

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

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

Sergio B. Court, M.D.

**Physician's and Surgeon's
Certificate No. A 31130**

Case No. 800-2023-101346

Respondent.

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 April 22, 2024.

IT IS SO ORDERED April 15, 2024.

MEDICAL BOARD OF CALIFORNIA



Reji Varghese, Executive Director

1 ROB BONTA
Attorney General of California
2 GREG W. CHAMBERS
Supervising Deputy Attorney General
3 HARRIET NEWMAN
Deputy Attorney General
4 State Bar No. 189784
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Attorneys for Complainant

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

12 In the Matter of the Accusation Against:

Case No. 800-2023-101346

13 **SERGIO B. COURT, M.D.**
14 **155 N JACKSON AVE., STE. 201**
15 **SAN JOSE, CA 95116-1925**

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

16 **Physician's and Surgeon's Certificate No. A**
17 **31130**

Respondent.

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

20 **PARTIES**

21 1. REJI VARGHESE (Complainant) is the Executive Director of the Medical Board of
22 California (Board). He brought this action solely in his official capacity and is represented in this
23 matter by Rob Bonta, Attorney General of the State of California, by Harriet Newman, Deputy
24 Attorney General.

25 2. SERGIO B. COURT, M.D. (Respondent) is represented in this proceeding by
26 attorney Scott R. Kanter, whose address is: Hinshaw, Marsh, Still & Kanter LLP, 12901 Saratoga
27 Ave., Saratoga, CA 95070.
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3. On or about June 13, 1977, the Board issued Physician's and Surgeon's Certificate No. A 31130 to Respondent. That license was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2023-101346 and will expire on March 31, 2025, unless renewed.

JURISDICTION

4. Accusation No. 800-2023-101346 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 January 31, 2024. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 800-2023-101346 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2023-101346. Respondent also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Order.

6. Respondent is fully aware of his 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 him; the right to present evidence and to testify on his 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.

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

CULPABILITY

8. Respondent understands that the charges and allegation in Accusation No. 800-2022-093304, if proven at hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate.

9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation and that those charges constitute cause for discipline. Respondent hereby gives up his right to contest that cause for discipline exists based on those charges.

10. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Physician and Surgeon without further process.

CONTINGENCY

11. Business and Professions Code section 2224, subdivision (b), provides, in pertinent part, that the Medical Board “shall delegate to its executive director the authority to adopt a ... stipulation for surrender of a license.”

12 Respondent understands that, by signing this stipulation, he enables the Executive Director of the Board to issue an order, on behalf of the Board, accepting the surrender of his Physician's and Surgeon's Certificate No. A 31130 without further notice to, or opportunity to be heard by, Respondent.

13 This Stipulated Surrender of License and Disciplinary Order shall be subject to the approval of the Executive Director on behalf of the Board. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be submitted to the Executive Director for his consideration in the above-entitled matter and, further, that the Executive Director shall have a reasonable period of time in which to consider and act on this Stipulated Surrender of License and Disciplinary Order after receiving it. By signing this stipulation, Respondent fully understands and agrees that he may not withdraw his agreement or seek to rescind this stipulation prior to the time the Executive Director, on behalf of the Medical Board, considers and acts upon it.

14. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be null and void and not binding upon the parties unless approved and adopted by the Executive Director on behalf of the Board, except for this paragraph, which shall remain in full force and effect. Respondent fully understands and agrees that in deciding whether or not to approve and adopt this Stipulated Surrender of License and Disciplinary Order, the Executive

1 Director and/or the Board may receive oral and written communications from its staff and/or the
2 Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the
3 Executive Director, the Board, any member thereof, and/or any other person from future
4 participation in this or any other matter affecting or involving respondent. In the event that the
5 Executive Director on behalf of the Board does not, in his discretion, approve and adopt this
6 Stipulated Surrender of License and Disciplinary Order, with the exception of this paragraph, it
7 shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied
8 upon or introduced in any disciplinary action by either party hereto. Respondent further agrees
9 that should this Stipulated Surrender of License and Disciplinary Order be rejected for any reason
10 by the Executive Director on behalf of the Board, Respondent will assert no claim that the
11 Executive Director, the Board, or any member thereof, was prejudiced by its/his/her review,
12 discussion and/or consideration of this Stipulated Surrender of License and Disciplinary Order or
13 of any matter or matters related hereto.

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

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

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

23 **ORDER**

24 IT IS HEREBY ORDERED that Physician and Surgeon No. A 31130, issued to
25 Respondent SERGIO B. COURT, M.D., is surrendered and accepted by the Board.

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

3 2. Respondent shall lose all rights and privileges as a Physician and Surgeon in
4 California as of the effective date of the Board's Decision and Order.

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

7 4. Respondent shall pay the agency its costs of investigation and enforcement in the
8 amount of \$25,940 prior to issuance of a new or reinstated license.

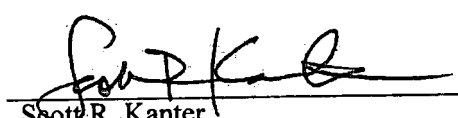
9 5. If Respondent should ever apply or reapply for a new license or certification, or
10 petition for reinstatement of a license, by any other health care licensing agency in the State of
11 California, all of the charges and allegations contained in Accusation No. 800-2023-101346 shall
12 be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
13 Issues or any other proceeding seeking to deny or restrict licensure.

14 ACCEPTANCE

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

20 DATED: 03/27/2024
21 
22 SERGIO B. COURT, M.D.
Respondent

23 I have read and fully discussed with Respondent SERGIO B. COURT, M.D. the terms and
24 conditions and other matters contained in this Stipulated Surrender of License and Order. I
25 approve its form and content.

26 DATED: 3/27/24
27 
28 Scott R. Kanter
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: 3/21/24

Respectfully submitted,

ROB BONTA
Attorney General of California
GREG W. CHAMBERS
Supervising Deputy Attorney General

Harriet Newman

HARRIET NEWMAN
Deputy Attorney General
Attorneys for Complainant

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

12 In the Matter of the Accusation Against:

Case No. 800-2023-101346

13 **SERGIO B. COURT, M.D.**
14 **155 N. Jackson Ave., Suite 201**
San Jose, CA 95116-1925

A C C U S A T I O N

15 **Physician's and Surgeon's Certificate**
16 **No. A 31130**

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 June 13, 1977, the Medical Board issued Physician's and Surgeon's
23 Certificate Number A 31130 to Sergio B. Court, 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 March 31, 2025, 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 2227 of the Code provides that a licensee who is found guilty under the Medical Practice Act may have his or her license revoked, suspended for a period not to exceed one year, placed on probation and required to pay the costs of probation monitoring, or such other action taken in relation to discipline as the Board deems proper.

5. Section 822 of the Code states:

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

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

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

(c) Placing the licentiate on probation.

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

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

COST RECOVERY

6. Section 125.3 of the Code provides, in pertinent part, 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.

1 **FACTUAL ALLEGATIONS**

2 7. Respondent is an internist.

3 8. On December 6, 2023, a neurological evaluation of Respondent was conducted for
4 the Board. Following the examination, Respondent was diagnosed with Unspecified
5 Neurocognitive Disorder, the DSM-5 term for dementia. The December 11, 2023, report for the
6 December 6, 2023, evaluation notes that Respondent has a condition that prevents him from
7 practicing medicine safely, regardless of monitoring, treatment, oversight, or other terms and
8 conditions.

9 **CAUSE FOR ACTION**

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

11 9. The allegations contained in Paragraphs 7 and 8 are incorporated by reference.

12 10. Respondent Sergio B. Court, M.D. is subject to action under sections 822 and 2227 of
13 the Code.

14 **PRAYER**

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

17 1. Revoking or suspending Physician's and Surgeon's Certificate Number A 31130,
18 issued to Respondent Sergio B. Court, M.D.;

19 2. Revoking, suspending or denying approval of Respondent Sergio B. Court M.D.'s
20 authority to supervise physician assistants and advanced practice nurses;

21 3. Ordering Respondent Sergio B. Court M.D., to pay the Board the costs of the
22 investigation and enforcement of this case, and if placed on probation, the costs of probation
23 monitoring; and

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

DATED: JAN 31 2024

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

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