

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

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

Edward Allen Siegel, M.D.

**Physician's & Surgeon's
Certificate No. C 35518**

Respondent.

Case No. 800-2020-063554

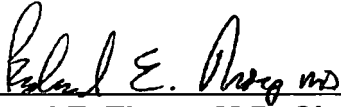
DECISION

**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 July 17, 2024.

IT IS SO ORDERED: June 17, 2024.

MEDICAL BOARD OF CALIFORNIA



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

1 ROB BONTA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 KEITH C. SHAW
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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
Against:

14 **EDWARD ALLEN SIEGEL, M.D.**
15 **255 Hill Street**
16 **Solana Beach, CA 92075-1141**

17 **Physician's and Surgeon's Certificate No.**
C 35518

18 Respondent.

Case No. 800-2020-063554

OAH No. 2022050751

**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. Reji Varghese (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 Keith C. Shaw, Deputy
26 Attorney General.

27 2. Respondent Edward Allen Siegel, M.D. (Respondent) is representing himself in this
28 proceeding and has chosen not to exercise his right to be represented by counsel.

3. On or about November 28, 1973, the Board issued Physician's and Surgeon's Certificate No. C 35518 to Respondent Edward Allen Siegel, M.D. The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2020-063554, and will expire on December 31, 2025, unless renewed.

JURISDICTION

4. First Amended Accusation No. 800-2020-063554 was filed before the Board, and is currently pending against Respondent. The First Amended Accusation and all other statutorily required documents were properly served on Respondent on January 9, 2024. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A copy of First Amended Accusation No. 800-2020-063554 is attached as Exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, and understands the charges and allegations in Accusation No. 800-2020-063554. Respondent has also carefully read, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the First Amended Accusation; the right to be represented by counsel at his own expense; 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.

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 First Amended Accusation No. 800-2020-063554, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate.

10. For the purpose of resolving the First Amended Accusation without the expense and uncertainty of further proceedings, Respondent gives up his right to contest that, at a hearing, Complainant could establish a *prima facie* case with respect to the charges and allegations contained in the First Amended Accusation.

11. Respondent agrees that if an accusation is ever filed against him before the Medical Board of California, all of the charges and allegations contained in First Amended Accusation No. 800-2020-063554 shall be deemed true, correct, and fully admitted by Respondent for purposes of that proceeding or any other licensing proceeding involving Respondent in the State of California.

12. Respondent agrees that his Physician's and Surgeon's Certificate No. C 35518 is subject to discipline and he agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order below.

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 his counsel. By signing the stipulation, Respondent understands and agrees that he may not withdraw his 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.

ADDITIONAL PROVISIONS

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

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

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

DISCIPLINARY ORDER

1. PUBLIC REPRIMAND. IT IS HEREBY ORDERED that Respondent Edward Allen Siegel, M.D., holder of Physician's and Surgeon's Certificate No. C 35518, shall be and hereby is Publicly Reprimanded pursuant to Business and Professions Code section 2227. This Public Reprimand is issued in connection with allegations that Respondent discussed cannabis usage without documenting the risks or interactions with other prescribed medications, prescribed psychotropic controlled substances without documenting informed consent, and failed to review CURES (Controlled Substance Utilization Review and Evaluation System), related to the care and treatment of a single patient between 2017 and 2019, as set forth in First Amended Accusation No. 800-2020-063554.

2. MEDICAL RECORD KEEPING COURSE. Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in a course in medical record keeping approved in advance by the Board or its designee. 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. Respondent shall successfully complete any other component of the course within one (1) year of enrollment. The medical record keeping course shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

A medical record keeping course taken after the acts that gave rise to the charges in the First Amended 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

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

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

6 3. PRESCRIBING PRACTICES COURSE. Within 60 calendar days of the effective
7 date of this Decision, Respondent shall enroll in a course in prescribing practices approved in
8 advance by the Board or its designee. Respondent shall provide the approved course provider
9 with any information and documents that the approved course provider may deem pertinent.
10 Respondent shall participate in and successfully complete the classroom component of the course
11 not later than six (6) months after Respondent's initial enrollment. Respondent shall successfully
12 complete any other component of the course within one (1) year of enrollment. The prescribing
13 practices course shall be at Respondent's expense and shall be in addition to the Continuing
14 Medical Education (CME) requirements for renewal of licensure.

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

20 Respondent shall submit a certification of successful completion to the Board or its
21 designee not later than 15 calendar days after successfully completing the course, or not later than
22 15 calendar days after the effective date of the Decision, whichever is later.

23 4. FAILURE TO COMPLY. Any failure by Respondent to comply with the terms and
24 conditions of the Stipulated Settlement and Disciplinary Order set forth above shall constitute
25 unprofessional conduct and grounds for further disciplinary action.

26 5. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for
27 a new license or certification, or petition for reinstatement of a license, by any other health care
28 licensing action agency in the State of California, all of the charges and allegations contained in

1 First Amended Accusation No.800-2020-063554 shall be deemed to be true, correct, and admitted
2 by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to
3 deny or restrict license.

4 ACCEPTANCE

5 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the
6 stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into
7 this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and
8 agree to be bound by the Decision and Order of the Medical Board of California.

9
10 DATED: 4/26/24

EA Siegel, MD
EDWARD ALLEN SIEGEL, M.D.
Respondent

11
12
13 ENDORSEMENT

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

16 DATED: 4/26/2024

17 Respectfully submitted,

18 ROB BONTA
Attorney General of California
19 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General

20 Keith Shaw

21 KEITH C. SHAW
22 Deputy Attorney General
Attorneys for Complainant

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7 Facsimile: (619) 645-2012

8 *Attorneys for Complainant*

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. 800-2020-063554

FIRST AMENDED ACCUSATION

15 **EDWARD ALLEN SIEGEL, M.D.**
255 Hill Street
16 Solana Beach, CA 92075-1141

17 **Physician's and Surgeon's Certificate**
18 **No. C 35518,**

Respondent.

20 **PARTIES**

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

25 2. On or about November 28, 1973, the Board issued Physician's and Surgeon's
26 Certificate No. C 35518 to Edward Allen Siegel, M.D. (Respondent). The Physician's and
27 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
28 herein and will expire on December 31, 2025, unless renewed.

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1 licensee should be made when possible, Section 2229, subdivision (c), states that when
2 rehabilitation and protection are inconsistent, protection shall be paramount.

3 COST RECOVERY

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

10 PERTINENT DRUGS

11 9. **Concerta** (methylphenidate), also known by the trade name Ritalin, is a central
12 nervous system stimulant prescription medicine used in the treatment of ADHD (attention deficit
13 hyperactivity disorder). It affects chemicals in the brain and nerves that contribute to
14 hyperactivity and impulse control. Concerta is a Schedule II controlled substance pursuant to
15 Health and Safety Code section 11055, subdivision (d), and a dangerous drug pursuant to
16 Business and Professions Code section 4022. Concerta and other stimulants are contraindicated
17 for patients with a history of drug abuse.

18 10. **Klonopin**, a trade name for clonazepam, a benzodiazepine, is a centrally acting
19 hypnotic-sedative that is a Schedule IV controlled substance pursuant to Health and Safety Code
20 section 11057, subdivision (d), and a dangerous drug pursuant to Business and Professions Code
21 section 4022. When properly prescribed and indicated, it is used to treat seizure disorders and
22 panic disorders. The maximum daily dose of clonazepam is generally not to exceed 4 mg per
23 day. Concomitant use of clonazepam with opioids "may result in profound sedation, respiratory
24 depression, coma, and death." The DEA has identified benzodiazepines, such as clonazepam, as
25 a drug of abuse. (Drugs of Abuse, DEA Resource Guide (2017 Edition), at p. 59.)

26 11. **Lexapro**, a trade name for escitalopram, is a Selective Serotonin Reuptake Inhibitor
27 (SSRI) used to treat depression and generalized anxiety disorder.

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12. **Prozac**, a trade name for fluoxetine hydrochloride, an antidepressant, is a dangerous drug within the meaning of Business and Professions code section 4022. Prozac is an antidepressant agent chemically unrelated to tricyclic, tetracyclic, or other available antidepressant agents. A significant percentage (12 to 16%) of patients on Prozac experienced anxiety, nervousness, or insomnia. In general, the maximum dose of fluoxetine should not exceed 80 mg per day.

FIRST CAUSE FOR DISCIPLINE

(Repeated Negligent Acts)

13. Respondent is subject to disciplinary action under sections 2227 and 2234, as defined by section 2234, subdivision (c), of the Code, in that he committed repeated negligent acts in his care and treatment of Patient A,¹ as more particularly alleged hereinafter:

14. On or about October 30, 2017, Patient A, a then 14-year-old boy, began psychiatric treatment with Respondent. Patient A saw Respondent approximately 28 times until treatment ended on or about October 29, 2019. Patient A presented with a diagnosis of ADHD and had a history of substance use (marijuana and alcohol), anxiety, and depression. Respondent prescribed the following medications for Patient A: Concerta (approximately October 2017 to April 2019); Lexapro (approximately August to October 2018); Prozac (approximately October 2018 to August 2019); and Klonopin (approximately August to November 2018). However, at no time did Respondent document a discussion of the risks, benefits, or possible adverse side effects of the various controlled substances prescribed.

15. In early 2018, Respondent engaged in alternative therapies with Patient A, including “mini-hypnosis” and teaching piano. On or about November 9, 2018, Patient A suffered a seizure and was started on anti-seizure medication by his neurologist. Patient A acknowledged “vaping” and smoking marijuana to Respondent on multiple occasions, including approximately November 2018 and April 2019. In fact, Patient A vaped in front of Respondent, who did not discourage the activity, but it is unclear what substance Patient A was vaping at the time. In approximately

¹ The patient listed in this document is unnamed to protect his privacy. Respondent knows the name of the patient and can confirm his identity through discovery.

1 February 2019, Patient A's parents notified Respondent that he vaped and they also found alcohol
2 and marijuana hidden in his room. Shortly after, Patient A's parents placed him in an intensive
3 outpatient program (IOP) for substance abuse treatment. On or about June 28, 2019, Respondent
4 noted that Patient A was "in despair, he took 100 mg of Prozac and felt great."

5 16. On or about August 4, 2019, Patient A disclosed to Respondent that he attempted
6 suicide two years prior by hanging a rope around his neck from a tree, but the branch fell off.
7 Patient A also reported being bullied at school and being called a "tweaker." Additionally,
8 Patient A discussed with Respondent how he would obtain marijuana from his dealer.

9 17. On or about August 25, 2019, Respondent engaged in a home visit with Patient A and
10 his entire family "at their Italian/Mediterranean villa" for nearly five hours.² Respondent noted
11 that he "helped some with massage" and they watched a movie. Respondent indicated "the
12 mother didn't give the movie the attention it deserved." At this home visit, Respondent proposed
13 to Patient A's parents that they allow him to vape marijuana in order to ease tensions in the
14 household, and they should consider obtaining a prescription for appropriate medicinal THC for
15 Patient A. Respondent also noted "Rx for appropriate THC" for this visit, however, Respondent
16 did not issue a cannabis prescription for Patient A.

17 18. On or about September 9, 2019, Patient A began to see a new child psychiatrist.
18 Soon after, Patient A was admitted to another IOP for chemical dependency. At no time did
19 Respondent discuss the risks of cannabis use, nor the risks associated with the concurrent use of
20 cannabis and the prescribed controlled substances, including the risk for potential abuse.
21 Additionally, Respondent did not check CURES³ prior to or periodically while prescribing
22 controlled substances to Patient A.

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24
25 ² Home visits do not occur in child psychiatry.

26 ³ The Controlled Substance Utilization Review and Evaluation System (CURES) is a
27 platform that tracks all Schedule II – IV controlled substances dispensed to patients in California.
28 CURES mandatory review and consultation for health care practitioners dispensing controlled
substances became effective on October 2, 2018.

1 19. In an interview on or about May 4, 2021, Respondent indicated that he did not know
2 whether Patient A had a substance use disorder, but "I think I would have picked it up," and
3 Patient A "never seemed stoned." Respondent also conveyed that "I can pretty much tell if
4 someone has ADD." Respondent also admitted that he was being directed by Patient A's parents
5 on whether to alter dosage levels or change medications (rather than prescribing based on
6 independent judgment).

7 20. Respondent did not appropriately document Patient A's care, including keeping
8 accurate and complete progress notes, an assessment for diagnoses, an assessment for medication
9 efficacy or adverse effects, or developing issues such as suicidality. Respondent believed
10 himself to be a "mentor" for Patient A.

11 21. Respondent committed repeated acts of negligence in his care and treatment of
12 Patient A which included, but was not limited to, the following:

13 (a) Respondent recommended medicinal cannabis use for an adolescent
14 patient, and failed to discuss the risks of cannabis use, including the
15 risks associated with the concurrent use of cannabis and the
16 prescribed controlled substances;

17 (b) Respondent prescribed psychotropic controlled substances without
18 discussing the risks, benefits, or possible adverse side effects; and

19 (c) Respondent failed to properly review and document CURES.

20 **SECOND CAUSE FOR DISCIPLINE**

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

22 22. Respondent is further subject to disciplinary action under sections 2227 and 2234, as
23 defined by section 2266, of the Code, in that Respondent failed to maintain adequate and accurate
24 records regarding his care and treatment of Patient A, as more particularly alleged in paragraphs
25 14 through 21, above, which are hereby incorporated by reference and realleged as if fully set
26 forth herein.

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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 No. C 35518, issued to Respondent Edward Allen Siegel, M.D.;

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

3. Ordering Respondent Edward Allen Siegel, M.D., to pay the Board the costs of the investigation and enforcement of this case, and if placed on probation, the costs of probation monitoring; and

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

DATED: JAN 09 2024

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

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