

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

**In the Matter of the Accusation** )  
**Against:** )  
 )  
 )  
**Victor Boon Huat Siew, M.D.** )  
 )  
**Physician's and Surgeon's** )  
**Certificate No. G 32104** )  
 )  
**Respondent** )  
\_\_\_\_\_ )

**Case No. 800-2014-002943**

**DECISION**

**The attached Stipulated Surrender of License 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 January 10, 2018.**

**IT IS SO ORDERED January 03, 2018.**

**MEDICAL BOARD OF CALIFORNIA**

By:

  
**Kimberly Kirchmeyer  
Executive Director**

1 XAVIER BECERRA  
Attorney General of California  
2 MATTHEW M. DAVIS  
Supervising Deputy Attorney General  
3 TESSA L. HEUNIS  
Deputy Attorney General  
4 State Bar No. 241559  
600 West Broadway, Suite 1800  
5 San Diego, CA 92101  
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8 *Attorneys for Complainant*

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

13 In the Matter of the Accusation Against:

Case No. 8002014002943

14 **VICTOR BOON HUAT SIEW, M.D.**  
17220 New Hope Street, Ste. 125  
15 Fountain Valley, CA 92708

16 **Physician's and Surgeon's Certificate**  
**No. G 32104**

**STIPULATED SURRENDER OF**  
**LICENSE AND DISCIPLINARY ORDER**

17 Respondent.

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

21 **PARTIES**

22 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board  
23 of California (Board). She brought this action solely in her official capacity and is represented in  
24 this matter by Xavier Becerra, Attorney General of the State of California, by Tessa L. Heunis,  
25 Deputy Attorney General.

26 2. Victor Boon Huat Siew, M.D. (Respondent) is represented in this proceeding by  
27 attorney Raymond J. McMahon, Esq., of Doyle Schafer McMahon, whose address is 5440  
28 Trabuco Road, Irvine, CA 92620.





1 Executive Director on behalf of the Board does not, in her discretion, approve and adopt this  
2 Stipulated Surrender of License and Disciplinary Order, with the exception of this paragraph, it  
3 shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied  
4 upon or introduced in any disciplinary action by either party hereto. Respondent further agrees  
5 that should this Stipulated Surrender of License and Disciplinary Order be rejected for any reason  
6 by the Executive Director on behalf of the Board, respondent will assert no claim that the  
7 Executive Director, the Board, or any member thereof, was prejudiced by its/his/her review,  
8 discussion and/or consideration of this Stipulated Surrender of License and Disciplinary Order or  
9 of any matter or matters related hereto.

10 **ADDITIONAL PROVISIONS**

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

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

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

20 **ORDER**

21 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 32104, issued  
22 to Respondent Victor Boon Huat Siew, M.D., is surrendered and accepted by the Medical Board  
23 of California.

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

28 ////





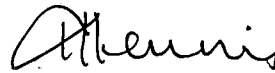
**ENDORSEMENT**

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

Dated: December 22, 2017

Respectfully submitted,

XAVIER BECERRA  
Attorney General of California  
MATTHEW M. DAVIS  
Supervising Deputy Attorney General



TESSA L. HEUNIS  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 8002014002943**

1 XAVIER BECERRA  
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2 MATTHEW M. DAVIS  
Supervising Deputy Attorney General  
3 TESSA L. HEUNIS  
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8 *Attorneys for Complainant*

FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO NOV. 30, 2017  
BY Alva Pearson ANALYST

10 **BEFORE THE**  
11 **MEDICAL BOARD OF CALIFORNIA**  
12 **DEPARTMENT OF CONSUMER AFFAIRS**  
13 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. 8002014002943

14 **Victor Boon Huat Siew, M.D.**  
15 **17220 New Hope Street, Ste. 125**  
**Fountain Valley, CA 92708**

**ACCUSATION**

16 **Physician's and Surgeon's Certificate**  
17 **No. G 32104,**

18 Respondent.

19 Complainant alleges:

20 **PARTIES**

21 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official  
22 capacity as the Executive Director of the Medical Board of California, Department of Consumer  
23 Affairs (Board).

24 2. On or about July 1, 1976, the Board issued Physician's and Surgeon's Certificate  
25 Number G 32104 to Victor Boon Huat Siew, M.D. (Respondent). The Physician's and Surgeon's  
26 Certificate was in full force and effect at all times relevant to the charges and allegations brought  
27 herein and will expire on October 31, 2018, unless renewed.

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1 **PRIOR DISCIPLINE**

2 3. In a prior disciplinary action entitled *In the Matter of the Accusation Against Victor*  
3 *Siew, M.D.*, Case No. 04-94-36072, the Board issued a decision and order, effective February 18,  
4 1998, in which respondent was publicly reprovved by the Board for aiding and abetting the  
5 unlicensed practice of medicine in violation of Business and Professions Code section 2264, and  
6 committing acts involving dishonesty or corruption which were substantially related to the  
7 qualifications, functions, or duties of a physician and surgeon, in violation of Business and  
8 Professions Code section 2234, subdivision (e).

9 **JURISDICTION**

10 4. This Accusation is brought before the Board, under the authority of the following  
11 laws. All section references are to the Business and Professions Code (Code) unless otherwise  
12 indicated.

13 5. Section 2227 of the Code states:

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

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

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

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

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

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

1 “(b) Any matter heard pursuant to subdivision (a), except for ... matters made  
2 confidential or privileged by existing law, is deemed public, and shall be made available to  
3 the public by the board pursuant to Section 803.1.”

4 6. Section 2234 of the Code, states:

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

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

10 “...

11 “(f) Any action or conduct which would have warranted the denial of a certificate.

12 “...”

13 7. Section 2236 of the Code states:

14 “(a) The conviction of any offense substantially related to the qualifications,  
15 functions, or duties of a physician and surgeon constitutes unprofessional conduct within  
16 the meaning of this chapter [Chapter 5, the Medical Practice Act]. The record of conviction  
17 shall be conclusive evidence only of the fact that the conviction occurred.

18 “...

19 “(c) The clerk of the court in which a licensee is convicted of a crime shall, within 48  
20 hours after the conviction, transmit a certified copy of the record of conviction to the board.  
21 The division may inquire into the circumstances surrounding the commission of a crime in  
22 order to fix the degree of discipline or to determine if the conviction is of an offense  
23 substantially related to the qualifications, functions, or duties of a physician and surgeon.

24 “(d) A plea or verdict of guilty or a conviction after a plea of *nolo contendere* is  
25 deemed to be a conviction within the meaning of this section and Section 2236.1. The  
26 record of conviction shall be conclusive evidence of the fact that the conviction occurred.”

27 ////

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1 8. Section 2237 of the Code states:

2 “(a) The conviction of a charge of violating any federal statutes or regulations or any  
3 statute or regulation of this state, regulating dangerous drugs or controlled substances,  
4 constitutes unprofessional conduct. The record of the conviction is conclusive evidence of  
5 such unprofessional conduct. A plea or verdict of guilty or a conviction following a plea of  
6 *nolo contendere* is deemed to be a conviction within the meaning of this section.

7 “(b) Discipline may be ordered in accordance with Section 2227 or the Medical  
8 Board may order the denial of the license when the time for appeal has elapsed, or the  
9 judgment of conviction has been affirmed on appeal, or when an order granting probation is  
10 made suspending the imposition of sentence, irrespective of a subsequent order under the  
11 provisions of Section 1203.4 of the Penal Code allowing such person to withdraw his or her  
12 plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or  
13 dismissing the accusation, complaint, information, or indictment.”

14 9. Section 2238 of the Code states:

15 “A violation of any federal statute or federal regulation or any of the statutes or  
16 regulations of this state regulating dangerous drugs or controlled substances constitutes  
17 unprofessional conduct.”

18 10. Section 2242 of the Code states:

19 “(a) Prescribing, dispensing, or furnishing dangerous drugs as defined in Section  
20 4022 without an appropriate prior examination and a medical indication, constitutes  
21 unprofessional conduct.

22 “...”

23 11. Section 2221 of the Code states:

24 “(a) The board may deny a physician’s and surgeon’s certificate ... to an applicant  
25 guilty of unprofessional conduct or of any cause that would subject a licensee to  
26 revocation or suspension of his or her license...

27 “...”

28 ////

1 12. Section 4021 of the Code states:

2 "Controlled substance" means any substance listed in Chapter 2 (commencing with  
3 Section 11053) of Division 10 of the Health and Safety Code."

4 13. Section 4022 of the Code states:

5 "Dangerous drug" or "dangerous device" means any drug or device unsafe for self-  
6 use in humans or animals, and includes the following:

7 "(a) Any drug that bears the legend: 'Caution: federal law prohibits dispensing  
8 without prescription,' 'Rx only,' or words of similar import.

9 "...

10 "(c) Any other drug ... that by federal or state law can be lawfully dispensed only on  
11 prescription or furnished pursuant to Section 4006."

12 14. Health and Safety Code section 11153 states:

13 "(a) A prescription for a controlled substance shall only be issued for a legitimate  
14 medical purpose by an individual practitioner acting in the usual course of his or her  
15 professional practice. The responsibility for the proper prescribing and dispensing of  
16 controlled substances is upon the prescribing practitioner, but a corresponding  
17 responsibility rests with the pharmacist who fills the prescription. Except as authorized by  
18 this division, the following are not legal prescriptions: (1) an order purporting to be a  
19 prescription which is issued not in the usual course of professional treatment or in  
20 legitimate and authorized research; or (2) an order for an addict or habitual user of  
21 controlled substances, which is issued not in the course of professional treatment or as part  
22 of an authorized narcotic treatment program, for the purpose of providing the user with  
23 controlled substances, sufficient to keep him or her comfortable by maintaining customary  
24 use.

25 "(b) Any person who knowingly violates this section shall be punished by  
26 imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, or in a  
27 county jail not exceeding one year, or by a fine not exceeding twenty thousand dollars  
28 (\$20,000), or by both that fine and imprisonment.

1 "..."

2 15. United States Code, Title 21, section 841 states:

3 "(a) Unlawful acts

4 "Except as authorized by this subchapter, it shall be unlawful for any person  
5 knowingly or intentionally--

6 "(1) to manufacture, distribute, or dispense, or possess with intent to manufacture,  
7 distribute, or dispense, a controlled substance;

8 "..."

9 16. Section 118 of the Code states:

10 "...

11 "(b) The suspension, expiration, or forfeiture by operation of law of a license issued  
12 by a board in the department, or its suspension, forfeiture, or cancellation by order of the  
13 board or by order of a court of law, or its surrender without the written consent of the board,  
14 shall not, during any period in which it may be renewed, restored, reissued, or reinstated,  
15 deprive the board of its authority to institute or continue a disciplinary proceeding against  
16 the licensee upon any ground provided by law or to enter an order suspending or revoking  
17 the license or otherwise taking disciplinary action against the licensee on any such ground.

18 "(c) As used in this section, 'board' includes an individual who is authorized by any  
19 provision of this code to issue, suspend, or revoke a license, and 'license' includes  
20 'certificate,' 'registration,' and 'permit.'"

21 **FIRST CAUSE FOR DISCIPLINE**

22 **(Conviction Of A Crime)**

23 17. Respondent is subject to disciplinary action under sections 2227 and 2234, as defined  
24 by section 2236, of the Code, in that he has been convicted of an offense substantially related to  
25 the qualifications, functions, or duties of a physician and surgeon, as more particularly alleged  
26 hereinafter:

27 18. On or about June 8, 2016, in the case entitled *United States of America v. Victor Boon*  
28 *Huat Siew, Kaitlyn Phuong Nguyen, and Thanh Nha T. Pham*, United States District Court,

1 Central District of California, Southern Division, Case No. SACR16-00079, an indictment was  
2 filed against respondent and two other defendants. The indictment charged the three defendants  
3 with one count of conspiracy to distribute controlled substances (21 U.S.C. § 846), thirty-two  
4 counts of distribution of a controlled substance in Schedule II (21 U.S.C. § 841, subds. (a)(1),  
5 (b)(1)(C)), and twenty-two counts of distribution of a controlled substance in Schedule IV  
6 (21 U.S.C. § 841, subds. (a)(1), (b)(2)). The indictment alleged, further, that the defendants aided  
7 and abetted one another (18 U.S.C. § 2, subd. (a)) and willfully caused the aforementioned acts to  
8 be done (18 U.S.C. § 2, subd. (b)).

9 19. On or about May 15, 2017, respondent entered into a plea agreement with the United  
10 States Attorney's Office for the Central District of California, wherein he agreed to the following  
11 statement of facts:

12 (a) From approximately January 2009 and continuing until approximately February 2015,  
13 in Fountain Valley, California, respondent, a medical doctor licensed to practice medicine in  
14 California, knowingly and intentionally distributed controlled substances outside the usual course  
15 of professional practice and without a legitimate medical purpose. Specifically, on February 14,  
16 2012, respondent, while acting and intending to act outside the usual course of professional  
17 practice and without a legitimate medical purpose, knowingly and intentionally gave M.S. a  
18 prescription for 180 oxycodone pills, 240 methadone pills, and 90 alprazolam pills.

19 (b) Between January 2009 and February 2015, respondent intentionally prescribed and  
20 caused to be prescribed the following controlled substances outside the usual course of  
21 professional practice and without a legitimate medical purpose to the individuals identified in the  
22 indictment: 2,190 oxycodone tablets, with a marijuana equivalent of 528.63 kilograms; 1,860  
23 methadone tablets, with a marijuana equivalent of 9.3 kilograms; and 1,540 alprazolam tablets,  
24 with a marijuana equivalent of 0.096 kilograms.

25 20. On or about June 1, 2017, respondent pled guilty to one count of distribution of a  
26 controlled substance in Schedule II, namely, oxycodone (Count 3), and one count of distribution  
27 of a controlled substance in Schedule IV, namely, alprazolam (Count 36).

28 ////





1 drugs as defined in Section 4022 without an appropriate prior examination and a medical  
2 indication, as more particularly alleged in paragraphs 17 through 23, above, and which are hereby  
3 realleged and incorporated by reference as if fully set forth herein.

4 **FIFTH CAUSE FOR DISCIPLINE**

5 **(General unprofessional conduct)**

6 25. Respondent is further subject to disciplinary action under sections 2227 and 2234 of  
7 the Code, in that he has engaged in conduct which breaches the rules or ethical code of the  
8 medical profession, or conduct that is unbecoming to a member in good standing of the medical  
9 profession, and which demonstrates an unfitness to practice medicine, as more particularly  
10 alleged in paragraphs 17 through 24, above, and which are hereby realleged and incorporated by  
11 reference as if fully set forth herein.

12 **PRAYER**

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

- 15 1. Revoking or suspending Physician's and Surgeon's Certificate Number G 32104,  
16 issued to Respondent Victor Boon Huat Siew, M.D.;
- 17 2. Revoking, suspending or denying approval of Respondent Victor Boon Huat Siew,  
18 M.D.'s authority to supervise physician assistants and advanced practice nurses;
- 19 3. Ordering Respondent Victor Boon Huat Siew, M.D., if placed on probation, to pay  
20 the Board the costs of probation monitoring; and
- 21 4. Taking such other and further action as deemed necessary and proper.

22  
23 DATED: November 30, 2017

  
24 KIMBERLY KIRCHMEYER  
25 Executive Director  
26 Medical Board of California  
27 Department of Consumer Affairs  
28 State of California  
Complainant