

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

In the Matter of the Accusation Against:

James Leonard Comazzi, **M.D.**

Physician's and Surgeon's
Certificate No. G 39987

Respondent.

MBC File # 800-2020-067227

**ORDER CORRECTING NUNC PRO TUNC
CLERICAL ERROR IN "DISCIPLINARY ORDER" AND IN "CASE NUMBER"
PORTION OF DECISION**

On its own motion, the Medical Board of California (hereafter "Board") finds that there is a clerical error in the "Disciplinary Order" portion of the Decision in the above-entitled matter and that such clerical error shall be corrected so that the "Effective" date reflects properly. The Board also finds that there is a clerical error in the "Case Number" portion of the Decision in the above-entitled matter and that such clerical error should be corrected so that the case number will conform to the Board's issued case number.

IT IS HEREBY ORDERED that the Decision in the above titled matter be and hereby is amended and corrected nunc pro tunc as of the date of entry of the Order to reflect that the effective date of the Decision is *December 31, 2024*, respectively, and that the case number in the footer to read as *800-2020-067227*.

September 26, 2024

Michelle A. Bholat, MD

Michelle A. Bholat, M.D., Interim Chair
Panel A

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

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

James Leonard Comazzi, M.D.

**Physician's and Surgeon's
Certificate No. G 39987**

Respondent.

Case No. 800-2020-067227

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 SEP 26 2024.

IT IS SO ORDERED SEP 19 2024.

MEDICAL BOARD OF CALIFORNIA

JENNA JONES FOR
Reji Varghese
Executive Director

1 ROB BONTA
Attorney General of California
2 GREG W. CHAMBERS
Supervising Deputy Attorney General
3 State Bar No. 237509
4 455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 510-3382
5 Facsimile: (415) 703-5480
Attorneys for Complainant
6

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. 800-2020-067227

12 **JAMES LEONARD COMAZZI, M.D.**
13 **900 Greenley Road, Suite 915**
Sonora, CA 95370

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

14 **Physician's and Surgeon's Certificate**
15 **No. G 39987**

Respondent.

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18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled 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 Greg W. Chambers,
24 Supervising Deputy Attorney General.

25 2. JAMES LEONARD COMAZZI, M.D. (Respondent) is represented in this proceeding
26 by attorney Thomas E. Still, Esq., whose address is: 12901 Saratoga Avenue, Saratoga CA
27 95070-4110.

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3. On or about July 10, 1979, the Board issued Physician's and Surgeon's Certificate No. G 39987 to Respondent. That license was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2020-067227 and will expire on May 31, 2025, unless renewed.

JURISDICTION

4. Accusation No. 800-2020-067227 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 March 27, 2023. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 800-2020-067227 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. 800-2020-067227. 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 his; 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 does not contest that, at an administrative hearing, Complainant could establish a prima facie case with respect to the charges and allegations in Accusation No. 800-2020-067227, a true copy of which is attached hereto as Exhibit A, and that he has thereby subjected his Physician's and Surgeon's Certificate No. G 39987 to disciplinary action.

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 prima facie 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's and Surgeon's Certificate 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. G 39987 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

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

15 **ADDITIONAL PROVISIONS**

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

19 16. The parties agree that copies of this Stipulated Surrender of License and Disciplinary
20 Order, including copies of the signatures of the parties, may be used in lieu of original documents
21 and signatures and, further, that such copies shall have the same force and effect as originals. The
22 parties understand and agree that Portable Document Format (PDF) and facsimile copies of this
23 Stipulated Surrender of License and Order, including PDF and facsimile signatures thereto, shall
24 have the same force and effect as the originals.

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

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1 ORDER

2 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 39987, issued
3 to Respondent JAMES LEONARD COMAZZI, M.D., is surrendered and accepted by the Board.

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

8 2. Respondent shall lose all rights and privileges as a physician and surgeon in
9 California as of December 31, 2024.

10 3. Respondent shall cause to be delivered to the Board his pocket license and, if one was
11 issued, his wall certificate on or before December 31, 2024.

12 4. If Respondent ever files an application for licensure or a petition for reinstatement in
13 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
14 comply with all the laws, regulations and procedures for reinstatement of a revoked or
15 surrendered license in effect at the time the petition is filed, and all of the charges and allegations
16 contained in Accusation No. 800-2020-067227 shall be deemed to be true, correct and admitted
17 by Respondent when the Board determines whether to grant or deny the petition. In addition, any
18 Medical Board Investigation Report(s), including all referenced documents and other exhibits,
19 upon which the Board investigation is predicated in Accusation No. 800-2020-067227, and any
20 such Investigation Report(s), attachments, and other exhibits, that may be generated subsequent to
21 the filing of this Agreement for Surrender of License, including but not limited to the
22 investigation in Medical Board Case No. 800-2021-082292, shall be admissible as direct
23 evidence, and any time-based defenses, such as laches or any applicable statute of limitations,
24 shall be waived when the Board determines whether to grant or deny the Petition.

25 5. Respondent shall pay the agency its costs of investigation and enforcement in the
26 amount of \$88,565.25 (eighty-eight thousand, five hundred sixty-five dollars and twenty-five
27 cents) prior to issuance of a new or reinstated license.

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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney Thomas E. Still, Esq. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 9/13/24

James L. Comazzi
JAMES LEONARD COMAZZI, M.D.
Respondent

I have read and fully discussed with Respondent JAMES LEONARD COMAZZI, 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: _____

THOMAS E. STILL, ESQ.
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

GREG W. CHAMBERS
Supervising Deputy Attorney General
Attorney for Complainant

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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney Thomas E. Still, Esq. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: _____
JAMES LEONARD COMAZZI, M.D.
Respondent

I have read and fully discussed with Respondent JAMES LEONARD COMAZZI, 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: 9-16-2024

THOMAS E. STILL, ESQ.
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

GREG W. CHAMBERS
Supervising Deputy Attorney General
Attorney for Complainant

1 ACCEPTANCE

2 I have carefully read the above Stipulated Surrender of License and Order and have fully
3 discussed it with my attorney Thomas E. Still, Esq. I understand the stipulation and the effect it
4 will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of
5 License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the
6 Decision and Order of the Medical Board of California.

7
8 DATED: _____ JAMES LEONARD COMAZZI, M.D.
9 Respondent

10
11 I have read and fully discussed with Respondent JAMES LEONARD COMAZZI, M.D. the
12 terms and conditions and other matters contained in this Stipulated Surrender of License and
13 Order. I approve its form and content.

14 DATED: _____ THOMAS E. STILL, ESQ.
15 Attorney for Respondent

16
17 ENDORSEMENT

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

20 DATED: Sept. 17, 2024 Respectfully submitted,
21 ROB BONTA
22 Attorney General of California

23 *Greg W. Chambers*

24 GREG W. CHAMBERS
25 Supervising Deputy Attorney General
26 Attorney for Complainant

Exhibit A

Accusation No. 800-2020-067227

1 ROB BONTA
Attorney General of California
2 GREG W. CHAMBERS
Supervising Deputy Attorney General
3 State Bar No. 237509
4 455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 510-3382
5 Facsimile: (415) 703-5480
Attorneys for Complainant
6

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. 800-2020-067227

12 **JAMES LEONARD COMAZZI, M.D.**
13 19992 Gibbs Drive
Sonora, CA 95370-9428

A C C U S A T I O N

14 **Physician's and Surgeon's Certificate**
15 **No. G 39987,**

Respondent.
16

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18 **PARTIES**

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

22 2. On or about July 10, 1979, the Medical Board issued Physician's and Surgeon's
23 Certificate Number G 39987 to James Leonard Comazzi, M.D. (Respondent). The Physician's
24 and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
25 herein and will expire on May 31, 2023, 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 2221 of the Code states:

(a) The board may deny a physician's and surgeon's certificate to an applicant guilty of unprofessional conduct or of any cause that would subject a licensee to revocation or suspension of their license. The board, in its sole discretion, may issue a probationary physician's and surgeon's certificate to an applicant subject to terms and conditions, including, but not limited to, any of the following conditions of probation:

(1) Practice limited to a supervised, structured environment where the licensee's activities shall be supervised by another physician and surgeon.

(2) Total or partial restrictions on drug prescribing privileges for controlled substances.

(3) Continuing medical or psychiatric treatment.

(4) Ongoing participation in a specified rehabilitation program.

(5) Enrollment and successful completion of a clinical training program.

(6) Abstention from the use of alcohol or drugs.

(7) Restrictions against engaging in certain types of medical practice.

(8) Compliance with all provisions of this chapter.

(9) Payment of the cost of probation monitoring.

(b) The board may modify or terminate the terms and conditions imposed on the probationary certificate upon receipt of a petition from the licensee. The board may assign the petition to an administrative law judge designated in Section 11371 of the Government Code. After a hearing on the petition, the administrative law judge shall provide a proposed decision to the board.

(c) The board shall deny a physician's and surgeon's certificate to an applicant who is required to register pursuant to Section 290 of the Penal Code. This subdivision does not apply to an applicant who is required to register as a sex offender pursuant to Section 290 of the Penal Code solely because of a misdemeanor conviction under Section 314 of the Penal Code.

(d) An applicant shall not be eligible to reapply for a physician's and surgeon's certificate for a minimum of three years from the effective date of the denial of his or her application, except that the board may, in its discretion and for good cause demonstrated, permit reapplication after not less than one year has elapsed from the effective date of the denial.

(e) The board shall disclose a probationary physician's and surgeon's certificate

1 issued pursuant to this section and the operative statement of issues to an inquiring
2 member of the public and shall post the certificate and statement on the board's
3 internet website for 10 years from issuance.

4 5. Section 2227 of the Code provides that a licensee who is found guilty under the
5 Medical Practice Act may have his or her license revoked, suspended for a period not to exceed
6 one year, placed on probation and required to pay the costs of probation monitoring, or such other
7 action taken in relation to discipline as the Board deems proper.

8 6. Section 2234 of the Code, states:

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

12 (a) Violating or attempting to violate, directly or indirectly, assisting in or
13 abetting the violation of, or conspiring to violate any provision of this chapter.

14 (b) Gross negligence.

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

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

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

27 (d) Incompetence.

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

1 surgeon.

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

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

6 **COST RECOVERY**

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

13 **PATIENT A¹**

14 8. On or about April 1, 2019, Patient A, a then 57-year old male, underwent a stress test
15 under Respondent's supervision. Prior to the test, Patient A was found to be in atrial fibrillation²
16 with a rapid ventricular response, with a heart rate on the resting pre-treadmill electrocardiogram
17 (ECG) of 153 beats per minute (BPM). Respondent authorized the stress test while aware that
18 Patient A was in new-onset atrial fibrillation with heart rates ranging up to 160 BPM.

19 9. The stress test was performed and lasted eight and a half minutes. Patient A had his
20 heart rate recorded as high as 190 BPM in atrial fibrillation during the test. Respondent
21 interpreted the test as being "Normal." Patient A was admitted to the hospital for further care at
22 the direction of the technician performing the stress test.

23 10. Respondent failed to defer the stress test and refer Patient A for prompt evaluation
24 and treatment of new-onset atrial fibrillation with a rapid ventricular response.

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26 ¹ Letters are used to protect patient privacy. Respondent may learn the names of the
27 patients through the discovery process.

28 ² Atrial fibrillation (A-fib) is an irregular and often very rapid heart rhythm (arrhythmia)
that can lead to blood clots in the heart. A-fib increases the risk of stroke, heart failure and other
heart-related complications.

1 PATIENT B

2 11. On or about April 6, 2020, an echocardiogram was ordered for Patient B, a then 85-
3 year old female with advanced dementia. The reason for the echocardiogram was because of
4 "pulmonary embolism."

5 12. Respondent noted that "the right ventricle is mildly dilated with normal systolic
6 motion." Images for Patient B show akinesis of a portion of the right ventricular free wall with
7 preservation of right ventricular apical contractility – also known as McConnell's sign, which can
8 be seen in cases of massive pulmonary embolism.

9 CAUSE FOR DISCIPLINE

10 (Unprofessional Conduct: Repeated Negligent Acts)

11 13. The allegations in paragraphs 8 through 12 are incorporated herein as if set out in full.

12 14. Respondent James Leonard Comazzi, M.D. is subject to disciplinary action under
13 sections 2234 and 2234(c) [repeated negligent acts] of the Code in that his care and treatment of
14 Patient A and Patient B constituted repeated negligent acts in that:

15 15. Respondent's failure to defer the stress test and refer Patient A for prompt evaluation
16 and treatment of new-onset atrial fibrillation with a rapid ventricular response was a repeated
17 negligent act.

18 16. Respondent's failure to accurately identify and report the finding of McConnell's sign
19 was a repeated negligent act.

20 PRAAYER

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


23 1. Revoking or suspending Physician's and Surgeon's Certificate Number G 39987,
24 issued to James Leonard Comazzi, M.D.;

25 2. Revoking, suspending or denying approval of James Leonard Comazzi, M.D.'s
26 authority to supervise physician assistants and advanced practice nurses;
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3. Ordering James Leonard Comazzi, 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: MAR 27 2023



REJI VARGHESE
Interim Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant