

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

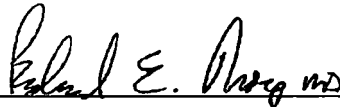
DECISION

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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**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.
255 Hill Street
Solana Beach, CA 92075-1141
**Physician's and Surgeon's Certificate No.
C 35518**

Respondent.

Case No. 800-2020-063554
OAH No. 2022050751
**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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

PARTIES

22
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.

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

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

7 **DISCIPLINARY ORDER**

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

17 2. **MEDICAL RECORD KEEPING COURSE.** Within 60 calendar days of the
18 effective date of this Decision, Respondent shall enroll in a course in medical record keeping
19 approved in advance by the Board or its designee. Respondent shall provide the approved course
20 provider with any information and documents that the approved course provider may deem
21 pertinent. Respondent shall participate in and successfully complete the classroom component of
22 the course not later than six (6) months after Respondent's initial enrollment. Respondent shall
23 successfully complete any other component of the course within one (1) year of enrollment. The
24 medical record keeping course shall be at Respondent's expense and shall be in addition to the
25 Continuing Medical Education (CME) requirements for renewal of licensure.

26 A medical record keeping course taken after the acts that gave rise to the charges in the
27 First Amended Accusation, but prior to the effective date of the Decision may, in the sole
28 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

E A Siegel, MD

11 EDWARD ALLEN SIEGEL, M.D.
12 Respondent

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
19 Attorney General of California
20 ALEXANDRA M. ALVAREZ
21 Supervising Deputy Attorney General

Keith Shaw

22 KEITH C. SHAW
23 Deputy Attorney General
24 Attorneys for Complainant

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

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12

13

In the Matter of the First Amended Accusation
14 Against:

Case No. 800-2020-063554

15

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

FIRST AMENDED ACCUSATION

17

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

18

19

Respondent.

20

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PARTIES

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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.

1 JURISDICTION

2 3. This First Amended Accusation is brought before the Board, under the authority of
3 the following laws. All section references are to the Business and Professions Code (Code)
4 unless otherwise 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 2234 of the Code, states in part:

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

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

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

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

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

26 7. Section 2229 of the Code states that the protection of the public shall be the highest
27 priority for the Board in exercising their disciplinary authority. While attempts to rehabilitate a
28

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.

28 ///

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.

23 ///

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.

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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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