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

In the Matter of the Accusation Against: **Abigail Mary Stanton, M.D.** **Physician's & Surgeon's Certificate No. G 62736** **Respondent.**	**Case No. 800-2017-038145**

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 April 28, 2022.

IT IS SO ORDERED: March 29, 2022.

MEDICAL BOARD OF CALIFORNIA

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

ROB BONTA
Attorney General of California
EDWARD KIM
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: **ABIGAIL MARY STANTON, M.D.** **1560 East Chevy Chase Drive, Suite 130** **Glendale, CA 91206** **Physician's and Surgeon's Certificate No. G 62736,** Respondent.	Case No. 800-2017-038145 OAH No. 2021030954 **STIPULATED SETTLEMENT AND DISCIPLINARY ORDER FOR PUBLIC REPRIMAND**

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, via Joshua M. Templet, Deputy Attorney General.

2. Respondent Abigail Mary Stanton, M.D. (Respondent) is represented in this proceeding by attorney Raymond J. McMahon, whose address is Doyle Schafer McMahon, LLP, 5440 Trabuco Road, Irvine, CA 92620.

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3. On April 25, 1988, the Board issued Physician's and Surgeon's Certificate No. G 62736 to 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. 800-2017-038145, and will expire on October 31, 2023, unless renewed.

JURISDICTION

4. Accusation No. 800-2017-038145 ("Accusation") 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, 2020. Respondent timely filed her Notice of Defense contesting the Accusation.

5. A copy of the Accusation 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 the Accusation. 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 understands and agrees that the charges and allegations in the Accusation if proven at a hearing, constitute cause for imposing discipline upon her Physician's and Surgeon's Certificate.

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10. Respondent agrees that, at a hearing, Complainant could establish a prima facie case for the charges in the Accusation. Respondent hereby gives up her right to contest those charges.

11. 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 for Public Reprimand below.

CONTINGENCY

12. 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 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 for Public Reprimand 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.

13. 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.

14. 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

IT IS HEREBY ORDERED that Respondent Abigail Mary Stanton, M.D., holder of Physician's and Surgeon's Certificate No. G 62736, is **publicly reprimanded**, pursuant to Business and Professions Code section 2227. This Public Reprimand is issued as a result of the following conduct by Respondent as set forth in the Accusation:

> Regarding her treatment of Patient 1 between 2016 and 2017, Respondent failed to document a tapering schedule to wean the patient from the diazepam that she had prescribed to him for over a year. Respondent also failed to document a timely follow-up visit within a month of starting the patient on an SSRI for the first time.

1. PRESCRIBING PRACTICES COURSE. Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in a course in prescribing practices 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 months after Respondent's initial enrollment. Respondent shall successfully complete any other component of the course within one year of enrollment. The prescribing practices course shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

A prescribing practices 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 prescribing practices course within the designated time shall constitute unprofessional conduct and grounds for further disciplinary action.

2. 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 months after Respondent's initial enrollment. Respondent shall successfully complete any other component of the course within one year of enrollment. The medical record keeping course shall be at Respondent's expense and shall be in addition to the 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 recordkeeping course within the designated time shall constitute unprofessional conduct and grounds for further disciplinary action.

3. VIOLATION OF ORDER. Any violation of the terms of this order shall constitute unprofessional conduct and grounds for further disciplinary action.

4. MERGER CLAUSE. This Stipulated Settlement and Disciplinary Order for Public Reprimand is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of the agreement of the parties in this matter.

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order for Public Reprimand and have fully discussed it with my attorney, Raymond J. McMahon. 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 for Public Reprimand voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 11/4/21

ABIGAIL MARY STANTON, M.D.
Respondent

I have read and fully discussed with Respondent Abigail Mary Stanton, M.D. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order for Public Reprimand. I approve its form and content.

DATED: November 5, 2021

RAYMOND J. MCMAHON
Attorney for Respondent

ENDORSEMENT

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

DATED: November 5, 2021

Respectfully submitted,

ROB BONTA
Attorney General of California
EDWARD KIM
Supervising Deputy Attorney General

Joshua M. Templet

JOSHUA M. TEMPLET
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2017-038145

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

In the Matter of the Accusation Against: Abigail Mary Stanton, M.D. 1560 East Chevy Chase Drive, Suite 130 Glendale, CA 91206 Physician's and Surgeon's Certificate No. G 62736, Respondent.	Case No. 800-2017-038145 **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 April 25, 1988, the Medical Board issued Physician's and Surgeon's Certificate Number G 62736 to Abigail Mary Stanton, 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 October 31, 2021, 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:

> 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:
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> (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. To be repeated, there must be two or more negligent acts or omissions. An initial negligent act or omission followed by a separate and distinct departure from the applicable standard of care shall constitute repeated negligent acts.
>
> (1) An initial negligent diagnosis followed by an act or omission medically appropriate for that negligent diagnosis of the patient shall constitute a single negligent act.
>
> (2) When the standard of care requires a change in the diagnosis, act, or omission that constitutes the negligent act described in paragraph (1), including, but not limited to, a reevaluation of the diagnosis or a change in treatment, and the licensee's conduct departs from the applicable standard of care, each departure constitutes a separate and distinct breach of the standard of care.
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> . . . .

6. Section 2266 of the Code states:

> 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.

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DEFINITIONS

7. Zoloft (sertraline) is a selective serotonin reuptake inhibitor (SSRI) used to treat depression, panic attacks, obsessive compulsive disorder, post-traumatic stress disorder, social anxiety disorder, and a severe form of premenstrual syndrome.

8. Valium (diazepam) is a benzodiazepine used to treat anxiety, alcohol withdrawal, and seizures. It is also used to relieve muscle spasms and to provide sedation before medical procedures.

9. Trazadone is a SSRI used to treat major depressive disorder and may also be used to decrease anxiety and insomnia related to depression.

FIRST CAUSE FOR DISCIPLINE

(Gross Negligence)

10. Respondent is subject to disciplinary action under section 2234, subdivision (b), in that she was grossly negligent in the care and treatment of Patient 1.[1] The circumstances are as follows:

11. Respondent is a practicing psychiatrist.

12. Patient 1, a 36-year-old male, first presented to Respondent on May 9, 2016 for generalized anxiety disorder and social anxiety disorder. Patient 1 had a history of passive suicidal ideation and a history of "cutting" at the age of 18. Respondent's records reflect that Patient 1 had stopped drinking.

13. Respondent suggested Zoloft to treat the anxiety, but Patient 1 declined the Zoloft and indicated he preferred to take Valium for "severe" anxiety on an intermittent basis.

14. Respondent prescribed Valium, 5 mg, 20 pills, with one refill. Respondent instructed Patient 1 to take one-half pill to start as a "test dose." She referred Patient 1 to the Anxiety and Depression Association of America and discussed cognitive behavioral therapy for anxiety disorders.

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[1] The Patient is referred to by number to protect his privacy. Respondent is aware of the identity of Patient 1.

15. Respondent saw Patient 1 in follow-up on June 21, 2016. Patient 1 reported that the Valium was working. He had been taking it three days per week. He was provided another Valium prescription at the same dose and quantity as on May 9, 2016, with two refills.

16. Respondent saw Patient 1 in follow-up on August 16, 2016, and November 15, 2016. Respondent remained stable on the Valium. On each occasion, Respondent prescribed Valium, 5 mg, 20 pills, with three refills, to be taken as needed.

17. Respondent again saw Patient 1 on March 14, 2017. She increased the amount of Valium in each prescription from 20 pills to 30 pills, with three refills, to be taken as needed for "panic." She noted that Patient 1 was doing well and using Valium responsibly. Respondent's records contain no explanation for the increase in the amount of Valium.

18. Respondent saw Patient 1 on July 18, 2017. Respondent reported increased use of Valium from three times a week to daily as a result of "marital issues." Respondent noted she would try to decrease Valium over the next two months and reevaluate use of an SSRI. She advised Patient 1 to abstain from alcohol use. She increased the Valium prescription to 5 mg, 45 pills, with one refill.

19. Patient 1's final visit with Respondent was on September 12, 2017. At that time, Respondent noted that she was concerned that Patient 1 was taking Valium every day. The Valium was wearing off in that the dose did not last very long. Respondent believed Patient1 had something more than an intermittent anxiety problem, and she determined that an SSRI was needed. Respondent's records document that Patient 1 had recently separated from his wife, which caused him increased anxiety and sorrow. She documented no suicidal ideation. Respondent discontinued Valium. She did not discuss, and/or document a discussion of, possible withdrawal symptoms. She prescribed Zoloft, 25 mg, 30 pills, with instructions to take one-half pill per day to reduce side effects. She also prescribed trazodone, 50 mg, 30 pills with instructions to take one pill at bedtime as needed for insomnia. Respondent provided two refills of each prescription.

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20. Respondent was seeing Patient 1 in intervals of three months. She did not schedule and/or document a follow-up visit to address the trial of Zoloft before the three-month prescription of Zoloft would have run out.

21. Respondent denied a pharmacy's refill request for Valium on September 14, 2017.

22. On October 2, 2017, Patient 1 committed suicide by hanging.

23. The standard of care for discontinuation of Valium requires that it not be done abruptly, but should be done slowly and carefully.

24. Respondent was grossly negligent in her care and treatment of Patient 1 when she abruptly discontinued Valium after prescribing it to Patient 1, a patient with increasing levels of anxiety, for 18 months in increasing dosages.

25. The standard of care for prescribing Zoloft at a low dosage, such as 12.5 mg per day for a patient with anxiety, is to schedule timely follow-up visits to assess the patient.

26. Respondent was grossly negligent in her treatment of Patient 1, whose anxiety was escalating, when she scheduled a subtherapeutic dose of Zoloft for a three-month duration without scheduling an earlier follow-up visit to assess his progress.

SECOND CAUSE FOR DISCIPLINE

(Repeated Negligent Acts)

27. By reason of the allegations in the First Cause for Discipline, Respondent Abigail Mary Stanton, M.D. is subject to disciplinary action under section 2234, subdivision (c), in that she committed repeated negligent acts in her treatment of Patient 1.

THIRD CAUSE FOR DISCIPLINE

(Failure to Maintain Adequate and Accurate Medical Records)

28. Respondent Abigail Mary Stanton, M.D. is subject to disciplinary action under section 2266 of the Code in that she failed to maintain adequate and accurate medical records. The circumstances are as follows:

29. As set forth in Paragraph 17, Respondent failed to document the reasons for increasing Patient 1's dosage of Valium from 20 pills per month to 30 pills per month.

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30. As set forth in Paragraphs 19 and 20, Respondent failed to document a follow-up visit to address the trial of Zoloft before the three-month prescription of Zoloft would have run out.

31. As set forth in Paragraph 19, Respondent failed to document a discussion with Patient 1 about withdrawal symptoms from discontinuing Valium.

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 G 62736, issued to Respondent Abigail Mary Stanton, M.D.;

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

3. Ordering Abigail Mary Stanton, 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 2020

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

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