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

In the Matter of the Accusation Against: Sharon Sookdeo Drost, M.D. Physician's and Surgeon's Certificate No. A 85903 Respondent.	Case No. 800-2020-064337

DECISION

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 7, 2022.

IT IS SO ORDERED December 9, 2021.

MEDICAL BOARD OF CALIFORNIA

Laurie Rose Lubiano, J.D., Chair
Panel A

ROB BONTA
Attorney General of California
JANE ZACK SIMON
Supervising Deputy Attorney General
LAWRENCE MERCER
Deputy Attorney General
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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: **SHARON SOOKDEO DROST, M.D.** **2211 Via Maderos** **Los Altos, CA 94024-7113** **Physician's and Surgeon's Certificate No. A 85903** Respondent.	Case No. 800-2020-064337 OAH No. 2021070445 **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 Lawrence Mercer, Deputy Attorney General.

2. Respondent Sharon Sookdeo Drost, M.D. (Respondent) is represented in this proceeding by attorney Jonathan C. Turner, Esq., whose address is: 3620 American River Drive, Suite 120, Sacramento, CA 95864

3. On or about February 6, 2004, the Board issued Physician's and Surgeon's Certificate No. A 85903 to Sharon Sookdeo Drost, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2020-064337, and will expire on June 30, 2023, unless renewed. Said certificate is currently in Retired status and no practice is permitted.

JURISDICTION

4. Accusation No. 800-2020-064337 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on March 19, 2021. Respondent timely filed her Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2020-064337 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2020-064337. Respondent has also carefully read, fully discussed with her counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of her 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 her; the right to present evidence and to testify on her 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.

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

CULPABILITY

9. Respondent admits that she was arrested on the charges and convicted of the Vehicle Code violation alleged in Accusation No. 800-2020-064337.

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

CONTINGENCY

4. 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 her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her 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.

5. 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.

6. 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:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 85903 issued to Respondent Sharon Sookdeo Drost, M.D. shall be and is hereby publicly reprimanded pursuant to Business and Professions Code § 2227(a)(4). This Public Reprimand, which is issued in connection with Respondent's actions as set forth in Accusation No. 800-2020-064337, is as follows:

> On January 17, 2020, you were arrested by officers from the Palo Alto Police Department and charged with driving under the influence of alcohol after breathalyzer results yielded a blood alcohol level of .19 and .20 at the scene. Pursuant

to Vehicle Code § 23103.5, the District Attorney filed a statement of satisfaction and agreed to entry of a *nolo contendere* plea to violation of Vehicle Code § 23103, which constitutes conviction of a crime substantially related to the qualifications, duties and functions of a physician and surgeon.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Jonathan C. Turner, Esq.. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. By entering into this stipulation, I fully understand that, upon formal acceptance by the Board, I shall receive this Public Reprimand from the Board. 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: 10/21/2021

SHARON SOOKDEO DROST, M.D.
Respondent

I have read and fully discussed with Respondent Sharon Sookdeo Drost, 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: 10/21/2021

JONATHAN C. TURNER, ESQ.
Attorney for Respondent

ENDORSEMENT

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

DATED: 10/27/2021

Respectfully submitted,

ROB BONTA
Attorney General of California
JANE ZACK-SIMON
Supervising Deputy Attorney General

LAWRENCE MERCER
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2020-064337

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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. 800-2020-064337
Sharon Sookdeo Drost, M.D. 2211 Via Maderos Los Altos, CA 94024-7113 Physician's and Surgeon's Certificate No. A 85903, Respondent.	**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 February 6, 2004, the Medical Board issued Physician's and Surgeon's Certificate Number A 85903 to Sharon Sookdeo Drost, 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 June 30, 2021, 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 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.

5. Section 2236 of the Code states, in pertinent parts:

> (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.
>
> . . . (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.

6. Section 2239 of the Code states, in pertinent part:

> (a) The use or prescribing for or administering to himself or herself, of any controlled substance; or the use of any of the dangerous drugs specified in Section 4022, or of alcoholic beverages, to the extent, or in such a manner as to be dangerous or injurious to the licensee, or to any other person or to the public, or to the extent that such use impairs the ability of the licensee to practice medicine safely or more than one misdemeanor or any felony involving the use, consumption, or self-administration of any of the substances referred to in this section, or any combination thereof, constitutes unprofessional conduct. The record of the conviction is conclusive evidence of such unprofessional conduct.

FIRST CAUSE FOR DISCIPLINE

(Excessive Use of Drugs/Alcohol)

7. Respondent Sharon Sookdeo Drost, M.D. is subject to disciplinary action under sections 2234 and/or 2234(a) and/or 2239 in that Respondent consumed drugs and/or alcohol in such a manner as to be dangerous or injurious to the licensee, other persons and the public. The circumstances are as follows:

8. On January 17, 2020, Respondent was involved in a single auto collision in Los Altos, California. After leaving home, Respondent's vehicle crossed over into the opposite lane and collided with a neighbor's retaining wall, causing damage to the retaining wall and dislodging her vehicle's fender liner and a portion of its front-end spoiler. Respondent left the scene and continued traveling to a local supermarket, where she collided with a disabled sign and signpost at the front of the parking spot. Supermarket employees observed her, noticed the smell of alcohol and notified the police.

9. When the responding officer arrived at the scene, he observed objective signs of intoxication. Respondent admitted to ingesting temazepam[1] and alcohol in the hours prior to operating a motor vehicle. She was unable to perform field sobriety tests and her blood alcohol was measured at .19 and .20 at the scene. Respondent provided a blood sample, which subsequently tested positive for alcohol (.239) as well as temazepam and lorazepam (a benzodiazepine indicated for the treatment of anxiety).

SECOND CAUSE FOR DISCIPLINE

(Criminal Conviction)

10. Respondent Sharon Sookdeo Drost, M.D. is subject to disciplinary action under sections 2234 and/or 2234(a) and/or 2236 in that she was convicted of a crime substantially related to the qualifications, functions and duties of a physician and surgeon. The circumstances are as follows:

11. The allegations of the First Cause for Discipline are incorporated herein by reference.

12. Respondent was charged with driving under the influence (DUI), but pursuant to Vehicle Code § 23103.5, the District Attorney filed a statement of satisfaction that Respondent enter a plea of *nolo contendere* to violation of Vehicle Code § 23103(a) (reckless driving) and the other charges were dismissed.

[1] Temazepam, which is marketed under the trade name Restoril, is a benzodiazepine hypnotic agent and Schedule IV controlled substance. Temazepam is indicated for the short-term treatment of insomnia and should not be combined with alcohol. Temazepam may cause serious side effects, such as engaging in activities -- including driving -- while still in a sleeping state and alcohol potentially increases the risk and severity of these side effects.

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 A 85903, issued to Sharon Sookdeo Drost, M.D.;

2. Revoking, suspending or denying approval of Sharon Sookdeo Drost, M.D.'s authority to supervise physician assistants and advanced practice nurses;

3. Ordering Sharon Sookdeo Drost, 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: MAR 19 2021

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

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