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

In the Matter of the Accusation Against:		
Robin David Serrahn, M.D.	)	MBC File # 800-2018-048496
Physician's & Surgeon's Certificate No. G 54947	)	
Respondent.	)	

ORDER CORRECTING NUNC PRO TUNC CLERICAL ERROR IN THE "PHYSICIAN'S and SURGEON'S CERTIFICATE NUMBER" PORTION OF DECISION

On its own motion, the Medical Board of California (hereafter "board") finds that there is a clerical error in the "Physician's and Surgeon's Certificate Number" portion of the Decision and Stipulated Settlement in the above-entitled matter and that such clerical error should be corrected so that the license number will conform to the Board's issued license.

IT IS HEREBY ORDERED that the license number contained on the Decision and Stipulated Settlement in the above-entitled matter be and hereby are amended and corrected nunc pro tunc as of the date of entry of the Order to read as "G 54947".

December 3, 2021

William Prasifka
Executive Director

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

In the Matter of the Accusation Against: **Robin David Serrahn, M.D.** **Physician's & Surgeon's Certificate No. G 51947** **Respondent**	**Case No. 800-2018-048496**

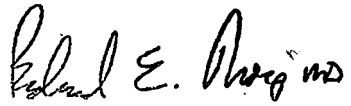
DECISION AND ORDER

The attached Stipulated Settlement 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 3, 2022.

IT IS SO ORDERED December 2, 2021.

MEDICAL BOARD OF CALIFORNIA



Richard E. Thorp , M.D. Chair
Panel B

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Attorney General of California
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Attorneys for Complainant

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

In the Matter of the Accusation Against: **ROBIN DAVID SERRAHN, M.D.** **700 River Drive** **Fort Bragg, CA 95437-5403** **Physician's and Surgeon's Certificate No. G51947** Respondent.	Case No. 800-2018-048496 **STIPULATED SETTLEMENT AND DISCIPLINARY ORDER**

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

PARTIES

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 Rob Bonta, Attorney General of the State of California, by Jane Zack Simon, Supervising Deputy Attorney General.

2. Respondent Robin David Serrahn, M.D. (Respondent) is represented in this proceeding by attorney Shannon V. Baker of Rothschild Wishek & Sands, LLP, 765 University Avenue, Sacramento, CA 95825.

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3. On June 11, 1985, the Board issued Physician's and Surgeon's Certificate No. G51947 to Robin David Serrahn, M.D. The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2018-048496, and will expire on August 31, 2022, unless renewed.

JURISDICTION

4. Accusation No. 800-2018-048496 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent, who timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 800-2018-048496 is attached as Exhibit A.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2018-048496. Respondent has also carefully read, fully discussed with his counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

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

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

CULPABILITY

8. Respondent understands and agrees that the charges and allegations in Accusation No. 800-2018-048496, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate.

9. Respondent does not contest that, at an administrative hearing, complainant could establish a prima facie case with respect to the charges and allegations in Accusation No. 800-

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2018-048496 and that he has thereby subjected his Physician's and Surgeon's Certificate, No. G51947 to disciplinary action.

10. Respondent agrees that his Physician's and Surgeon's Certificate is subject to discipline and he agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

11. This stipulation shall be subject to approval by the Medical Board of California. Respondent understands and agrees that counsel for Complainant and the staff of the Medical Board of California may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he may not withdraw his 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 as its Decision and Order, the Stipulated Settlement and Disciplinary Order 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.

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

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

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DISCIPLINARY ORDER

A. **PUBLIC REPRIMAND**

IT IS HEREBY ORDERED THAT respondent Robin M.D., as holder of Physician's and Surgeon's Certificate No. G51947, shall be and hereby is **publicly reprimanded** pursuant to Business and Professions Code section 2227. This Public Reprimand is issued as a result of the following:

Respondent failed to sufficiently evaluate and assess an emergency department patient following an automobile collision; failed to recognize an injury revealed by an x-ray; and, failed to adequately document his assessment of the patient

B. INDIVIDUALIZED EDUCATION PROGRAM. Within 60 calendar days of the effective date of this Decision, Respondent shall submit to the Board or its designee for its prior approval an Individualized Education Program focusing on evaluation and assessment of spinal injuries, interpretation of imaging studies, and the other issues identified in the Accusation. Respondent shall provide the approved course provider with any information and documents that the approved course provider may deem pertinent. Respondent shall enroll in and successfully complete the Individualized Education Program not later than nine (9) months after the effective date of this Decision, or at a later date if approved in advance, in writing , by the Board or its designee. The education program shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

An education program taken after the acts that gave rise to the charges in the Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board or its designee, be accepted towards the fulfillment of this condition if the course would have been approved by the Board or its designee had the course been taken after the effective date of this Decision.

Respondent shall submit a certification of successful completion to the Board or its designee not later than 15 calendar days after successfully completing the program, or not later than 15 calendar days after the effective date of the Decision, whichever is later. Failure to enroll, participate in, or successfully complete the Individualized Education Program within the

designated time period shall constitute unprofessional conduct and grounds for further disciplinary action.

C. MEDICAL RECORD KEEPING COURSE. Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in a course in medical record keeping approved in advance by the Board or its designee. Respondent shall provide the approved course provider with any information and documents that the approved course provider may deem pertinent. Respondent shall participate in and successfully complete the classroom component of the course not later than six (6) months after Respondent's initial enrollment. Respondent shall successfully complete any other component of the course within one (1) year of enrollment. The medical record keeping course shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

A medical record keeping course taken after the acts that gave rise to the charges in the Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board or its designee, be accepted towards the fulfillment of this condition if the course would have been approved by the Board or its designee had the course been taken after the effective date of this Decision.

Respondent shall submit a certification of successful completion to the Board or its designee not later than 15 calendar days after successfully completing the course, or not later than 15 calendar days after the effective date of the Decision, whichever is later. Failure to enroll, participate in, or successfully complete the medical record keeping course within the designated time period shall constitute unprofessional conduct and grounds for further disciplinary action.

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Shannon Baker. I understand the stipulation and the effect it will have on my Physician's and Surgeon's 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: 10/8/2021 Robin Serrahn, M.D.

ROBIN DAVID SERRAHN, M.D.
Respondent

I have read and fully discussed with Respondent Robin David Serrahn, 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: 10/9/2021 Shannon V. Baker

SHANNON V. BAKER
Attorney for Respondent

ENDORSEMENT

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

DATED: _____

Respectfully submitted,

ROB BONTA
Attorney General of California

JANE ZACK SIMON
Supervising Deputy Attorney General
Attorneys for Complainant

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Shannon Baker. I understand the stipulation and the effect it will have on my Physician's and Surgeon's 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: _____ _____
ROBIN DAVID SERRAHN, M.D.
Respondent

I have read and fully discussed with Respondent Robin David Serrahn, 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: _____ _____
SHANNON V. BAKER
Attorney for Respondent

ENDORSEMENT

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

DATED: 10/13/2021

Respectfully submitted,

ROB BONTA
Attorney General of California

Jane Zack Simon

JANE ZACK SIMON
Supervising Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2018-048496

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Attorneys for Complainant

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

In the Matter of the Accusation Against:	Case No. 800-2018-048496
Robin David Serrahn, M.D. **700 River Drive** **Fort Bragg, CA 95437-5403** **Physician's and Surgeon's Certificate No. G54947** Respondent.	**ACCUSATION**

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 June 11, 1985, the Medical Board issued Physician's and Surgeon's Certificate Number G54947 to Robin David Serrahn, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on August 31, 2022, unless renewed.

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JURISDICTION

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

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

5. 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.

(b) Gross negligence.

(c) Repeated negligent acts.

(d) Incompetence.

6. Section 2266 of the Code provides that the failure of a physician and surgeon to maintain adequate and accurate records relating to the provision of services to their patients constitutes unprofessional conduct.

FIRST CAUSE FOR DISCIPLINE

(Gross Negligence/Repeated Negligent Acts/Incompetence)

7. Respondent is subject to disciplinary action under sections 2234 and/or 2234(b) and/or 2234(c) and/or 2234(d) of the Code, in that Respondent engaged in unprofessional conduct and/or was grossly negligent and/or committed repeated acts of negligence and/or demonstrated incompetence in his care and treatment of Patient 1[1].

[1] The patient is not named to protect privacy.

8. Patient 1 presented to what was then known as the Mendocino Coast District Hospital Emergency Department on September 16, 2018, following a head-on automobile accident. Patient 1 was a passenger in a vehicle going approximately 60 miles per hour when the accident occurred, he was wearing a seat belt, but the airbags did not deploy. He was noted to have altered mental status, a right hand injury, and low back pain.

9. Respondent was the emergency physician who saw Patient 1 on September 16, 2018. Respondent performed an evaluation and noted a right hand laceration, slow but normal speech and stable vital signs. The patient had experienced a loss of consciousness and was somewhat confused and sleepy, and asked repetitive questions. A CT scan ordered by Respondent was negative for a central nervous system bleed. Although the patient complained of low back pain, Respondent's initial assessment did not include a back examination, and his neurological examination did not document an assessment of motor strength in the lower extremities or specific testing of the lumbar levels. Respondent sutured and splinted the hand laceration.

10. Patient 1 then complained of low back pain when he attempted to stand. At that point, Respondent documented a back examination consisting of the notation that thoracic and lumbar spine (including L5) were non-tender. He did not include an assessment of motor strength in the lower extremities, sensation, or reflexes.[2] Respondent ordered lumbar spine x-rays, which he interpreted as showing an L5 lumbar spine fracture,[3] when in fact, the x-ray showed a burst fracture.[4] Respondent noted L5 was non-tender to palpation, and therefore, the fracture might be old. Patient 1 reported pain relief with a non-narcotic pain reliever, but requested admission to the hospital as he was visiting from out of town, would be alone in a hotel room, and worried he would not be able to care for himself due to his pain. Respondent discharged Patient 1 with

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[2] Respondent stated during his interview with the Board's investigative staff that he did conduct a thorough neurological and back examination, including testing for focal weakness and sensory function, and that evaluation was evidenced by his notation that there was no focal weakness.

[3] Respondent stated during his Board interview that he surmised the L5 fracture might be old, because there was no pain or tenderness on examination.

[4] A burst fracture means that the vertebra breaks in multiple directions. A burst fracture is a serious problem, since the vertebra shatters with sufficient force to separate bone fragments and compromise the vertebra's ability to support the spine. Bone fragments can be displaced into the spinal canal, leading to pressure on the nerves. The potential for spinal cord injury is high, and burst fractures require immediate attention and treatment.

instructions to follow up with Kaiser's orthopedic clinic in a week. Respondent personally drove Patient 1 to his hotel and left him there. Respondent's discharge assessment did not list the L5 lumbar spine fracture as a diagnosis.

11. On the morning of September 17, 2021, Patient 1 called 911 from his hotel room because he was in significant pain and unable to get out of the bed. He was transported back to the emergency department. The on-duty physician ordered a CT scan, which confirmed an acute burst fracture of the L5 vertebral body, with protrusion into the spinal canal. In addition, it was discovered that Patient 1 also sustained a fracture of the left transverse processes of L1/L2, and a rib fracture.

12. Respondent is guilty of unprofessional conduct based on the following acts or omissions:

A. Respondent failed to perform and/or document a complete history and systemic examination of blunt trauma after Patient 1 was injured in a high speed, head-on collision, in that he tested for mental status but failed to specifically examine and document motor strength in the lower extremities, sensation, reflexes, and specific testing of lumbar levels. Respondent further failed to perform and/or document a systematic and full examination of the patient, which would have disclosed multiple fractures of the lumbar spine and a fractured rib;

B. Respondent misread the September 16, 2018 lumbar spine x-rays and did not appreciate the findings of a burst fracture, and failed to list the fracture in his diagnosis;

C. Respondent failed to order necessary CT scans, obtain neurosurgical or orthopedic consultation, or admit the patient for observation;

D. Respondent failed to conduct an evaluation and assessment sufficient to reveal the many injuries Patient 1 sustained in the accident, failed to appreciate the significance of the initial spinal x-ray, did not understand the need for orthopedic or neurosurgical consultation, and did not admit the patient to the hospital for observation, trending laboratory analysis and pain control, or transfer Patient 1 to a trauma center; and,

E. Respondent lacked sufficient knowledge of lumbar spine fractures and the presentation and diagnosis of those injuries to adequately assess and address Patient 1's injuries.

13. Respondent is guilty of unprofessional conduct and subject to disciplinary action under sections 2234 and/or 2266 of the Code in that he failed to document Patient 1's spinal fracture as a diagnosis, did not document a complete examination and assessment of the patient's neurological and spinal injuries, and did not document an examination and evaluation sufficient to ascertain the full extent of the patient's injuries.

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 Number G54947, issued to Robin David Serrahn, M.D.;

2. Revoking, suspending or denying approval of Robin David Serrahn, M.D.'s authority to supervise physician assistants and advanced practice nurses;

3. Ordering Robin David Serrahn, 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: JUN 10 2021

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

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