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

In the Matter of the Accusation Against: Issac Weintroub, M.D. Physician's and Surgeon's Certificate No. A 25287 Respondent.	Case No. 800-2021-076988

DECISION

The attached Stipulated Surrender of License 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 31, 2022.

IT IS SO ORDERED January 25, 2022.

MEDICAL BOARD OF CALIFORNIA

William Prasifka
Executive Director

ROB BONTA
Attorney General of California
MARY CAIN-SIMON
Supervising 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: **ISSAC WEINTROUB, M.D.** **2775 Monterey Road** **San Marino CA 91108** **Physician's and Surgeon's Certificate No. A 25287** Respondent.	Case No. 800-2021-076988 **STIPULATED SURRENDER OF LICENSE AND 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 Mary Cain-Simon, Supervising Deputy Attorney General.

2. ISSAC WEINTROUB, M.D. (Respondent) is representing himself in this proceeding and has chosen not to exercise his right to be represented by counsel.

3. On or about June 20, 1973, the Board issued Physician's and Surgeon's Certificate No. A 25287 to ISSAC WEINTROUB, M.D. (Respondent). The Physician's and Surgeon's Certificate expired on December 31, 2018, and has not been renewed.

JURISDICTION

4. Accusation No. 800-2021-076988 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 October 13, 2021. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 800-2021-076988 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in Accusation No. 800-2021-076988. Respondent also has carefully read, and understands the effects of this Stipulated Surrender of License and 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 be represented by counsel, at his own expense; 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 admits the truth of each and every charge and allegation in Accusation No. 800-2021-076988, agrees that cause exists for discipline and hereby surrenders his Physician's and Surgeon's Certificate No. A 25287 for the Board's formal acceptance.

9. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Physician's and Surgeon's Certificate without further process.

CONTINGENCY

10. This stipulation shall be subject to approval by the Board. Respondent understands and agrees that counsel for Complainant and the staff of the Board may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent. 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 Surrender 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.

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

12. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 25287, issued to Respondent ISSAC WEINTROUB, M.D., is surrendered and accepted by the Board.

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

2. Respondent shall lose all rights and privileges as a Physician and Surgeon in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board his pocket license and, if one was issued, his wall certificate on or before the effective date of the Decision and Order.

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must

comply with all the laws, regulations and procedures for reinstatement of a revoked or surrendered license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 800-2021-076988 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

5. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 800-2021-076988 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 1.6.2022

ISSAC WEINTROUB, M.D.
Respondent

ENDORSEMENT

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

DATED: January 3, 2022

Respectfully submitted,

ROB BONTA
Attorney General of California

/s/ Mary Cain-Simon
MARY CAIN-SIMON
Supervising Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2021-076988

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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. 800-2021-076988
ISSAC WEINTROUB, M.D. **2775 Monterey Road** **San Marino, CA 91108** **Physician's and Surgeon's Certificate No. A 25287,** 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 June 20, 1973, the Board issued Physician's and Surgeon's Certificate Number A 25287 to Issac Weintroub, M.D. (Respondent). The Physician's and Surgeon's Certificate expired on December 31, 2018, and has not been 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 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 costs of probation monitoring, or such other action taken in relation to discipline as the Board deems proper.

5. Section 2234 of the Code provides that the Board shall take action against any licensee who is charged with "unprofessional conduct," which includes but is not limited to, "[v]iolating ... any provision of this chapter."

6. Section 2236 of the Code provides that the conviction of any offense substantially related to the qualifications, functions or duties of a physician and surgeon constitutes unprofessional conduct.

7. Section 2237 of the Code provides that the conviction of a charge of violating any federal statutes or regulations or any statute or regulation of this state, regarding dangerous drugs or controlled substances, constitutes unprofessional conduct.

8. Section 2305 of the Code states:

"The revocation, suspension, or other discipline, restriction or limitation imposed by another state upon a license or certificate to practice medicine issued by that state, or the revocation, suspension, or restriction of the authority to practice medicine by any agency of the federal government, that would have been grounds for discipline in California of a licensee under this chapter [Chapter 5, the Medical Practice Act] shall constitute grounds for disciplinary action for unprofessional conduct against the licensee in this state.

9. Section 802.1 of the Code provides that a physician charged with a felony must report the charge to the Medical Board within 30 days. The licensee must also report a conviction of any felony or misdemeanor within 30 days of the conviction

10. Section 141 of the Code states:

"(a) For any licensee holding a license issued by a board under the jurisdiction of the department, a disciplinary action taken by another state, by any agency of the federal government, or by another country for any act substantially related to the practice regulated by the California license, may be a ground for disciplinary action by the respective state licensing board. A

certified copy of the record of the disciplinary action taken against the licensee by another state, an agency of the federal government, or another country shall be conclusive evidence of the events related therein.

"(b) Nothing in this section shall preclude a board from applying a specific statutory provision in the licensing act administered by that board that provides for discipline based upon a disciplinary action taken against the licensee by another state, an agency of the federal government, or another country."

FACTUAL ALLEGATIONS

FIRST CAUSE FOR DISCIPLINE

(Discipline, Restriction or Limitation Imposed by another State)

11. On May 28, 2021, the State of New York Department of Public Health, State Board for Professional Medical Conduct issued a Determination and Order revoking Respondent's license to practice medicine in the State of New York. The New York Order was issued after Respondent was convicted in the United States District Court, Central District of California of the felony crime of Conspiracy in violation of 18 U.S.C. Section 371. The Order revoking Respondent's New York medical license followed an earlier order of Summary Action requiring Respondent to immediately cease practicing medicine.

12. The New York Determination and Order, and the Summary Action, both were based on and sustained the factual allegations in the Statement of Charges, which is part of Appendix I to the Determination and Order. The factual allegations included that Respondent's conviction resolved allegations that beginning at least as early as May 2012 and continuing through at least June 2016, Respondent knowingly conspired and agreed to commit healthcare fraud by submitting fraudulent claims, which purported to be for medically necessary skilled services provided to home-bound patients; but the patients were not home-bound and were not confined to their homes and were not in need of these services.

13. Respondent's conduct and the actions of the State of New York Department of Public Health, State Board for Professional Medical Conduct, as set forth in paragraphs 11-12, above,

constitute unprofessional conduct within the meaning of section 2305 and conduct subject to discipline within the meaning of section 141(a).

SECOND CAUSE FOR DISCIPLINE

(Criminal Conviction/ Failure to Report)

14. On November 4, 2019, Respondent entered a guilty plea in the case of United States of America vs. Issac Weintroub, Docket Number 2:18-CR-00465-CAS-1, and was convicted of violating 18 U.S.C. Section 371, conspiracy to present fraudulent claims to Medicare. Respondent pleaded guilty to a felony Information, which charged that beginning at least as early as May 2012 and continuing through at least June 2016, Respondent knowingly conspired and agreed to commit healthcare fraud by submitting fraudulent claims, which purported to be for medically necessary skilled services provided to home-bound patients; but the patients were not home-bound and were not confined to their homes and were not in need of those services. Judgment was entered on November 4, 2019, and Respondent was ordered to pay restitution in the total amount of $639,035.80. Respondent failed to report to the Board either the felony Information or his conviction.

15. Respondent's criminal conviction constitutes unprofessional conduct and the conviction of a crime substantially related to the qualifications, functions or duties of a physician and surgeon, as well as conviction of a charge of violating federal statutes, and is cause for discipline pursuant to Business and Professions Code sections 2234 and/or 2236 and/or 2237.

16. Respondent's failure to report either the filing of the Information or the criminal conviction in violation of section 802.1 constitutes unprofessional conduct and is cause for discipline pursuant to Business and Professions Code section 2234.

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 25287, issued to Respondent Issac Weintroub, M.D.;

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

3. Ordering Issac Weintroub, 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: OCT 13 2021

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

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