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

In the Matter of the Accusation Against: Leslie Andrea Sullivan , M.D. Physician's and Surgeon's Certificate No. G 69219 Respondent.	Case No. 800-2019-053534

DECISION

The attached Stipulated Surrender of License and 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 May 2, 2022.

IT IS SO ORDERED April 6, 2022.

MEDICAL BOARD OF CALIFORNIA

William Prasifka
Executive Director

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ROB BONTA
Attorney General of California
JANE ZACK 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: **LESLIE ANDREA SULLIVAN, M.D.** **10460 Madera Drive** **Cupertino CA 95014** **Physician's and Surgeon's Certificate No. G 69219** Respondent.	Case No. 800-2019-053534 OAH No. 2021120246 **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 Thomas Ostly, Deputy Attorney General .

2. LESLIE ANDREA SULLIVAN, M.D. (Respondent) is represented in this proceeding by attorney John D. Bishop, Esq., whose address is: 4100 Newport Place, Suite 670 Newport Beach, CA 92660

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3. On or about July 19, 1990, the Board issued Physician's and Surgeon's Certificate No. G 69219 to LESLIE ANDREA SULLIVAN, 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. 800-2019-053534 and will expire on March 31, 2022, unless renewed.

JURISDICTION

4. Accusation No. 800-2019-053534 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 June 10, 2021. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 800-2019-053534 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2019-053534. Respondent also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Order.

6. 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.

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

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CULPABILITY

8. Respondent understands that the charges and allegations in Accusation No. 800-2019-053534, if proven at a hearing, constitute cause for imposing discipline upon her Physician's and Surgeon's Certificate No. G 69219.

9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation and that those charges constitute cause for discipline. Respondent hereby gives up her right to contest that cause for discipline exists based on those charges.

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

CONTINGENCY

11. 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 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 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.

12. 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.

13. 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:

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ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 69219, issued to Respondent LESLIE ANDREA SULLIVAN, 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 May 1, 2022.

3. Respondent shall cause to be delivered to the Board her pocket license and, if one was issued, her 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. 800-2019-053534 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

5. Respondent shall pay the agency its costs of investigation and enforcement in the amount of $1,650.00 prior to issuance of a new or reinstated license.

6. 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. 800-2019-053534 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 above Stipulated Surrender of License and Order and have fully discussed it with my attorney John D. Bishop, Esq. 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: 3/10/2022

DocuSigned by:
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LESLIE ANDREA SULLIVAN, M.D.
Respondent

I have read and fully discussed with Respondent LESLIE ANDREA SULLIVAN, M.D. the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: 3/10/2022

DocuSigned by:
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JOHN D. BISHOP, ESQ.
Attorney for 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: March 10, 2022

Respectfully submitted,

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

Thomas Ostly
THOMAS OSTLY
Deputy Attorney General
Attorneys for Complainant

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Sullivan Surrender with costs.docx

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Exhibit A

Accusation No. 800-2019-053534

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THOMAS OSTLY
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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: **Leslie Andrea Sullivan, M.D.** **10460 Madera Drive** **Cupertino, CA 95014** **Physician's and Surgeon's Certificate No. G 69219,** Respondent.	Case No. 800-2019-053534 **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 or about July 19, 1990, the Medical Board issued Physician's and Surgeon's Certificate Number G 69219 to Leslie Andrea Sullivan, 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 March 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 provides that the Board shall take action against any licensee who is charged with unprofessional conduct.

6. Section 2239 of the Code provides that it is unprofessional conduct for a licensee to use alcohol, dangerous drugs or controlled substances 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.

7. 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 within the meaning of Chapter 5 of the Medical Practice Act. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred.

FACTUAL ALLEGATIONS

9. On January 31, 2019 at approximately 6:30 pm, police were dispatched to a hit and run accident in the City of Cupertino. The victim stated the driver fled the scene in a dark Honda Odyssey minivan and gave officers the direction of travel.

10. Police searched the area and located the vehicle at the cul-de-sac of Madera Drive, and saw two people engaging with Respondent in an attempt to get her to stop driving the vehicle. One witness stated she was in her backyard and came out to the street because she heard two loud noises. Once on the street, she observed Respondent drive over a curb while making 5 attempts at a 3-point turn to exit the cul-de-sac. The witness intervened by putting the vehicle in park to stop the Respondent from endangering herself and others. The witnesses also stated Respondent was incoherent and disoriented.

11. When officers made contact with Respondent, they could smell the odor of an alcoholic beverage coming from the vehicle and she appeared to be disoriented and incoherent. They asked Respondent if she was having a medical emergency and she said she was not. They asked Respondent if she needed medical attention and she complained of head pain and officers saw a scratch on her face. Police called for Fire Department personnel to check on Respondent's medical condition.

12. Respondent was asked if she had consumed any alcohol but she replied with a slurred, incoherent response that police were unable to understand. Respondent was initially uncooperative and did not want to provide police with her license. Police were eventually able to identify Respondent by her CA driver's license.

13. Respondent asked for her license back, but was told it would be returned to her at the completion of the investigation. Respondent became belligerent and verbally aggressive, using profanity towards the officers. This soon escalated to physical aggression when Respondent pushed a police officer in the shoulder with her hand. When Respondent assaulted the investigating officer, she was handcuffed and walked to a patrol car. The officers noticed her unsteady gait.

14. Since Respondent had physically assaulted an officer, the administration of Field Sobriety Tests was not feasible. Respondent refused to provide a PAS breath sample.

15. Respondent was then arrested for driving under the influence, hit and run, and assaulting an officer. After her arrest, Respondent made several spontaneous comments minimizing the severity of her conduct, like "all this for a DUI." Respondent refused to give blood or breath samples for testing and police obtained a search warrant.

16. After obtaining the search warrant for Respondent's blood, she had to be physically restrained so the blood could be drawn, and she continued to be verbally abusive to the officers.

17. The blood drawn from Respondent was tested for the presence of alcohol and Respondent's BAC was at .25%, over three times the legal limit of .08%. On April 3, 2019, Respondent was charged by the Santa Clara District Attorney with driving under the influence, hit and run, and battery of a person. On June 26, 2019, Respondent was convicted of driving under the influence of alcohol and battery.

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FIRST CAUSE FOR DISCIPLINE

(Unprofessional Conduct: Conviction of a Crime/Dangerous Use of Alcohol)

18. The allegations of paragraphs 9 through 17 above are incorporated by reference as if set out in full. Respondent's criminal conviction for, and her action of driving while she had a blood alcohol content of .25%, and her conduct in assaulting a police officer, is substantially related to the qualifications, functions and duties of a physician, and constitutes cause for discipline for unprofessional conduct pursuant to sections 2234 and/or 2236 of the Code.

19. Respondent's conduct in driving while under the influence of alcohol with a high blood alcohol content constitutes unprofessional conduct and the use of alcohol in a dangerous manner, and constitutes cause for discipline pursuant to sections 2234 and/or 2239 of the Code.

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 69219, issued to Leslie Andrea Sullivan, M.D.;

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

3. Ordering Leslie Andrea Sullivan, 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 PRASIFKA
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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