

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

In the Matter of the Accusation Against:

Gary Steven Toig, M.D.

**Physician's and Surgeon's
Certificate No. G 46719**

Respondent.

Case No. 800-2023-099747

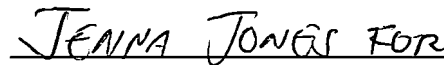
DECISION

The attached Stipulated Surrender of License and Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on February 8, 2024.

IT IS SO ORDERED February 1, 2024.

MEDICAL BOARD OF CALIFORNIA



**Reji Varghese
Executive Director**

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ROB BONTA
Attorney General of California
MACHAELA M. MINGARDI
Supervising Deputy Attorney General
State Bar No. 194400
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 510-3469
Facsimile: (415) 703-5480
Attorneys for Complainant

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

In the Matter of the Accusation Against:

GARY STEVEN TOIG, M.D.
801 BREWSTER AVE
REDWOOD CITY, CA 94063-1557

Physician's and Surgeon's Certificate No. G
46719

Respondent.

Case No. 800-2023-099747

**STIPULATED SURRENDER OF
LICENSE AND 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. Reji Varghese (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 Machaela M. Mingardi, Supervising Deputy Attorney General.

2. GARY STEVEN TOIG, M.D. (Respondent) is represented in this proceeding by attorney Warren R. Webster, whose address is: Hassard Bonnington LLP, 111 Pine Street, Suite 1530, San Francisco, CA 94111.

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1 Executive Director on behalf of the Board does not, in his discretion, approve and adopt this
2 Stipulated Surrender of License and Disciplinary Order, with the exception of this paragraph, it
3 shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied
4 upon or introduced in any disciplinary action by either party hereto. Respondent further agrees
5 that should this Stipulated Surrender of License and Disciplinary Order be rejected for any reason
6 by the Executive Director on behalf of the Board, Respondent will assert no claim that the
7 Executive Director, the Board, or any member thereof, was prejudiced by its/his/her review,
8 discussion and/or consideration of this Stipulated Surrender of License and Disciplinary Order or
9 of any matter or matters related hereto.

10 ADDITIONAL PROVISIONS

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

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

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

20 ORDER

21 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 46719, issued
22 to Respondent GARY STEVEN TOIG, M.D., is surrendered and accepted by the Board.

23 1. The surrender of Respondent's Physician's and Surgeon's Certificate and the
24 acceptance of the surrendered license by the Board shall constitute the imposition of discipline
25 against Respondent. This stipulation constitutes a record of the discipline and shall become a part
26 of Respondent's license history with the Board.

27 2. Respondent shall lose all rights and privileges as a physician and surgeon in
28 California as of the effective date of the Board's Decision and Order.

1 3. Respondent shall cause to be delivered to the Board his pocket license and, if one was
2 issued, his wall certificate on or before the effective date of the Decision and Order.

3 4. If Respondent ever files an application for licensure or a petition for reinstatement in
4 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
5 comply with all the laws, regulations and procedures for reinstatement of a revoked or
6 surrendered license in effect at the time the petition is filed, and all of the charges and allegations
7 contained in Accusation No. 800-2023-099747 shall be deemed to be true, correct and admitted
8 by Respondent when the Board determines whether to grant or deny the petition.

9 5. Respondent shall pay the agency its costs of investigation and enforcement in the
10 amount of \$8500 prior to issuance of a new or reinstated license.

11 6. If Respondent should ever apply or reapply for a new license or certification, or
12 petition for reinstatement of a license, by any other health care licensing agency in the State of
13 California, all of the charges and allegations contained in Accusation No. 800-2023-099747 shall
14 be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
15 Issues or any other proceeding seeking to deny or restrict licensure.

16 ACCEPTANCE

17 I have carefully read the above Stipulated Surrender of License and Order and have fully
18 discussed it with my attorney Warren R. Webster. I understand the stipulation and the effect it
19 will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of
20 License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the
21 Decision and Order of the Medical Board of California.

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23 DATED: 1/30/2024 Gary Steven Toig, M.D.
24 GARY STEVEN TOIG, M.D.
Respondent

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I have read and fully discussed with Respondent GARY STEVEN TOIG, M.D. the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: 1/31/2024 
WARREN R. WEBSTER
Attorney for Respondent

ENDORSEMENT

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

DATED: _____ Respectfully submitted,
ROB BONTA
Attorney General of California

MACHAELA M. MINGARDI
Supervising Deputy Attorney General
Attorneys for Complainant

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I have read and fully discussed with Respondent GARY STEVEN TOIG, M.D. the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: _____
WARREN R. WEBSTER
Attorney for Respondent

ENDORSEMENT

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

DATED: 1/31/2024 _____ Respectfully submitted,
ROB BONTA
Attorney General of California

Machaela M. Mingardi
MACHAELA M. MINGARDI
Supervising Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2023-099747

1 ROB BONTA
Attorney General of California
2 MACHAELA M. MINGARDI
Supervising Deputy Attorney General
3 State Bar No. 194400
4 455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 510-3469
5 Facsimile: (415) 703-5480
6 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case No. 800-2023-099747

12 **GARY STEVEN TOIG, M.D.**
13 **801 BREWSTER AVE**
REDWOOD CITY, CA 94063-1557

A C C U S A T I O N

14 **Physician's and Surgeon's Certificate**
15 **No. G 46719,**

16 Respondent.

17
18 **PARTIES**

19 1. Reji Varghese (Complainant) brings this Accusation solely in his official capacity as
20 the Executive Director of the Medical Board of California, Department of Consumer Affairs
21 (Board).

22 2. On or about December 21, 1981, the Medical Board issued Physician's and Surgeon's
23 Certificate Number G 46719 to Gary Steven Toig, M.D. (Respondent). The Physician's and
24 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
25 herein and will expire on June 30, 2025, unless renewed.

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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 his or her license revoked, suspended for a period not to exceed
7 one 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 822 of the Code states:

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

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

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

15 (c) Placing the licentiate on probation.

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

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

22 **COST RECOVERY**

23 6. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
24 administrative law judge to direct a licensee found to have committed a violation or violations of
25 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
26 enforcement of the case, with failure of the licensee to comply subjecting the license to not being
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1 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
2 included in a stipulated settlement.

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4 **FACTUAL ALLEGATIONS**

5 7. Respondent was an obstetrician and gynecologist in Redwood City, California.

6 8. In June and July 2023, Respondent engaged in acts of a wrongful nature in public that
7 were reported to the police.

8 9. Respondent is currently suffering from a mental health condition that makes him
9 unsafe to practice medicine safely at this time.

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11 **CAUSE FOR DISCIPLINE**

12 **(Impaired Ability to Practice Medicine Safely)**

13 10. The allegations contained in paragraphs 7 through 9 are incorporated by reference.

14 11. Respondent Gary Steven Toig, M.D., is subject to disciplinary action under sections
15 822 and 2227 of the Code.

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17 **PRAYER**

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

20 1. Revoking or suspending Physician's and Surgeon's Certificate Number G 46719,
21 issued to Respondent Gary Steven Toig, M.D.;

22 2. Revoking, suspending or denying approval of Respondent Gary Steven Toig, M.D.'s
23 authority to supervise physician assistants and advanced practice nurses;

24 3. Ordering Respondent Gary Steven Toig, M.D., to pay the Board the costs of the
25 investigation and enforcement of this case, and if placed on probation, the costs of probation
26 monitoring;

27 4. Ordering Respondent Gary Steven Toig, M.D., if placed on probation, to provide
28 patient notification in accordance with Business and Professions Code section 2228.1; and

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

DATED: FEB 01 2024

JENNA JONES FOR
REJI VARGHESE
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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