

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

**In the Matter of the Petition to Revoke
Probation Against:**

Sam Joseph Brancato, M.D.

**Physician's and Surgeon's
Certificate No. C 157659**

Case No.: 800-2025-115874

Respondent.

DECISION

The attached Stipulated Settlement 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 November 3, 2025.

IT IS SO ORDERED: October 3, 2025.

MEDICAL BOARD OF CALIFORNIA



**Tsai Veiling, Vice-Chair
Panel A**

MD.

1 ROB BONTA
Attorney General of California
2 EDWARD KIM
Supervising Deputy Attorney General
3 MELISSA M. MARQUEZ
Deputy Attorney General
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Attorneys for Complainant
7

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

11 In the Matter of the Petition to Revoke
Probation Against:

12 **SAM JOSEPH BRANCATO, M.D.**
13 **907 Westwood Blvd, #1046**
14 **Los Angeles, CA 90024-2904**

15 **Physician's and Surgeon's Certificate**
16 **No. C 157659,**

17 Respondent.

Case No. 800-2025-115874

OAH No. 2025050806

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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 Melissa M. Marquez,
24 Deputy Attorney General.

25 2. Respondent Sam Joseph Brancato, M.D. (Respondent) is represented in this
26 proceeding by attorney Robert Keith Weinberg, whose address is: 19200 Von Karman Avenue,
27 Suite 380, Irvine, California 92612-8508.

28 3. On or about August 1, 2018, the Board issued Physician's and Surgeon's Certificate

1 No. C 157659 to Respondent. The Physician's and Surgeon's Certificate was in full force and
2 effect at all times relevant to the charges brought in Petition to Revoke Probation No. 800-2025-
3 115874, and will expire on August 31, 2026, unless renewed.

4 **JURISDICTION**

5 4. Petition to Revoke Probation No. 800-2025-115874 was filed before the Board and is
6 currently pending against Respondent. The Petition to Revoke Probation and all other statutorily
7 required documents were properly served on Respondent on April 17, 2025. Respondent timely
8 filed his Notice of Defense contesting the Petition to Revoke Probation.

9 5. A copy of the Petition to Revoke Probation No. 800-2025-115874 is attached as
10 Exhibit A and incorporated herein by reference.

11 **ADVISEMENT AND WAIVERS**

12 6. Respondent has carefully read, fully discussed with counsel, and understands the
13 charges and allegations in Petition to Revoke Probation No. 800-2025-115874. Respondent has
14 also carefully read, fully discussed with his counsel, and understands the effects of this Stipulated
15 Settlement and Disciplinary Order.

16 7. Respondent is fully aware of his legal rights in this matter, including the right to a
17 hearing on the charges and allegations in the Petition to Revoke Probation; the right to confront
18 and cross-examine the witnesses against him; the right to present evidence and to testify on his
19 own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the
20 production of documents; the right to reconsideration and court review of an adverse decision;
21 and all other rights accorded by the California Administrative Procedure Act and other applicable
22 laws:

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

25 **CULPABILITY**

26 9. Respondent admits the truth of each and every charge and allegation in Petition to
27 Revoke Probation No. 800-2025-115874.

28 10. Respondent agrees that his Physician's and Surgeon's Certificate is subject to

1 discipline and agrees to be bound by the Board's probationary terms as set forth in the
2 Disciplinary Order below.

3 **CONTINGENCY**

4 11. This stipulation shall be subject to approval by the Medical Board of California.
5 Respondent understands and agrees that counsel for Complainant and the staff of the Medical
6 Board of California may communicate directly with the Board regarding this stipulation and
7 settlement, without notice to or participation by Respondent or his counsel. By signing the
8 stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek
9 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
10 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary
11 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
12 action between the parties, and the Board shall not be disqualified from further action by having
13 considered this matter.

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

17 13. Respondent agrees that if he ever petitions for early termination or modification of
18 probation, or if an accusation and/or petition to revoke probation is filed against him before the
19 Board, all of the charges and allegations contained in Petition to Revoke Probation No. 800-2025-
20 115874 shall be deemed true, correct and fully admitted by respondent for purposes of any such
21 proceeding or any other licensing proceeding involving Respondent in the State of California.

22 14. The parties understand and agree that Portable Document Format (PDF) and facsimile
23 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
24 signatures thereto, shall have the same force and effect as the originals.

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

28 ///

1 **DISCIPLINARY ORDER**

2 IT IS HEREBY ORDERED that this Order supersedes the probationary order in case no.
3 800-2018-045533. It is further Ordered that Physician's and Surgeon's Certificate No. C 157659
4 issued to Respondent SAM JOSEPH BRANCATO, M.D. is revoked. However, the revocation is
5 stayed, and Respondent is placed on probation for one (1) year on the following terms and
6 conditions:

7 1. **PSYCHOTHERAPY.** Within 60 calendar days of the effective date of this Decision,
8 Respondent shall submit to the Board or its designee for prior approval the name and
9 qualifications of a California-licensed board-certified psychiatrist or a licensed psychologist who
10 has a doctoral degree in psychology and at least five years of postgraduate experience in the
11 diagnosis and treatment of emotional and mental disorders. Upon approval, Respondent shall
12 undergo and continue psychotherapy treatment, including any modifications to the frequency of
13 psychotherapy, until the Board or its designee deems that no further psychotherapy is necessary.

14 The psychotherapist shall consider any information provided by the Board or its designee
15 and any other information the psychotherapist deems relevant and shall furnish a written
16 evaluation report to the Board or its designee. Respondent shall cooperate in providing the
17 psychotherapist with any information and documents that the psychotherapist may deem
18 pertinent.

19 Respondent shall have the treating psychotherapist submit quarterly status reports to the
20 Board or its designee. The Board or its designee may require Respondent to undergo psychiatric
21 evaluations by a Board-appointed board-certified psychiatrist. If, prior to the completion of
22 probation, Respondent is found to be mentally unfit to resume the practice of medicine without
23 restrictions, the Board shall retain continuing jurisdiction over Respondent's license and the
24 period of probation shall be extended until the Board determines that Respondent is mentally fit
25 to resume the practice of medicine without restrictions.

26 Respondent shall pay the cost of all psychotherapy and psychiatric evaluations.

27 2. **CLINICAL COMPETENCE ASSESSMENT PROGRAM.** Within 60 calendar days
28 of the effective date of this Decision, Respondent shall enroll in a clinical competence assessment

1 program approved in advance by the Board or its designee. Respondent shall successfully
2 complete the program not later than six (6) months after Respondent's initial enrollment unless
3 the Board or its designee agrees in writing to an extension of that time.

4 The program shall consist of a comprehensive assessment of Respondent's physical and
5 mental health and the six general domains of clinical competence as defined by the Accreditation
6 Council on Graduate Medical Education and American Board of Medical Specialties pertaining to
7 Respondent's current or intended area of practice. The program shall take into account data
8 obtained from the pre-assessment, self-report forms and interview, and the Decision(s),
9 Accusation(s), and any other information that the Board or its designee deems relevant. The
10 program shall require Respondent's on-site participation for a minimum of three (3) and no more
11 than five (5) days as determined by the program for the assessment and clinical education
12 evaluation. Respondent shall pay all expenses associated with the clinical competence
13 assessment program.

14 At the end of the evaluation, the program will submit a report to the Board or its designee
15 which unequivocally states whether the Respondent has demonstrated the ability to practice
16 safely and independently. Based on Respondent's performance on the clinical competence
17 assessment, the program will advise the Board or its designee of its recommendation(s) for the
18 scope and length of any additional educational or clinical training, evaluation or treatment for any
19 medical condition or psychological condition, or anything else affecting Respondent's practice of
20 medicine. Respondent shall comply with the program's recommendations.

21 Determination as to whether Respondent successfully completed the clinical competence
22 assessment program is solely within the program's jurisdiction.

23 If Respondent fails to enroll, participate in, or successfully complete the clinical
24 competence assessment program within the designated time period, Respondent shall receive a
25 notification from the Board or its designee to cease the practice of medicine within three (3)
26 calendar days after being so notified. The Respondent shall not resume the practice of medicine
27 until enrollment or participation in the outstanding portions of the clinical competence assessment
28 program have been completed. If the Respondent did not successfully complete the clinical

1 competence assessment program, the Respondent shall not resume the practice of medicine until a
2 final decision has been rendered on the accusation and/or a petition to revoke probation. The
3 cessation of practice shall not apply to the reduction of the probationary time period.

4 Within 60 days after Respondent has successfully completed the clinical competence
5 assessment program, Respondent shall participate in a professional enhancement program
6 approved in advance by the Board or its designee, which shall include quarterly chart review,
7 semi-annual practice assessment, and semi-annual review of professional growth and education.
8 Respondent shall participate in the professional enhancement program at Respondent's expense
9 during the term of probation, or until the Board or its designee determines that further
10 participation is no longer necessary.

11 3. SOLO PRACTICE PROHIBITION. Respondent is prohibited from engaging in the
12 solo practice of medicine. Prohibited solo practice includes, but is not limited to, a practice
13 where: 1) Respondent merely shares office space with another physician but is not affiliated for
14 purposes of providing patient care, or 2) Respondent is the sole physician practitioner at that
15 location.

16 If Respondent fails to establish a practice with another physician or secure employment in
17 an appropriate practice setting within 60 calendar days of the effective date of this Decision,
18 Respondent shall receive a notification from the Board or its designee to cease the practice of
19 medicine within three (3) calendar days after being so notified. The Respondent shall not resume
20 practice until an appropriate practice setting is established.

21 If, during the course of the probation, the Respondent's practice setting changes and the
22 Respondent is no longer practicing in a setting in compliance with this Decision, the Respondent
23 shall notify the Board or its designee within five (5) calendar days of the practice setting change.
24 If Respondent fails to establish a practice with another physician or secure employment in an
25 appropriate practice setting within 60 calendar days of the practice setting change, Respondent
26 shall receive a notification from the Board or its designee to cease the practice of medicine within
27 three (3) calendar days after being so notified. The Respondent shall not resume practice until an
28 appropriate practice setting is established.

1 4. NOTIFICATION. Within seven (7) days of the effective date of this Decision, the
2 Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the
3 Chief Executive Officer at every hospital where privileges or membership are extended to
4 Respondent, at any other facility where Respondent engages in the practice of medicine,
5 including all physician and locum tenens registries or other similar agencies, and to the Chief
6 Executive Officer at every insurance carrier which extends malpractice insurance coverage to
7 Respondent. Respondent shall submit proof of compliance to the Board or its designee within 15
8 calendar days.

9 This condition shall apply to any change(s) in hospitals, other facilities or insurance carrier.

10 5. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE
11 NURSES. During probation, Respondent is prohibited from supervising physician assistants and
12 advanced practice nurses.

13 6. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws, all rules
14 governing the practice of medicine in California and remain in full compliance with any court
15 ordered criminal probation, payments, and other orders.

16 7. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby
17 ordered to reimburse the Board its costs of investigation and enforcement, including, but not
18 limited to, expert review, amended accusations, legal reviews, investigation(s), and subpoena
19 enforcement, as applicable, in the amount of \$11,714.75 (eleven thousand seven hundred fourteen
20 dollars and seventy-five cents). Costs shall be payable to the Medical Board of California. Failure
21 to pay such costs shall be considered a violation of probation.

22 Payment must be made in full within 30 calendar days of the effective date of the Order, or
23 by a payment plan approved by the Medical Board of California. Any and all requests for a
24 payment plan shall be submitted in writing by respondent to the Board. Failure to comply with
25 the payment plan shall be considered a violation of probation.

26 The filing of bankruptcy by respondent shall not relieve respondent of the responsibility to
27 repay investigation and enforcement costs, including expert review costs (if applicable).

28 8. QUARTERLY DECLARATIONS. Respondent shall submit quarterly declarations

1 under penalty of perjury on forms provided by the Board, stating whether there has been
2 compliance with all the conditions of probation.

3 Respondent shall submit quarterly declarations not later than 10 calendar days after the end
4 of the preceding quarter.

5 9. GENERAL PROBATION REQUIREMENTS.

6 Compliance with Probation Unit

7 Respondent shall comply with the Board's probation unit.

8 Address Changes

9 Respondent shall, at all times, keep the Board informed of Respondent's business and
10 residence addresses, email address (if available), and telephone number. Changes of such
11 addresses shall be immediately communicated in writing to the Board or its designee. Under no
12 circumstances shall a post office box serve as an address of record, except as allowed by Business
13 and Professions Code section 2021, subdivision (b).

14 Place of Practice

15 Respondent shall not engage in the practice of medicine in Respondent's or patient's place
16 of residence, unless the patient resides in a skilled nursing facility or other similar licensed
17 facility.

18 License Renewal

19 Respondent shall maintain a current and renewed California physician's and surgeon's
20 license.

21 Travel or Residence Outside California

22 Respondent shall immediately inform the Board or its designee, in writing, of travel to any
23 areas outside the jurisdiction of California which lasts, or is contemplated to last, more than thirty
24 (30) calendar days.

25 In the event Respondent should leave the State of California to reside or to practice
26 Respondent shall notify the Board or its designee in writing 30 calendar days prior to the dates of
27 departure and return.

28 10. INTERVIEW WITH THE BOARD OR ITS DESIGNEE. Respondent shall be

1 available in person upon request for interviews either at Respondent's place of business or at the
2 probation unit office, with or without prior notice throughout the term of probation.

3 11. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
4 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
5 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is
6 defined as any period of time Respondent is not practicing medicine as defined in Business and
7 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct
8 patient care, clinical activity or teaching, or other activity as approved by the Board. If
9 Respondent resides in California and is considered to be in non-practice, Respondent shall
10 comply with all terms and conditions of probation. All time spent in an intensive training
11 program which has been approved by the Board or its designee shall not be considered non-
12 practice and does not relieve Respondent from complying with all the terms and conditions of
13 probation. Practicing medicine in another state of the United States or Federal jurisdiction while
14 on probation with the medical licensing authority of that state or jurisdiction shall not be
15 considered non-practice. A Board-ordered suspension of practice shall not be considered as a
16 period of non-practice.

17 In the event Respondent's period of non-practice while on probation exceeds 18 calendar
18 months, Respondent shall successfully complete the Federation of State Medical Board's Special
19 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program
20 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model
21 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

22 Respondent's period of non-practice while on probation shall not exceed two (2) years.

23 Periods of non-practice will not apply to the reduction of the probationary term.

24 Periods of non-practice for a Respondent residing outside of California will relieve
25 Respondent of the responsibility to comply with the probationary terms and conditions with the
26 exception of this condition and the following terms and conditions of probation: Obey All Laws;
27 General Probation Requirements; Quarterly Declarations; Abstain from the Use of Alcohol and/or
28 Controlled Substances; and Biological Fluid Testing.

1 12. COMPLETION OF PROBATION. Respondent shall comply with all financial
2 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the
3 completion of probation. This term does not include cost recovery, which is due within 30
4 calendar days of the effective date of the Order, or by a payment plan approved by the Medical
5 Board and timely satisfied. Upon successful completion of probation, Respondent's certificate
6 shall be fully restored.

7 13. VIOLATION OF PROBATION. Failure to fully comply with any term or condition
8 of probation is a violation of probation. If Respondent violates probation in any respect, the
9 Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and
10 carry out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke Probation,
11 or an Interim Suspension Order is filed against Respondent during probation, the Board shall have
12 continuing jurisdiction until the matter is final, and the period of probation shall be extended until
13 the matter is final.

14 14. LICENSE SURRENDER. Following the effective date of this Decision, if
15 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy
16 the terms and conditions of probation, Respondent may request to surrender his or her license.
17 The Board reserves the right to evaluate Respondent's request and to exercise its discretion in
18 determining whether or not to grant the request, or to take any other action deemed appropriate
19 and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent
20 shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its
21 designee and Respondent shall no longer practice medicine. Respondent will no longer be subject
22 to the terms and conditions of probation. If Respondent re-applies for a medical license, the
23 application shall be treated as a petition for reinstatement of a revoked certificate.

24 15. PROBATION MONITORING COSTS. Respondent shall pay the costs associated
25 with probation monitoring each and every year of probation, as designated by the Board, which
26 may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of
27 California and delivered to the Board or its designee no later than January 31 of each calendar
28 year.

16. **FUTURE ADMISSIONS CLAUSE.** If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing action agency in the State of California, all of the charges and allegations contained in Petition to Revoke Probation No. 800-2025-115874 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict license.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, I understand the stipulation and the effect it will have on my Physician³ and Surgeon³ Certificate. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED:

9/2/2025

SAM JOSEPH BRANCATO, M.D.
Respondent

I have read and fully discussed with Respondent Sam Joseph Brancato, M.D. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED:

9-2-25

ROBERT KEITH WEINBERG
Attorney for Respondent

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ENDORSEMENT

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

DATED: 9/2/2025

Respectfully submitted,

ROB BONTA
Attorney General of California
EDWARD KIM
Supervising Deputy Attorney General

Melissa M. Marquez
Digitally signed by
Melissa M. Marquez
Date: 2025.09.02
13:02:05 -07'00'

MELISSA M. MARQUEZ
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Petition to Revoke Probation No. 800-2025-115874

1 ROB BONTA
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Attorneys for Complainant

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

11 In the Matter of the Petition to Revoke
12 Probation Against:

Case No. 800-2025-115874

PETITION TO REVOKE PROBATION

13 **SAM JOSEPH BRANCATO, M.D.**
14 **907 Westwood Blvd., Suite 1046**
Los Angeles, CA 90024-2904

15 **Physician's and Surgeon's Certificate**
16 **No. C 157659,**

17 **Respondent.**

18 Complainant alleges:

19 **PARTIES**

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

23 2. On or about August 1, 2018, the Board issued Physician's and Surgeon's Certificate
24 Number C 157659 to Sam Joseph Brancato, M.D. (Respondent). The Physician's and Surgeon's
25 Certificate was in full force and effect at all times relevant to the charges brought herein and will
26 expire on August 31, 2026, unless renewed.

27 3. In a Board disciplinary matter entitled *In the Matter of the Application of Sam Joseph*
28 *Brancato*, Matter No. 800-2018-045533, the Board issued a decision, effective August 1, 2018

1 (Decision), in which Respondent was granted a probationary license and placed on probation for a
2 period of three (3) years on certain terms and conditions. A copy of that Decision is attached as
3 Exhibit A and is incorporated by reference.

4 JURISDICTION

5 4. This Petition to Revoke Probation is brought before the Board, under the authority of
6 the following laws and the Board's Decision. All section references are to the Business and
7 Professions Code (Code) unless otherwise indicated.

8 5. Section 2004 of the Code states:

9 The board shall have the responsibility for the following:

10 (a) The enforcement of the disciplinary and criminal provisions of the Medical
11 Practice Act.

12 (b) The administration and hearing of disciplinary actions.

13 (c) Carrying out disciplinary actions appropriate to findings made by a panel or
an administrative law judge.

14 (d) Suspending, revoking, or otherwise limiting certificates after the conclusion
15 of disciplinary actions.

16 (e) Reviewing the quality of medical practice carried out by physician and
surgeon certificate holders under the jurisdiction of the board.

17 (f) Approving undergraduate and graduate medical education programs.

18 (g) Approving clinical clerkship and special programs and hospitals for the
19 programs in subdivision (f).

20 (h) Issuing licenses and certificates under the board's jurisdiction.

21 (i) Administering the board's continuing medical education program.

22 6. Section 2227 of the Code states:

23 (a) A licensee whose matter has been heard by an administrative law judge of
24 the Medical Quality Hearing Panel as designated in Section 11371 of the Government
25 Code, or whose default has been entered, and who is found guilty, or who has entered
into a stipulation for disciplinary action with the board, may, in accordance with the
provisions of this chapter:

26 (1) Have his or her license revoked upon order of the board.

27 (2) Have his or her right to practice suspended for a period not to exceed one
28 year upon order of the board.

1 (3) Be placed on probation and be required to pay the costs of probation
monitoring upon order of the board.

2 (4) Be publicly reprimanded by the board. The public reprimand may include a
3 requirement that the licensee complete relevant educational courses approved by the
board.

4 (5) Have any other action taken in relation to discipline as part of an order of
5 probation, as the board or an administrative law judge may deem proper.

6 (b) Any matter heard pursuant to subdivision (a), except for warning letters,
7 medical review or advisory conferences, professional competency examinations,
8 continuing education activities, and cost reimbursement associated therewith that are
agreed to with the board and successfully completed by the licensee, or other matters
made confidential or privileged by existing law, is deemed public, and shall be made
available to the public by the board pursuant to Section 803.1.

9 **FACTUAL ALLEGATIONS**

10 7. On or about August 7, 2018, a Board representative met with Respondent at the
11 Board's San Diego Probation District Office to discuss the terms and conditions of his probation
12 contained in the Decision. During that meeting, the Board representative told Respondent that his
13 probation with the Board had become effective on August 1, 2018, for three (3) years, and
14 explained the terms and conditions of the probationary order in the Decision (Order) to
15 Respondent, including, without limitation, Condition 9 – Quarterly Declarations (Condition 9);
16 Condition 12 - Non-practice While on Probation (Condition 12); and Condition 16 – Probation
17 Monitoring Costs (Condition 16). Respondent acknowledged that he understood and would
18 comply with the terms and conditions of the Order.

19 8. Thereafter, Respondent failed to comply with the terms and conditions of the Order.
20 Such failures to comply with the terms of Respondent's probation were described in and
21 coincided with correspondence between Respondent and the Board, as described in more detail
22 below. Respondent's non-compliance with the terms of his probation in the Order has continued
23 to date. In addition, based on his continuing failure to comply with Condition 12 of his Order,
24 Respondent's probationary term with the Board, which was originally scheduled to end on
25 August 1, 2021, was extended due to his period of non-practice. As such, the scheduled ending
26 date of Respondent's probationary term with the Board was changed to April 1, 2028.

27 9. The facts and circumstances surrounding Respondent's violation of the terms of his
28 probation with the Board (including correspondence between the Board and Respondent) are as

1 follows:

2 A. On or about October 5, 2018, Respondent submitted his Quarter III 2018
3 Quarterly Declaration stating that he resided in California and was unemployed.

4 B. In a letter to the Board, dated October 7, 2018, Respondent stated that, as "a
5 result of being granted a probationary license, I have been unable to find employment throughout
6 the state of California."

7 C. On or about January 2, 2019, Respondent submitted his Quarter IV 2018
8 Quarterly Declaration stating that he resided in California and was unemployed.

9 D. On or about May 10, 2019, the Board sent a letter to Respondent informing him
10 that (i) his probation was in tolled out-of-state status; (ii) if his period of non-practice exceeded
11 18 months (which would occur on February 1, 2020), he would be required to successfully
12 complete the Federation of State Medical Board's Special Purpose Examination, or a clinical
13 competence assessment program prior to resuming the practice of medicine in California; and (iii)
14 if his period of non-practice exceeded two years (which would occur on August 1, 2020), the
15 Board would seek disciplinary action against his license, among other things. The Board
16 subsequently sent additional letters to Respondent reminding him about the foregoing dates
17 regarding non-practice on or about May 10, 2019, June 28, 2019, April 3, 2020, and June 26,
18 2020.

19 E. On or about May 20, 2019, the Board received Respondent's Quarter I 2019
20 Quarterly Declaration, which was due April 10, 2019, wherein Respondent informed the Board
21 that he was residing and employed in Illinois but was not on probation with the medical licensing
22 authority there. Respondent's Quarterly Declarations for Quarter II 2019 through Quarter IV
23 2021, each state that he was residing and employed in Illinois but was not on probation with the
24 medical licensing authority of that state.

25 F. On August 1, 2020, Respondent's period of non-practice exceeded two years.

26 G. On or about January 8, 2021, the Board sent a letter to Respondent informing
27 him that his period of non-practice had exceeded 18 months on February 1, 2020 and that he was
28 now required to successfully complete the Federation of State Medical Board's Special Purpose

1 Examination, or a clinical competence assessment program prior to resuming the practice of
2 medicine in California; and that his period of non-practice had also exceeded two years on August
3 1, 2020 and that his non-practice for two years was considered a violation of probation.

4 H. On or about November 22, 2021, the Board sent a letter to Respondent
5 notifying him again that his period of non-practice exceeded 18 months on February 1, 2020, and
6 his period of non-practice exceeded two years on August 1, 2020.

7 I. On or about January 20, 2022, Respondent informed the Board that he was
8 unable to find employment due to his probationary license with the Board.

9 J. On or about February 7, 2022, the Board received Respondent's Quarter IV
10 2021 Quarterly Declaration (which was due on January 10, 2022), wherein Respondent stated that
11 he resigned from his position in Illinois on December 28, 2021, and was actively searching for
12 employment. On or about December 29, 2021, Respondent's medical license in Illinois was
13 placed on indefinite probation until he could prove that he had successfully completed his
14 California probation with the Board.

15 K. On or about February 7, 2022, the Board notified Respondent again that his
16 non-practice while on probation exceeded 18 months on February 1, 2020, and that at that time,
17 he was required to successfully complete the Federation of State Medical Board's Special
18 Purpose Examination, or a clinical competence assessment program prior to resuming the practice
19 of medicine in California.

20 L. On or about October 9, 2022, Respondent informed the Board that he was
21 unable to find employment due to his probationary license with the Board.

22 M. On or about October 13, 2022, the Board notified Respondent again that his
23 non-practice while on probation exceeded 18 months on February 1, 2020.

24 N. On or about October 17, 2022, Respondent informed the Board that he had
25 entered the state on August 19, 2022, but was unable to find employment.

26 O. Respondent failed to submit a Quarterly Declaration for Quarter IV 2023 to the
27 Board, which was due on January 10, 2024.

28 P. Respondent failed to submit a Quarterly Declaration for Quarter I 2024 to the

1 Board, which was due April 10, 2024.

2 Q. Respondent failed to pay his 2024 probation monitoring costs to the Board in
3 the amount of \$6,398.00, which were due on January 31, 2025.

4 **FIRST CAUSE TO REVOKE PROBATION**

5 **(Failure to Submit Quarterly Declarations)**

6 10. At all times after the effective date of Respondent's probation, Condition 9 stated:

7 Applicant shall submit quarterly declarations under penalty of perjury on forms
8 provided by the Board, stating whether there has been compliance with all the
conditions of probation.

9 Applicant shall submit quarterly declarations not later than 10 calendar days
10 after the end of the preceding quarter.

11 11. Respondent's probation is subject to revocation because he failed to comply with
12 Probation Condition 9, referenced above. The facts and circumstances regarding this violation
13 are as follows:

14 A. The facts and allegations set forth in paragraphs 7 through 9 are incorporated herein
15 by reference as if fully set forth.

16 B. Respondent failed to timely submit his Quarter I 2019 Quarterly Declaration on its
17 due date of April 10, 2019.

18 C. Respondent failed to timely submit his Quarter IV 2021 Quarterly Declaration on its
19 due date of January 10, 2022.

20 D. Respondent failed to timely submit his Quarter IV 2023 and Quarter I 2024 Quarterly
21 Declarations on each of their respective due dates.

22 **SECOND CAUSE TO REVOKE PROBATION**

23 **(Failure to Comply: Non-practice While on Probation)**

24 12. At all times after the effective date of Respondent's probation, Condition 12 stated:

25 Applicant shall notify the Board or its designee in writing within 15 calendar
26 days of any periods of non-practice lasting more than 30 calendar days and within 15
27 calendar days of applicant's return to practice. Non-practice is defined as any period
of time applicant is not practicing medicine as defined in Business and Professions
Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct
patient care, clinical activity or teaching, or other activity as approved by the Board.

28 If applicant resides in California and is considered to be in non-practice,

1 applicant shall comply with all terms and conditions of probation. All time spent in an
2 intensive training program which has been approved by the Board or its designee
3 shall not be considered non-practice and does not relieve applicant from complying
4 with all the terms and conditions of probation. Practicing medicine in another state of
the United States or Federal jurisdiction while on probation with the medical
licensing authority of that state or jurisdiction shall not be considered non-practice. A
Board-ordered suspension of practice shall not be considered as a period of non-
practice.

5 In the event applicant's period of non-practice while on probation exceeds 18
6 calendar months, applicant shall successfully complete the Federation of State
7 Medical Board's Special Purpose Examination, or, at the Board's discretion, a clinical
8 competence assessment program that meets the criteria of Condition 18 of the current
version of the Board's "Manual of Model Disciplinary Orders and Disciplinary
Guidelines" prior to resuming the practice of medicine.

9 Applicant's period of non-practice while on probation shall not exceed two (2)
years.

10 Periods of non-practice will not apply to the reduction of the probationary term.

11 Periods of non-practice for an applicant residing outside of California, will
12 relieve applicant of the responsibility to comply with the probationary terms and
13 conditions with the exception of this condition and the following terms and conditions
of probation: Obey All Laws; General Probation Requirements; Quarterly
14 Declarations; Abstain from the Use of Alcohol and/or Controlled Substances; and
Biological Fluid Testing.

15 13. Respondent's probation is subject to revocation because he failed to comply with
16 Probation Condition 12, referenced above. The facts and allegations set forth in the First Cause
17 to Revoke Probation are incorporated herein by reference as if fully set forth.

18 **THIRD CAUSE TO REVOKE PROBATION**

19 **(Failure to Pay Probation Monitoring Costs)**

20 14. At all times after the effective date of Respondent's probation, Condition 16 stated:

21 Applicant shall pay the costs associated with probation monitoring each and
22 every year of probation, as designated by the Board, which may be adjusted on an
annual basis. Such costs shall be payable to the Medical Board of California and
delivered to the Board or its designee no later than January 31 of each calendar year.

23 15. Respondent's probation is subject to revocation in that he failed to comply with
24 Probation Condition 16, referenced above. Respondent has failed to pay his 2024 probation
25 monitoring costs in the amount of \$6,398.00, which were due on January 31, 2025. To date,
26 Respondent has still not paid these outstanding costs to the Board. In addition, the facts and
27 allegations set forth in the First and Second Causes to Revoke Probation are incorporated herein
28 by reference as if fully set forth.

1 DISCIPLINARY CONSIDERATIONS

2 16. To determine the degree of discipline, if any, to be imposed on Respondent with
3 respect to the charges herein brought, Complainant alleges that in a matter entitled *In the Matter*
4 *of the Application of Sam Joseph Brancato*, Matter No. 800-2018-045533, the Board issued its
5 Decision, effective August 1, 2018 which granted to Respondent, a probationary Physician's and
6 Surgeon's license and placed him on probation for a period of three (3) years on certain terms and
7 conditions. That Decision is now final and is incorporated by reference herein as if fully set forth.

8 PRAYER

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

11 1. Revoking the probation that was granted by the Medical Board of California in matter
12 number 800-2018-045533 and terminating the probationary license, Physician's and Surgeon's
13 Certificate Number C 157659 issued to Respondent Sam Joseph Brancato, M.D.;

14 2. Revoking or suspending Physician's and Surgeon's Certificate No. C 157659, issued
15 to Respondent Sam Joseph Brancato, M.D.;

16 3. Revoking, suspending, or denying approval of Respondent Sam Joseph Brancato,
17 M.D.'s authority to supervise physician assistants and advanced practice nurses;

18 4. Ordering Respondent Sam Joseph Brancato, M.D., to pay the Board the reasonable
19 costs of probation monitoring; and

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

21
22 DATED: APR 17 2025

23 
24 REJI VARGHESE
25 Executive Director
26 Medical Board of California
27 Department of Consumer Affairs
28 State of California
Complainant

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Exhibit A

Decision and Order

Medical Board of California Matter No. 800-2018-045533

In the Matter of the Application of:

SAM JOSEPH BRANCATO

Applicant.

The attached Stipulation for a Probationary License is hereby accepted and 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 August 1, 2018, although the probation will not commence until the applicant completes any remaining requirements for licensure and the license is issued.

MEDICAL BOARD OF CALIFORNIA

MEDICAL BOARD OF CALIFORNIA
I do hereby certify that this document is a true
and correct copy of the original on file in this
office. *P. A. B.*

Signature _____
Title _____
Date 3/10/25

By

Ronald H. Lewis, M.D., Chair
Panel A

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

In the Matter of the Application of:	)	Case No. 800-2018-045533
	)	
SAM JOSEPH BRANCATO	)	
	)	
For a Physician's and Surgeon's License	)	STIPULATION FOR A PROBATIONARY LICENSE

1) Sam Joseph Brancato, applicant for a physician's and surgeon's license (hereinafter "applicant"), and Kimberly Kirchmeyer, Executive Director of the Medical Board of California (Board), hereby stipulate as follows:

2) Applicant is eligible for medical licensure in California upon meeting all licensure requirements.

3) On January 1, 2018, applicant submitted an application for a Physician's and Surgeon's License with the Board. Since, at least, October 2007, applicant has been under the care of treating professionals for a sexual addictive disorder, major depression disorder, and generalized anxiety disorder which may impair his ability to practice medicine safely.

4) Section 480(a) of the Business and Professions Code states the Board may deny a license on the grounds that the applicant has done any act that would be grounds for suspension or revocation of a license. Section 822 of the Business and Professions Code states that the Board may take action if the applicant's ability to practice medicine safely is impaired due to a mental illness. Section 2234 of the Business and Professions Code states that the Board may take action for unprofessional conduct.

The above supports a conclusion that grounds exist for denial pursuant to sections 480(a)(3)(A), 822, and 2234 of the Business and Professions Code.

5) Under Section 2221 of the Business and Professions Code, the Board may deny a license to an applicant because of unprofessional conduct. Alternatively, the Board has the discretionary authority to issue a probationary license with terms and conditions.

6) Applicant acknowledges he has a right to request a Statement of Issues and a hearing upon denial of license for cause. Applicant waives notice of hearing and judicial review in favor of this Stipulation for a Probationary License, which is subject to approval by the Board. If not approved, this Stipulation is null and void and may not be used for any purpose.

7) Applicant understands and agrees that counsel for the staff of the Board may communicate directly with the Board regarding this proposed Stipulation, without notice to or participation by applicant or his counsel. By signing the Stipulation, applicant

understands and agrees that he may not withdraw this 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, the offer of a Stipulation for a Probationary License 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.

ORDER

IT IS ORDERED THAT SAM JOSEPH BRANCATO, applicant, be issued a Physician's and Surgeon's License on a probationary basis, subject to the following terms and conditions:

1) Applicant is placed on probation for a period of three (3) years. Probation shall begin on the date the applicant is issued a probationary license.

2) Psychotherapy

Within 60 calendar days of the effective date of this Decision, applicant shall submit to the Board or its designee for prior approval the name and qualifications of a California-licensed board certified psychiatrist or a licensed psychologist who has a doctoral degree in psychology and at least five years of postgraduate experience in the diagnosis and treatment of emotional and mental disorders. Upon approval, applicant shall undergo and continue psychotherapy treatment, including any modifications to the frequency of psychotherapy, until the Board or its designee deems that no further psychotherapy is necessary.

The psychotherapist shall consider any information provided by the Board or its designee and any other information the psychotherapist deems relevant and shall furnish a written evaluation report to the Board or its designee. Applicant shall cooperate in providing the psychotherapist any information and documents that the psychotherapist may deem pertinent.

Applicant shall have the treating psychotherapist submit quarterly status reports to the Board or its designee. The Board or its designee may require applicant to undergo psychiatric evaluations by a Board-appointed board certified psychiatrist.

If, prior to the completion of probation, applicant is found to be mentally unfit to resume the practice of medicine without restrictions, the Board shall retain continuing jurisdiction over applicant's license and the period of probation shall be extended until the Board determines that applicant is mentally fit to resume the practice of medicine without restrictions.

Applicant shall pay the cost of all psychotherapy and psychiatric evaluations.

3) Medical Treatment

Within 30 calendar days of the effective date of this Decision, and on a periodic basis thereafter as may be required by the Board or its designee, applicant shall submit to the Board or its designee for prior approval the name and qualifications of a California licensed

treating physician of applicant's choice. Upon approval of the treating physician, applicant shall within 15 calendar days undertake medical treatment and shall continue such treatment until further notice from the Board or its designee.

The treating physician shall consider any information provided by the Board or its designee or any other information the treating physician may deem pertinent prior to commencement of treatment. Applicant shall have the treating physician submit quarterly reports to the Board or its designee indicating whether or not the applicant is capable of practicing medicine safely. Applicant shall provide the Board or its designee with any and all medical records pertaining to treatment, the Board or its designee deems necessary.

If, prior to the completion of probation, applicant is found to be physically incapable of resuming the practice of medicine without restrictions, the Board shall retain continuing jurisdiction over applicant's license and the period of probation shall be extended until the Board determines that applicant is physically capable of resuming the practice of medicine without restrictions. Applicant shall pay the cost of the medical evaluation(s) and treatment.

4) Worksite Monitor

Within thirty (30) calendar days of the effective date of this Decision, applicant shall submit to the Board or its designee for prior approval as a worksite monitor, the name and qualifications of one or more licensed physician and surgeon, other licensed health care professional if no physician and surgeon is available, or, as approved by the Board or its designee, a person in a position of authority who is capable of monitoring the applicant at work.

The worksite monitor shall not have a current or former financial, personal, or familial relationship with applicant, or any other relationship that could reasonably be expected to compromise the ability of the monitor to render impartial and unbiased reports to the Board or its designee. If it is impractical for anyone but applicant's employer to serve as the worksite monitor, this requirement may be waived by the Board or its designee, however, under no circumstances shall applicant's worksite monitor be an employee or supervisee of the licensee.

The worksite monitor shall have an active unrestricted license with no disciplinary action within the last five (5) years, and shall sign an affirmation that he or she has reviewed the terms and conditions of applicant's disciplinary order and agrees to monitor applicant as set forth by the Board or its designee.

Applicant shall pay all worksite monitoring costs.

The worksite monitor shall have face-to-face contact with applicant in the work environment on as frequent a basis as determined by the Board or its designee, but not less than once per week; interview other staff in the office regarding applicant's behavior, if requested by the Board or its designee; and review applicant's work attendance.

The worksite monitor shall verbally report any suspected sexual acting-out behavior(s) to the Board and applicant's employer or supervisor within one (1) business day of occurrence. If the sexual acting-out behavior(s) does not occur during the Board's normal

business hours, the verbal report shall be made to the Board or its designee within one (1) hour of the next business day. A written report that includes the date, time, and location of the sexual acting-out behavior(s); applicant's actions; and any other information deemed important by the worksite monitor shall be submitted to the Board or its designee within 48 hours of the occurrence.

The worksite monitor shall complete and submit a written report monthly or as directed by the Board or its designee which shall include the following: (1) applicant's name and Physician's and Surgeon's Certificate number; (2) the worksite monitor's name and signature; (3) the worksite monitor's license number, if applicable; (4) the location or location(s) of the worksite; (5) the dates applicant had face-to-face contact with the worksite monitor; (6) the names of worksite staff interviewed, if applicable; (7) a report of applicant's work attendance; (8) any change in applicant's behavior and/or personal habits; and (9) any indicators that can lead to suspected sexual acting-out behavior(s) by applicant. The worksite monitor shall monitor and report on applicant's performance (punctuality, professional demeanor, record keeping etc.) in the workplace and not specifically applicant's illness or competency. This includes any behavioral difficulties, inappropriate behavior, questionable medical practice, or professional misconduct as well as any concerns with applicant's ability to practice medicine safely. Applicant shall complete any required consent forms and execute agreements with the approved worksite monitor and the Board, or its designee, authorizing the Board, or its designee, and worksite monitor to exchange information.

If the worksite monitor resigns or is no longer available, applicant shall, within five (5) calendar days of such resignation or unavailability, submit to the Board or its designee, for prior approval, the name and qualifications of a replacement monitor who will be assuming that responsibility within fifteen (15) calendar days. If applicant fails to obtain approval of a replacement monitor within sixty (60) calendar days of the resignation or unavailability of the monitor, applicant shall receive a notification from the Board or its designee to cease the practice of medicine within three (3) calendar days after being so notified. Applicant shall cease the practice of medicine until a replacement monitor is approved and assumes monitoring responsibility.

5) Solo Practice Prohibition

Applicant is prohibited from engaging in the solo practice of medicine. Prohibited solo practice includes, but is not limited to, a practice where: 1) applicant merely shares office space with another physician but is not affiliated for purposes of providing patient care, or 2) applicant is the sole physician practitioner at that location.

If applicant fails to establish a practice with another physician or secure employment in an appropriate practice setting within 60 calendar days of the effective date of this Decision, applicant shall receive a notification from the Board or its designee to cease the practice of medicine within three (3) calendar days after being so notified. The applicant shall not resume practice until an appropriate practice setting is established.

If, during the course of the probation, the applicant's practice setting changes and the applicant is no longer practicing in a setting in compliance with this Decision, the applicant shall notify the Board or its designee within 5 calendar days of the practice setting change.

If applicant fails to establish a practice with another physician or secure employment in an appropriate practice setting within 60 calendar days of the practice setting change, applicant shall receive a notification from the Board or its designee to cease the practice of medicine within three (3) calendar days after being so notified. The applicant shall not resume practice until an appropriate practice setting is established.

6) Notification

Within seven (7) days of the effective date of this Decision, the applicant shall provide a true copy of this Decision and Accusation to the Chief of Staff or the Chief Executive Officer at every hospital where privileges or membership are extended to applicant, at any other facility where applicant engages in the practice of medicine, including all physician and locum tenens registries or other similar agencies, and to the Chief Executive Officer at every insurance carrier which extends malpractice insurance coverage to applicant. Applicant shall submit proof of compliance to the Board or its designee within 15 calendar days.

This condition shall apply to any change(s) in hospitals, other facilities or insurance carrier.

7) Supervision of Physician Assistants and Advanced Practice Nurses

During probation, applicant is prohibited from supervising physician assistants and advanced practice nurses.

8) Obey All Laws

Applicant shall obey all federal, state and local laws, all rules governing the practice of medicine in California and remain in full compliance with any court ordered criminal probation, payments, and other orders.

9) Quarterly Declarations

Applicant shall submit quarterly declarations under penalty of perjury on forms provided by the Board, stating whether there has been compliance with all the conditions of probation.

Applicant shall submit quarterly declarations not later than 10 calendar days after the end of the preceding quarter.

10) General Probation Requirements

Compliance with Probation Unit

Applicant shall comply with the Board's probation.

Address Changes

Applicant shall, at all times, keep the Board informed of applicant's business and residence addresses, email address (if available), and telephone number. Changes of such addresses shall be immediately communicated in writing to the Board or its designee. Under no circumstances shall a post office box serve as an address of record, except as allowed by Business and Professions Code section 2021(b).

Place of Practice

Applicant shall not engage in the practice of medicine in applicant's or patient's place of residence, unless the patient resides in a skilled nursing facility or other similar licensed

facility.

License Renewal

Applicant shall maintain a current and renewed California physician's and surgeon's license.

Travel or Residence Outside California

Applicant shall immediately inform the Board or its designee, in writing, of travel to any areas outside the jurisdiction of California which lasts, or is contemplated to last, more than thirty (30) calendar days.

In the event applicant should leave the State of California to reside or to practice applicant shall notify the Board or its designee in writing 30 calendar days prior to the dates of departure and return.

11) Interview with the Board or its Designee

Applicant shall be available in person upon request for interviews either at applicant's place of business or at the probation unit office, with or without prior notice throughout the term of probation.

12) Non-practice While on Probation

Applicant shall notify the Board or its designee in writing within 15 calendar days of any periods of non-practice lasting more than 30 calendar days and within 15 calendar days of applicant's return to practice. Non-practice is defined as any period of time applicant is not practicing medicine as defined in Business and Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct patient care, clinical activity or teaching, or other activity as approved by the Board.

If applicant resides in California and is considered to be in non-practice, applicant shall comply with all terms and conditions of probation. All time spent in an intensive training program which has been approved by the Board or its designee shall not be considered non-practice and does not relieve applicant from complying with all the terms and conditions of probation. Practicing medicine in another state of the United States or Federal jurisdiction while on probation with the medical licensing authority of that state or jurisdiction shall not be considered non-practice. A Board-ordered suspension of practice shall not be considered as a period of non-practice.

In the event applicant's period of non-practice while on probation exceeds 18 calendar months, applicant shall successfully complete the Federation of State Medical Board's Special Purpose Examination, or, at the Board's discretion, a clinical competence assessment program that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

Applicant's period of non-practice while on probation shall not exceed two (2) years.

Periods of non-practice will not apply to the reduction of the probationary term.

Periods of non-practice for an applicant residing outside of California, will relieve applicant

of the responsibility to comply with the probationary terms and conditions with the exception of this condition and the following terms and conditions of probation: Obey All Laws; General Probation Requirements; Quarterly Declarations; Abstain from the Use of Alcohol and/or Controlled Substances; and Biological Fluid Testing.

13) Completion of Probation

Applicant shall comply with all financial obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the completion of probation. Upon successful completion of probation, applicant's certificate shall be fully restored.

14) Violation of Probation

Failure to fully comply with any term or condition of probation is a violation of probation. If applicant violates probation in any respect, the Board, after giving applicant notice and the opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke Probation, or an Interim Suspension Order is filed against applicant during probation, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

15) License Surrender

Following the effective date of this Decision, if applicant ceases practicing due to retirement or health reasons or is otherwise unable to satisfy the terms and conditions of probation, applicant may request to surrender his license. The Board reserves the right to evaluate applicant's request and to exercise its discretion in determining whether or not to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances.

Upon formal acceptance of the surrender, applicant shall within 15 calendar days deliver applicant's wallet and wall certificate to the Board or its designee and applicant shall no longer practice medicine. Applicant will no longer be subject to the terms and conditions of probation. If applicant re-applies for a medical license, the application shall be treated as a petition for reinstatement of a revoked certificate.

16) Probation Monitoring Costs

Applicant shall pay the costs associated with probation monitoring each and every year of probation, as designated by the Board, which may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of California and delivered to the Board or its designee no later than January 31 of each calendar year.

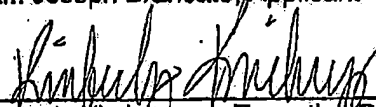
Applicant agrees to comply with the terms and conditions of the above Order.



Sam Joseph Brancato, Applicant

7/11/2018

Date



Kimberly Kirchmeyer, Executive Director

7/19/18

Date