XAVIER BECERRA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
CHRISTINE A. RHEE
Deputy Attorney General
State Bar No. 295656
600 West Broadway, Suite 1800
San Diego, CA 92101
P.O. Box 85266
San Diego, CA 92186-5266
Telephone: (619) 738-9455
Facsimile: (619) 645-2061

Attorneys for Complainant

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

In the Matter of the Accusation Against: **JOY HELENE SIEGRIST, M.D.** **230 Linger Ln.** **Sun City Center, FL 33573-6270** **Physician's and Surgeon's Certificate No. A 43340,** Respondent.	Case No. 800-2019-061117 **DEFAULT DECISION AND DISCIPLINARY ORDER** [Gov. Code, §11520]

FINDINGS OF FACT

1. William Prasifka (Complainant) is the Executive Director of the Medical Board of California (Board). He brought this action solely in his official capacity and is represented in this matter by Xavier Becerra, Attorney General of the State of California, by Christine A. Rhee, Deputy Attorney General.

2. On or about December 15, 1986, the Medical Board of California (Board) issued Physician's and Surgeon's Certificate No. A 43340 to Joy Helene Siegrist, M.D. (Respondent). The Certificate No. A 43340 was in full force and effect at all times relevant to the charges brought herein and will expire on April 30, 2022, unless renewed. A true and correct copy of the

Certificate of Licensure is attached as Exhibit 1 to the accompanying "Default Decision Evidence Packet."[1]

3. On or about January 11, 2021, in a disciplinary action entitled, "In the Matter of the Petition for Interim Suspension Order Against: Joy Helene Siegrist, M.D.," Respondent's Physician's and Surgeon's Certificate No. A 43340 was suspended, prohibiting Respondent from practicing medicine in the State of California pending further order from the Office of Administrative Hearings. (Exhibit 2, Decision and Order.)

4. On or about January 14, 2021, Anna Fulton, an employee of the Board, served by Certified Mail a copy of the Accusation No. 800-2019-061117, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record with the Board, which was and is 230 Linger Ln., Sun City Center, FL 33573-6270. True and correct copies of the Accusation, the related documents, and Declaration of Service are attached as Exhibit 3, and are incorporated herein by reference.

5. On or about January 29, 2021, a courtesy letter was mailed to Respondent informing her that she had failed to submit a Notice of Defense, and that if it was not received within 14 calendar days of the notice, a Default would be filed against her. Respondent did not send a Notice of Defense to Deputy Attorney General Christine A. Rhee within the 14-day time period, or at any time thereafter. (Exhibit 4, Courtesy Notice of Defense sent to Respondent dated January 29, 2021; Exhibit 5, Declaration of Deputy Attorney General Christine A. Rhee, ¶ 7.)

6. Service of the Accusation was effective as a matter of law under the provisions of Government Code section 11505, subdivision (c).

7. Government Code section 11506 states, in pertinent part:

> (c) The respondent shall be entitled to a hearing on the merits if the respondent files a notice of defense, and the notice shall be deemed a specific denial of all parts of the accusation not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing.
>
> ...

[1] All exhibits are true and correct copies of the originals, and are attached to the accompanying Default Decision Evidence Packet. The Default Decision Evidence Packet is hereby incorporated by reference, in its entirety, as if fully set forth herein.

8. Respondent failed to file a Notice of Defense within 15 days after service upon her of the Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 800-2019-061117. (Exhibit 5.)

9. California Government Code section 11520 states, in pertinent part:

> (a) If the respondent either fails to file a notice of defense or to appear at the hearing, the agency may take action based upon the respondent's express admissions or upon other evidence and affidavits may be used as evidence without any notice to respondent.
>
> ...

10. Pursuant to its authority under Government Code section 11520, the Board finds Respondent is in default. The Board will take action without further hearing and, based on Respondent's express admissions by way of default and the evidence before it, contained in Exhibits 1 through 7, in the separate accompanying "Default Decision Evidence Packet," finds that the allegations in Accusation No. 800-2019-061117, and each of them, separately and severally, are true and correct.

JURISDICTION

11. Section 820 of the Business and Professions Code (Code) states, in pertinent part:

> Whenever it appears that any person holding a licensee, certificate or permit under this division[2] or under any initiative act referred to in this division may be unable to practice his or her profession safely because the licentiate's ability to practice is impaired due to mental illness, or physical illness affecting competency, the licensing agency may order the licentiate to be examined by one or more physicians and surgeons or psychologists designated by the agency. The report of the examiners shall be made available to the licentiate and may be received as direct evidence in proceedings conducted pursuant to Section 822.

12. Section 822 of the Code states:

> If a licensing agency determines that its licentiate's ability to practice his or her profession safely is impaired because the licentiate is mentally ill, or physically ill affecting competency, the licensing agency may take action by any one of the following methods:
>
> (a) Revoking the licentiate's certificate or license.
>
> (b) Suspending the licentiate's right to practice.

[2] Division 2 of the Business and Professions Code entitled, "Healing Arts."

(c) Placing the licentiate on probation.

(d) Taking such other action in relation to the licentiate as the licensing agency in its discretion deems proper.

The licensing section shall not reinstate a revoked or suspended certificate or license until it has received competent evidence of the absence or control of the condition which caused its action and until it is satisfied that with due regard for the public health and safety the person's right to practice his or her profession may be safely reinstated.

13. Section 2227 of the Code states, in pertinent part:

(a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government 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:

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

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

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

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

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

...

14. Section 2234 of the Code, states, in pertinent part:

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

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

...

15. Unprofessional conduct under section 2234 of the code is conduct which breaches the rules or ethical code of the medical profession, or conduct which is unbecoming to a member in good standing of the medical profession, and which demonstrates an unfitness to practice medicine. *Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564, 575.

16. Section 2236 of the Code states, in pertinent part:

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

...

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

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

17. California Code of Regulations, title 16, section 1360, states:

For the purposes of denial, suspension or revocation of a license, certificate or permit pursuant to Division 1.5 (commencing with Section 475) of the code, a crime or act shall be considered to be substantially related to the qualifications, functions or duties of a person holding a license, certificate or permit under the Medical Practice Act if to a substantial degree it evidences present or potential unfitness of a person holding a license, certificate or permit to perform the functions authorized by the license, certificate or permit in a manner consistent with the public health, safety or welfare. Such crimes or acts shall include but not be limited to the following: Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate any provision of the Medical Practice Act.

BUSINESS AND PROFESSIONS CODE CAUSE FOR ACTION

18. Respondent's Physician's and Surgeon's Certificate No. A 43340 is subject to action under section 822 of the Code, in that her ability to practice medicine safely is impaired because she has a mental illness, as more particularly alleged hereinafter:

19. In or around October 2020, Board Investigator J.V. contacted M.K, M.D., a Board-certified psychiatrist, to review materials and conduct a mental evaluation of Respondent. M.K., M.D., conducted an examination of Respondent on or about October 26, 2020, via a 90-minute videoconference. (Exhibit 6, Declaration of M.K, M.D., ¶¶ 1, 4.)

20. Before interviewing Respondent, M.K., M.D., reviewed documents provided by Investigator J.V. These documents included: complaints submitted to the Board, documentation

from Respondent's prior employer describing Respondent's unusual behavior, court records from Respondent's criminal arrests in Virginia, and medical records documenting Respondent's hospitalization from October to November 2019. (Exhibit 6, ¶ 5.)

21. During the evaluation, M.K., M.D., took Respondent's pertinent background and psychiatric history. M.K., M.D., observed that while Respondent was alert and oriented during the interview, she was restless and not always rational. Respondent exhibited delusional symptoms, telling M.K., M.D., that a police officer was trying to kill her in Virginia. This was her rationale for speeding at approximately 115 miles per hour which led to her criminal prosecution in Virginia. (Exhibit 6, ¶ 6.)

22. During the evaluation, M.K., M.D., observed that Respondent's judgment was severely impaired. Respondent failed to acknowledge the clear boundary violations she committed when allowing a patient to live on her boat and dine in her house while she was treating him. She also insisted that she had to continue treating the patient even after she had realized she had a prior sexual relationship with him. She was dismissive of her own psychiatric treatment at Eastern State Hospital for mania, and told M.K., M.D., that she did not need psychiatric treatment, nor could she ever find a psychiatrist she could trust. (Exhibit 6, ¶ 7.)

23. Based upon his education, training, and experience, M.K., M.D., opined that Respondent has bipolar I disorder, presently hypomanic, with a history of mania, and also narcissistic personality disorder. As an alternative differential diagnosis, M.K., M.D., opined that Respondent may have substance or medication-induced bipolar disorder or a delusional disorder. With either of these diagnoses, M.K., M.D., determined that Respondent has a disabling mental illness that affects her ability to practice medicine safely. (Exhibit 6, ¶ 8.)

24. M.K., M.D., further opined that the co-occurrence of Respondent's bipolar I or other diagnoses with narcissistic personality disorder prevents Respondent from gaining any insight into the inappropriateness of her past behavior, which was exemplified by Respondent's refusal to take medication at Eastern State Hospital, and her stated refusal to be treated by a psychiatrist. Because of this demonstrated lack of insight and sound judgment, M.K., M.D., concluded that

///

there are no terms or conditions in which Respondent may safely practice medicine and treat patients. (Exhibit 6, ¶ 9.)

BUSINESS AND PROFESSIONS CODE CAUSE FOR DISCIPLINE
(Conviction of a Crime Substantially Related to the Qualifications, Functions, or Duties of a Physician and Surgeon)

25. Respondent's Physician's and Surgeon's Certificate No. A 43340 is subject to discipline under sections 2227 and 2236 of the Code, in that Respondent has been convicted of crimes substantially related to the qualifications, functions, or duties of a physician and surgeon, as more particularly alleged hereinafter:

26. On or about February 4, 2020, in *The Commonwealth of Virginia v. Joy Helene Siegrist*, Case Nos. 20-197-00 and 20-197-01, Respondent was indicted for fleeing and eluding a police officer and reckless driving for the incidents that occurred on or about October 7, 2019 and October 9, 2019. (Exhibit 7, Certified Records from Chesapeake City Circuit Court.)

27. On or about August 31, 2020, Respondent was found guilty after a bench trial for the following: (1) felony eluding on October 7, 2019; (2) felony eluding on October 9, 2019; and (3) two counts of misdemeanor reckless driving on October 9, 2019. Her sentencing was scheduled for April 9, 2021. (Exhibit 7.)

BUSINESS AND PROFESSIONS CODE CAUSE FOR DISCIPLINE
(Unprofessional Conduct)

28. Respondent's Physician's and Surgeon's Certificate No. A 43340 is subject to discipline under sections 2227 and 2236 of the Code, in that Respondent committed unprofessional conduct as more particularly alleged in paragraphs 26 and 27, above.

DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Joy Helene Siegrist, M.D., has subjected her Physician's and Surgeon's Certificate No. A 43340 to action and discipline.

2. The agency has jurisdiction to adjudicate this case by default.

3. Pursuant to its authority under California Government Code section 11520, and based on the evidence before it, the Board hereby finds that the charges and allegations contained in

///

Accusation No. 800-2019-061117, and the Findings of Fact contained in paragraphs 1 through 28, above, and each of them, separately and severally, are true and correct.

4. Pursuant to its authority under California Government Code section 11520, and by reasons of the Findings of Fact contained in paragraphs 1 through 28, above, and Determination of Issues 1, 2, and 3, above, the Board hereby finds that Respondent Joy Helene Siegrist, M.D., has subjected her Physician's and Surgeon's Certificate No. A 43340 to action and discipline in that she has a mental illness affecting her ability to practice medicine safely, was convicted of a crime substantially related to the qualifications, functions, and duties of a physician and surgeon, and committed unprofessional conduct.

ORDER

IT IS SO ORDERED that Physician's and Surgeon's Certificate No. A 43340, heretofore issued to Respondent Joy Helene Siegrist, M.D., is revoked.

If Respondent ever files an application for re-licensure in the State of California, the Board shall treat it as a petition for reinstatement of a revoked license. Respondent must comply with all laws, regulations, and procedures for reinstatement of a revoked license at the time that the application for re-licensure or petition for reinstatement is filed.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on APR 0 7 2021.

It is so ORDERED MAR 0 8 2021

William Prasifka
Executive Director
FOR THE MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS

XAVIER BECERRA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
CHRISTINE A. RHEE
Deputy Attorney General
State Bar No. 295656
600 West Broadway, Suite 1800
San Diego, CA 92101
P.O. Box 85266
San Diego, CA 92186-5266
Telephone: (619) 738-9455
Facsimile: (619) 645-2061

Attorneys for Complainant

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

In the Matter of the Accusation Against: **JOY HELENE SIEGRIST, M.D.** **230 LINGER LN** **SUN CITY CENTER, FL 33573-6270** **Physician's and Surgeon's Certificate No. A 43340,** Respondent.	Case No. 800-2019-061117 **A C C U S A T I O N**

PARTIES

1. William Prasifka (Complainant) brings this Accusation solely in his official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs (Board).

2. On or about December 15, 1986, the Medical Board issued Physician's and Surgeon's Certificate No. A 43340 to Joy Helene Siegrist, M.D. (Respondent). Physician's and Surgeon's Certificate No. A 43340 was in full force and effect at all times relevant to the charges brought herein and will expire on April 30, 2022, unless renewed.

///

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 2227 of the Code states, in pertinent part:

> (a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government 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:
>
> (1) Have his or her license revoked upon order of the board.
>
> (2) Have his or her right to practice suspended for a period not to exceed one year upon order of the board.
>
> (3) Be placed on probation and be required to pay the costs of probation monitoring upon order of the board.
>
> (4) Be publicly reprimanded by the board. The public reprimand may include a requirement that the licensee complete relevant educational courses approved by the board.
>
> (5) Have any other action taken in relation to discipline as part of an order of probation, as the board or an administrative law judge may deem proper.
>
> ...

5. Section 822 of the Code states:

> If a licensing agency determines that its licentiate's ability to practice his or her profession safely is impaired because the licentiate is mentally ill, or physically ill affecting competency, the licensing agency may take action by any one of the following methods:
>
> (a) Revoking the licentiate's certificate or license.
>
> (b) Suspending the licentiate's right to practice.
>
> (c) Placing the licentiate on probation.
>
> (d) Taking such other action in relation to the licentiate as the licensing agency in its discretion deems proper.
>
> The licensing section shall not reinstate a revoked or suspended certificate or license until it has received competent evidence of the absence or control of the condition which caused its action and until it is satisfied that with due regard for the public health and safety the person's right to practice his or her profession may be safely reinstated.

6. Section 2234 of the Code, states, in pertinent part:

> The board shall take action against any licensee who is charged with unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:
>
> (a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the violation of, or conspiring to violate any provision of this chapter.
>
> ...

7. Unprofessional conduct under section 2234 of the code is conduct which breaches the rules or ethical code of the medical profession, or conduct which is unbecoming to a member in good standing of the medical profession, and which demonstrates an unfitness to practice medicine. *Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564, 575.

8. Section 2236 of the Code states, in pertinent part:

> (a) The conviction of any offense substantially related to the qualifications, functions, or duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this chapter [Chapter 5, the Medical Practice Act]. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred.
>
> ...
>
> (c) The clerk of the court in which a licensee is convicted of a crime shall, within 48 hours after the conviction, transmit a certified copy of the record of conviction to the board. The division may inquire into the circumstances surrounding the commission of a crime in order to fix the degree of discipline or to determine if the conviction is of an offense substantially related to the qualifications, functions, or duties of a physician and surgeon.
>
> (d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to be a conviction within the meaning of this section and Section 2236.1. The record of conviction shall be conclusive evidence of the fact that the conviction occurred.

9. California Code of Regulations, title 16, section 1360, states:

> For the purposes of denial, suspension or revocation of a license, certificate or permit pursuant to Division 1.5 (commencing with Section 475) of the code, a crime or act shall be considered to be substantially related to the qualifications, functions or duties of a person holding a license, certificate or permit under the Medical Practice Act if to a substantial degree it evidences present or potential unfitness of a person holding a license, certificate or permit to perform the functions authorized by the license, certificate or permit in a manner consistent with the public health, safety or welfare. Such crimes or acts shall include but not be limited to the following: Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate any provision of the Medical Practice Act.

FIRST CAUSE FOR ACTION
(Mental Illness Affecting Ability to Practice Medicine Safely)

10. Respondent's Physician's and Surgeon's Certificate No. A 43340 subject to a cause for action under section 822 of the Code in that Respondent has a mental illness affecting her ability to safely practice medicine. The circumstances are as follows:

11. On or about October 26, 2020, at the Board's request, Respondent submitted to a mental evaluation with the Board's expert evaluator, M.K., M.D. This evaluation included a review of investigation materials and a 90-minute videoconference interview.

12. On or about October 26, 2020, M.K., M.D., submitted a report to the Board with his findings. M.K., M.D., opined that Respondent had bipolar disorder with a history of mania and narcissistic personality disorder, amongst other conditions. M.K., M.D., concluded that Respondent has a mental illness or condition which affects her ability to safely practice medicine.

SECOND CAUSE FOR DISCIPLINE
(Conviction of a Crime Substantially Related to the Qualifications, Functions, or Duties of a Physician and Surgeon)

13. Respondent has subjected her Physician's and Surgeon's Certificate No. A 43340 to disciplinary action under sections 2227 and 2236 of the Code, in that Respondent has been convicted of crimes substantially related to the qualifications, functions, or duties of a physician and surgeon, as more particularly alleged hereafter:

14. On or about October 9, 2019, Respondent was driving erratically eastbound on Interstate 64 in Chesapeake, Virginia. A police officer observed Respondent speeding up to 105 miles per hour. This police officer effectuated a traffic stop by using his emergency equipment to signal Respondent to pull over. When this police officer approached Respondent's driver's side and asked her to roll down the window, Respondent sped off. The police officer followed, observing Respondent driving erratically at a rate of speed reaching 115 miles per hour. The police officer eventually stopped pursuing Respondent's car.

15. Arrest warrants were subsequently issued charging Respondent with felony eluding and misdemeanor reckless driving for incidents that occurred on or about October 7, 2019 and October 9, 2019.

16. On or about October 15, 2019, after being taken into custody, Respondent was ordered to submit to a competency evaluation. Respondent received treatment at the Eastern State Hospital from on or about October 17, 2019 to November 8, 2019. When Respondent was initially admitted, she claimed that hit men were trying to kill her. Treatment providers at the hospital diagnosed Respondent with bipolar I disorder, with a recent manic episode. They opined that she was competent to stand trial.

17. On or about February 4, 2020, in *The Commonwealth of Virginia v. Joy Helene Siegrist*, Case Nos. 20-197-00 and 20-197-01, Respondent was indicted for fleeing and eluding a police officer and reckless driving for the incidents that occurred on or about October 7, 2019 and October 9, 2019.

18. On or about August 31, 2020, Respondent was found guilty after a bench trial for the following: (1) felony eluding on October 7, 2019; (2) felony eluding on October 9, 2019; and (3) two counts of misdemeanor reckless driving on October 9, 2019. Her sentencing was scheduled for April 9, 2021.

THIRD CAUSE FOR DISCIPLINE
(Unprofessional Conduct)

19. Respondent has further subjected her Physician's and Surgeon's Certificate No. A 43340 to disciplinary action under sections 2227 and 2234, as defined by section 2236, in that Respondent committed unprofessional conduct, as more particularly alleged in paragraphs 14 through 18, above, which are hereby re-alleged and incorporated by reference herein.

PRAYER

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

1. Revoking or suspending Physician's and Surgeon's Certificate No. A 43340, issued to Respondent Joy Helene Siegrist, M.D.;

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

///

3. Ordering Respondent Joy Helene Siegrist, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and

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

DATED: JAN 14 2021

WILLIAM PRASIFKA
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

SD2020801847
82637719.docx