record documents a series of "V-Shape" treatments, administered by a registered nurse, beginning on January 18, 2018 and concluding on March 15, 2018.

12. On January 23, 2018, at his second visit to Natural Foundations for radio frequency treatment for skin wrinkles, Patient One signed a four-page "Informed Consent for Treatment For Body by Laser." The form states that the patient's signature was witnessed on January 23, 2018 by the registered nurse employed at Natural Foundation, and by her appended signature Respondent attested, on March 9, 2018, that "the patient has been adequately informed and has consented" to the laser treatments that Patient One had begun receiving on February 1, 2018.

13. On March 2, 2018, Respondent met with Patient One for the first time, just before inserting ten 200 mg. pellets of compounded testosterone surgically into Patient One. There is no operative report of this procedure contained in the certified medical records from Natural Foundation. Just one day prior to her April 16, 2021 interview with Board investigators about this case, Respondent emailed Board investigators an unsigned, two-page document that Respondent claimed was the operative report of Respondent's March 2, 2018, testosterone pellet implant procedure on Patient One. In the email bearing this document, Respondent informed the investigator that: "The records that you received from the clinic I was working with at the time of that insertion did not include the procedure note. I have been able to get a copy of that note from

[2] In January of 2018, Natural Foundations was a medical clinic co-owned by Respondent and Susan White, a California-licensed chiropractor.

the electronic medical record system that we used at that time." The document's brief narrative, evidently authored by Respondent, states that Respondent discussed the treatment options with the patient "and he chose the pellets and I fully informed him of the risks and possible complications of pellet hormonal replacement therapy and insertion. He signed the informed consent and waiver." The is a single page, pre-printed "Consent for Hormone Implantation" bearing Patient One's signature in the medical record, but it refers only to the risks of local anesthesia, bleeding, and/or infection.

14. The two page operative report Respondent provided to Board investigators on April 15, 2021 also makes a one-line diagnosis of Patient One: "He has hormonal deficit as the primary cause of his problems." All documentation within the medical records for Patient One indicate that he was being treated solely for weight loss and the cosmetic skin complications therefrom. The only laboratory test results of Patient One's testosterone levels in the medical records show a post-procedure reading—from a blood sample taken on April 4, 2018--of 923 ng/dL; the normal reading for this test is 250-1100 ng/dL[3]. There is a handwritten notation of "329" and an arrow pointing toward the higher "923" figure, but no other reference. In her two-page procedure note, Respondent recorded Patient One's testosterone level as 329. That handwritten number of "329,' with no supporting lab reports anywhere in Patient One's record, is also within the normal range as established in the later laboratory report of April 4, 2018. There is no indication that Respondent conducted any physical examination or obtained any history from Patient One sufficient to form a rational clinical basis for treatment of testosterone deficiency. In her interview with Board investigators, Respondent stated that Patient One had agreed to testosterone pellet insertion after talking with chiropractor Susan White and Respondent had not discussed that treatment with Patient One prior to the day of the pellet insertion: "I didn't speak with him until after he had already signed up for this."

15. Respondent has subjected her license to disciplinary action for unprofessional conduct in that her failure to clinically evaluate Patient One by obtaining an adequate physical examination and history prior to subjecting Patient One to the surgical implantation procedure

[3] Ng/dL is standard medical notation for "nanograms per deciliter."

was a departure from the standard of care constituting gross negligence in violation of section 2234(b) of the Code or, in conjunction with the other departures form the standard of care alleged herein, repeated negligent acts in violation of section 2234(c) of the Code.

SECOND CAUSE FOR DISCIPLINE

(Gross Negligence/Repeated Negligent Acts)

16. The allegations of paragraphs 11-14 above are incorporated by reference as if set out in full. Respondent is subject to disciplinary action under sections 2234(b) and/or 2234(c) of the Code, in that her treatment of Patient One with surgically implanted testosterone pellets without a documented clinical basis sufficient to establish a hormonal deficit was an extreme departure from the standard of care constituting gross negligence or, in conjunction with the other negligent act alleged herein, repeated negligent acts.

THIRD CAUSE FOR DISCIPLINE

(Repeated Negligent Acts)

17. The allegations of paragraphs 11-14 above are incorporated by reference as if set out in full. Respondent is subject to disciplinary action under sections 2234(c) of the Code, in that her failure to adequately inform Patient One of the risks, benefits, and alternatives to the surgical procedure and obtain knowing consent for that procedure was a departure from the standard of care that, in conjunction with the other negligent acts alleged herein, constitutes repeated negligent acts.

FOURTH CAUSE FOR DISCIPLINE

(Failure to Maintain Accurate and Accurate Medical Records)

18. The allegations of paragraphs 11-14 above are incorporated by reference as if set out in full. Respondent is subject to disciplinary action under section 2266 of the Code in that she failed to maintain adequate and accurate records relating to her care and treatment of Patient One.

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 75442, issued to Respondent Lonna Larsh, M.D.;

2. Revoking, suspending or denying approval of Respondent Lonna Larsh, M.D.'s authority to supervise physician assistants and advanced practice nurses;

3. Ordering Respondent Lonna Larsh, M.D., to pay the Board the reasonable costs of investigation and prosecution of this case incurred after January 1, 2022, and, if placed on probation, the costs of probation monitoring as well; and

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

DATED: DEC 17 2021

For: WILLIAM PRASIFKA
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

Reji Varghese
Deputy Director

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