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

13 In the Matter of the Accusation Against:

14 **JOY HELENE SIEGRIST, M.D.**
15 **230 Linger Ln.**
Sun City Center, FL 33573-6270

16 **Physician's and Surgeon's Certificate**
17 **No. A 43340,**

18 Respondent.

Case No. 800-2019-061117

DEFAULT DECISION AND
DISCIPLINARY ORDER

[Gov. Code, §11520]

19
20 **FINDINGS OF FACT**

21 1. William Prasifka (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 Xavier Becerra, Attorney General of the State of California, by Christine A. Rhee,
24 Deputy Attorney General.

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

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

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

8 4. On or about January 14, 2021, Anna Fulton, an employee of the Board, served by
9 Certified Mail a copy of the Accusation No. 800-2019-061117, Statement to Respondent, Notice
10 of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and
11 11507.7 to Respondent's address of record with the Board, which was and is 230 Linger Ln., Sun
12 City Center, FL 33573-6270. True and correct copies of the Accusation, the related documents,
13 and Declaration of Service are attached as Exhibit 3, and are incorporated herein by reference.

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

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

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

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

28 ...

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.

1 8. Respondent failed to file a Notice of Defense within 15 days after service upon her of
2 the Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 800-
3 2019-061117. (Exhibit 5.)

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

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

8 ...

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

15 JURISDICTION

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

17 Whenever it appears that any person holding a licensee, certificate or permit
18 under this division² or under any initiative act referred to in this division may be
19 unable to practice his or her profession safely because the licentiate's ability to
20 practice is impaired due to mental illness, or physical illness affecting competency,
21 the licensing agency may order the licentiate to be examined by one or more
22 physicians and surgeons or psychologists designated by the agency. The report of the
23 examiners shall be made available to the licentiate and may be received as direct
24 evidence in proceedings conducted pursuant to Section 822.

22 12. Section 822 of the Code states:

23 If a licensing agency determines that its licentiate's ability to practice his or her
24 profession safely is impaired because the licentiate is mentally ill, or physically ill
25 affecting competency, the licensing agency may take action by any one of the
26 following methods:

26 (a) Revoking the licentiate's certificate or license.

27 (b) Suspending the licentiate's right to practice.

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

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(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.

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

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

7 ...

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

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

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

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

BUSINESS AND PROFESSIONS CODE CAUSE FOR ACTION

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

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

25 20. Before interviewing Respondent, M.K., M.D., reviewed documents provided by
26 Investigator J.V. These documents included: complaints submitted to the Board, documentation
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1 from Respondent's prior employer describing Respondent's unusual behavior, court records from
2 Respondent's criminal arrests in Virginia, and medical records documenting Respondent's
3 hospitalization from October to November 2019. (Exhibit 6, ¶ 5.)

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

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

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

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

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

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

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

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

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

18 **BUSINESS AND PROFESSIONS CODE CAUSE FOR DISCIPLINE** (
19 **(Unprofessional Conduct)**)

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

23 **DETERMINATION OF ISSUES**

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

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

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

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

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

10 **ORDER**

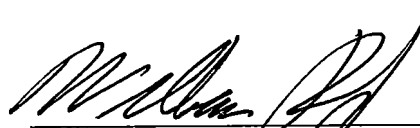
11 IT IS SO ORDERED that Physician's and Surgeon's Certificate No. A 43340, heretofore
12 issued to Respondent Joy Helene Siegrist, M.D., is revoked.

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

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

21 This Decision shall become effective on **APR 07 2021**.

22 It is so ORDERED **MAR 08 2021**

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25 William Prasifka
26 Executive Director
27 FOR THE MEDICAL BOARD OF CALIFORNIA
28 DEPARTMENT OF CONSUMER AFFAIRS

1 XAVIER BECERRA
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7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

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

12
13 In the Matter of the Accusation Against:

Case No. 800-2019-061117

14 **JOY HELENE SIEGRIST, M.D.**
230 LINGER LN
15 **SUN CITY CENTER, FL 33573-6270**

A C C U S A T I O N

16 **Physician's and Surgeon's Certificate**
17 **No. A 43340,**

Respondent.

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20 **PARTIES**

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

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

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1 **JURISDICTION**

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

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

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

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

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

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

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

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

21 ...

22 5. Section 822 of the Code states:

23 If a licensing agency determines that its licentiate's ability to practice his or her
24 profession safely is impaired because the licentiate is mentally ill, or physically ill
25 affecting competency, the licensing agency may take action by any one of the
26 following methods:

27 (a) Revoking the licentiate's certificate or license.

28 (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.

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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.

1 **FIRST CAUSE FOR ACTION**

2 **(Mental Illness Affecting Ability to Practice Medicine Safely)**

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

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

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

13 **SECOND CAUSE FOR DISCIPLINE**

14 **(Conviction of a Crime Substantially Related to the Qualifications,
15 Functions, or Duties of a Physician and Surgeon)**

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

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

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

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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

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