

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

**In the Matter of the First Amended  
Accusation Against:**

**Adel A. Boutros, M.D.**

**Physician's & Surgeon's  
Certificate No. A 47792**

**Respondent.**

**Case No. 800-2018-050393**

**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 October 3, 2022.**

**IT IS SO ORDERED: September 1, 2022.**

**MEDICAL BOARD OF CALIFORNIA**



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

1 ROB BONTA  
Attorney General of California  
2 ALEXANDRA M. ALVAREZ  
Supervising Deputy Attorney General  
3 KAROLYN M. WESTFALL  
Deputy Attorney General  
4 State Bar No. 234540  
600 West Broadway, Suite 1800  
5 San Diego, CA 92101  
P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 738-9465  
7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

9  
10 **BEFORE THE**  
**MEDICAL BOARD OF CALIFORNIA**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
12 **STATE OF CALIFORNIA**

13 In the Matter of the First Amended Accusation  
14 Against:

15 **ADEL A. BOUTROS, M.D.**  
24432 Muirlands Blvd., #101  
16 Lake Forest, CA 92630-3939

17 **Physician's and Surgeon's Certificate**  
18 **No. A 47792,**

Respondent.

Case No. 800-2018-050393

OAH No. 2021120385

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

19  
20 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
21 entitled proceedings that the following matters are true:

22 **PARTIES**

23 1. William Prasifka (Complainant) is the Executive Director of the Medical Board of  
24 California (Board). He brought this action solely in his official capacity and is represented in this  
25 matter by Rob Bonta, Attorney General of the State of California, by Karolyn M. Westfall,  
26 Deputy Attorney General.

27 ///

28 ///

1           2.     Respondent Adel A. Boutros M.D. (Respondent) is represented in this proceeding by  
2 attorney Larry T. Pleiss, Esq., whose address is: Pleiss, Sitar, McGrath, Hunter & Hallack, 2875  
3 Michelle Drive, Suite 150, Irvine, CA 92606.

4           3.     On or about December 4, 1989, the Board issued Physician's and Surgeon's  
5 Certificate No. A 47792 to Respondent. The Physician's and Surgeon's Certificate was in full  
6 force and effect at all times relevant to the charges brought in First Amended Accusation No.  
7 800-2018-050393, and will expire on January 31, 2023, unless renewed.

8                                 **JURISDICTION**

9           4.     First Amended Accusation No. 800-2018-050393, which superseded the Accusation  
10 that was filed on October 26, 2021, was filed before the Board on January 31, 2022, and is  
11 currently pending against Respondent. The First Amended Accusation and all other statutorily  
12 required documents were properly served on Respondent on January 31, 2022. Respondent  
13 timely filed his Notice of Defense contesting the Accusation.

14          5.     A copy of First Amended Accusation No. 800-2018-050393 is attached hereto as  
15 Exhibit A and incorporated herein by reference.

16                                 **ADVISEMENT AND WAIVERS**

17          6.     Respondent has carefully read, fully discussed with counsel, and understands the  
18 charges and allegations in First Amended Accusation No. 800-2018-050393. Respondent has  
19 also carefully read, fully discussed with his counsel, and understands the effects of this Stipulated  
20 Settlement and Disciplinary Order.

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

28     ///

1           8.    Having the benefit of counsel, Respondent voluntarily, knowingly, and intelligently  
2 waives and gives up each and every right set forth above.

3                                 **CULPABILITY**

4           9.    Respondent admits that, at an administrative hearing, Complainant could establish a  
5 *prima facie* case with respect to the charges and allegations contained in First Amended  
6 Accusation No. 800-2018-050393, and agrees that he has thereby subjected his Physician's and  
7 Surgeon's Certificate No. A 47792 to disciplinary action.

8           10. Respondent further agrees that if an accusation is ever filed against him before the  
9 Medical Board of California, all of the charges and allegations contained in First Amended  
10 Accusation No. 800-2018-050393 shall be deemed true, correct, and fully admitted by  
11 Respondent for purposes of any such proceeding or any other licensing proceeding involving  
12 Respondent in the State of California or elsewhere.

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

16                                 **CONTINGENCY**

17           12. This stipulation shall be subject to approval by the Medical Board of California.  
18 Respondent understands and agrees that counsel for Complainant and the staff of the Medical  
19 Board of California may communicate directly with the Board regarding this stipulation and  
20 settlement, without notice to or participation by Respondent or his counsel. By signing the  
21 stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek  
22 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails  
23 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary  
24 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal  
25 action between the parties, and the Board shall not be disqualified from further action by having  
26 considered this matter.

27    ///

28    ///



1 ///

2 course would have been approved by the Board or its designee had the course been taken after  
3 the effective date of this Decision.

4 Respondent shall submit a certification of successful completion to the Board or its  
5 designee not later than 15 calendar days after successfully completing the course, or not later than  
6 15 calendar days after the effective date of the Decision, whichever is later.

7 Any failure to fully comply with this term and condition of the Disciplinary Order shall  
8 constitute unprofessional conduct and will subject Respondent's Physician's and Surgeon's  
9 Certificate to further disciplinary action.

10 2. INVESTIGATION/ENFORCEMENT COST RECOVERY. Within 60 calendar days  
11 of the effective date of this Decision, Respondent is hereby ordered to reimburse the Board its  
12 costs of investigation and enforcement, in the amount of \$982.50 (nine hundred eighty-two  
13 dollars and fifty cents). Costs shall be payable to the Medical Board of California.

14 The filing of bankruptcy by Respondent shall not relieve Respondent of the responsibility  
15 to repay investigation and enforcement costs.

16 Any failure to fully comply with this term and condition of the Disciplinary Order shall  
17 constitute unprofessional conduct and will subject Respondent's Physician's and Surgeon's  
18 Certificate to further disciplinary action.

19 ACCEPTANCE

20 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
21 discussed it with my attorney, Larry T. Pleiss, Esq. I understand the stipulation and the effect it  
22 will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and  
23 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the  
24 Decision and Order of the Medical Board of California.

25

26 DATED: 5.12.22

  
\_\_\_\_\_  
ADEL A. BOUTROS MD  
Respondent


27

28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

///

I have read and fully discussed with Respondent Adel A. Boutros M.D., the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

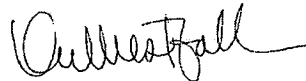
DATED: May 12, 2022   
LARRY T. PLEISS, ESQ.  
*Attorney for Respondent*

**ENDORSEMENT**

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

DATED: 5/12/22

Respectfully submitted,  
ROB BONTA  
Attorney General of California  
ALEXANDRA M. ALVAREZ  
Supervising Deputy Attorney General



KAROLYN M. WESTFALL  
Deputy Attorney General  
*Attorneys for Complainant*

SD2021801348  
83306721.docx

**Exhibit A**

**First Amended Accusation No. 800-2018-050393**



1 ROB BONTA  
Attorney General of California  
2 ALEXANDRA M. ALVAREZ  
Supervising Deputy Attorney General  
3 KAROLYN M. WESTFALL  
Deputy Attorney General  
4 State Bar No. 234540  
600 West Broadway, Suite 1800  
5 San Diego, CA 92101  
P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 738-9465  
7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

9  
10 **BEFORE THE**  
**MEDICAL BOARD OF CALIFORNIA**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
12 **STATE OF CALIFORNIA**

13 In the Matter of the First Amended Accusation  
14 Against:

Case No. 800-2018-050393

**FIRST AMENDED ACCUSATION**

15 **ADEL A. BOUTROS, M.D.**  
24432 Muirlands Blvd., #101  
16 Lake Forest, CA 92630-3939

17 **Physician's and Surgeon's Certificate**  
No. A 47792,

18 Respondent.

19  
20 **PARTIES**

21 1. William Prasifka (Complainant) brings this First Amended Accusation solely in his  
22 official capacity as the Executive Director of the Medical Board of California, Department of  
23 Consumer Affairs (Board).

24 2. On or about December 4, 1989, the Board issued Physician's and Surgeon's  
25 Certificate No. A 47792 to Adel A. Boutros, M.D. (Respondent). The Physician's and Surgeon's  
26 Certificate was in full force and effect at all times relevant to the charges brought herein and will  
27 expire on January 31, 2023, unless renewed.

28 ///

**JURISDICTION**

1  
2       3.    This First Amended Accusation, which supersedes the Accusation filed on October  
3 26, 2021, is brought before the Board, under the authority of the following laws. All section  
4 references are to the Business and Professions Code (Code) unless otherwise indicated.

5       4.    Section 2227 of the Code states, in pertinent part:

6           (a) A licensee whose matter has been heard by an administrative law judge of  
7 the Medical Quality Hearing Panel as designated in Section 11371 of the Government  
8 Code, or whose default has been entered, and who is found guilty, or who has entered  
9 into a stipulation for disciplinary action with the board, may, in accordance with the  
10 provisions of this chapter:

11           (1) Have his or her license revoked upon order of the board.

12           (2) Have his or her right to practice suspended for a period not to exceed one  
13 year upon order of the board.

14           (3) Be placed on probation and be required to pay the costs of probation  
15 monitoring upon order of the board.

16           (4) Be publicly reprimanded by the board. The public reprimand may include a  
17 requirement that the licensee complete relevant educational courses approved by the  
18 board.

19           (5) Have any other action taken in relation to discipline as part of an order of  
20 probation, as the board or an administrative law judge may deem proper.

21           ...

22       5.    Section 2234 of the Code, states, in pertinent part:

23           The board shall take action against any licensee who is charged with  
24 unprofessional conduct. In addition to other provisions of this article, unprofessional  
25 conduct includes, but is not limited to, the following:

26           ...

27           (c) Repeated negligent acts. To be repeated, there must be two or more  
28 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.

          ...

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.

///

**COST RECOVERY**

7. Section 125.3 of the Code states:

(a) Except as otherwise provided by law, in any order issued in resolution of a disciplinary proceeding before any board within the department or before the Osteopathic Medical Board upon request of the entity bringing the proceeding, the administrative law judge may direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

(b) In the case of a disciplined licentiate that is a corporation or a partnership, the order may be made against the licensed corporate entity or licensed partnership.

(c) A certified copy of the actual costs, or a good faith estimate of costs where actual costs are not available, signed by the entity bringing the proceeding or its designated representative shall be prima facie evidence of reasonable costs of investigation and prosecution of the case. The costs shall include the amount of investigative and enforcement costs up to the date of the hearing, including, but not limited to, charges imposed by the Attorney General.

(d) The administrative law judge shall make a proposed finding of the amount of reasonable costs of investigation and prosecution of the case when requested pursuant to subdivision (a). The finding of the administrative law judge with regard to costs shall not be reviewable by the board to increase the cost award. The board may reduce or eliminate the cost award, or remand to the administrative law judge if the proposed decision fails to make a finding on costs requested pursuant to subdivision (a).

(e) If an order for recovery of costs is made and timely payment is not made as directed in the board's decision, the board may enforce the order for repayment in any appropriate court. This right of enforcement shall be in addition to any other rights the board may have as to any licensee to pay costs.

(f) In any action for recovery of costs, proof of the board's decision shall be conclusive proof of the validity of the order of payment and the terms for payment.

(g)(1) Except as provided in paragraph (2), the board shall not renew or reinstate the license of any licensee who has failed to pay all of the costs ordered under this section.

(2) Notwithstanding paragraph (1), the board may, in its discretion, conditionally renew or reinstate for a maximum of one year the license of any licensee who demonstrates financial hardship and who enters into a formal agreement with the board to reimburse the board within that one-year period for the unpaid costs.

(h) All costs recovered under this section shall be considered a reimbursement for costs incurred and shall be deposited in the fund of the board recovering the costs to be available upon appropriation by the Legislature.

(i) Nothing in this section shall preclude a board from including the recovery of the costs of investigation and enforcement of a case in any stipulated settlement.

///

1 (j) This section does not apply to any board if a specific statutory provision in  
2 that board's licensing act provides for recovery of costs in an administrative  
disciplinary proceeding.

3 **FIRST CAUSE FOR DISCIPLINE**

4 **(Repeated Negligent Acts)**

5 8. Respondent has subjected his Physician's and Surgeon's Certificate No. A 47792 to  
6 disciplinary action under sections 2227 and 2234, as defined by section 2234, subdivision (c), of  
7 the Code, in that he committed repeated negligent acts in his care and treatment of Patient A,<sup>1</sup> as  
8 more particularly alleged hereinafter:

9 9. On or about July 27, 2017, Patient A, a then 61-year-old wheelchair-bound female,  
10 was admitted from the hospital to the Palm Retirement Center (PRC). Patient A was discharged  
11 with prescriptions for various vitamins and medications, including but not limited to, ciproflaxin  
12 for infection, ferrous sulfate for iron deficiency, metformin for diabetes, and oxybutynin for  
13 bladder control. Patient A's primary diagnoses upon admission were a urinary tract infection,  
14 hyperlipidemia, essential hypertension, type two diabetes mellitus, unspecified glaucoma,  
15 generalized muscle weakness, and dementia.

16 10. Between on or about July 27, 2017, and on or about November 1, 2019, Patient A  
17 received primary care treatment from Respondent at PRC on approximately nine (9) visits. At  
18 every visit, Respondent's documented plan was to "refill all current medications." At every visit,  
19 the patient's chart identifies a recurring medication of ciproflaxin that was not actually prescribed  
20 or continued.

21 11. On or about August 22, 2017, Respondent met with Patient A at PRC. Patient A  
22 expressed no complaints at that visit. Respondent's cursory chart notes for this visit, or any visit  
23 thereafter, did not include a mental status examination or any documented concerns about the

24 ///

25 ///

26 ///

27 <sup>1</sup> To protect the privacy of the patient involved, the patient's name has not been included  
28 in this pleading. Respondent is aware of the identity of the patient referred to herein.

1 patient from her family or the PRC staff. At the conclusion of this visit, Respondent diagnosed  
2 Patient A with, among other things, quadriplegia,<sup>2</sup> anxiety, and dementia.

3 12. On or about October 5, 2017, Respondent met with patient A at PRC. At this visit,  
4 Patient A complained of feeling anxious and agitated. Respondent's cursory chart notes for this  
5 visit did not include a mental status examination or any further details about her anxiety or  
6 agitation. At the conclusion of this visit, Respondent maintained Patient A on her prior  
7 medications, but added Ativan<sup>3</sup> .5mg.

8 13. Between on or about October 5, 2017, and on or about September 12, 2019,  
9 Respondent maintained Patient A on monthly prescriptions of Ativan for anxiety.

10 14. On or about October 9, 2018, Respondent met with Patient A at PRC. At this visit,  
11 Patient A complained of increased agitation, feeling more anxious, a burning sensation during  
12 urination, and a cough. Respondent's cursory chart notes for this visit did not include any further  
13 details about her agitation or anxiety. At the conclusion of this visit, Respondent maintained  
14 Patient A on her prior medications, but added Haldol<sup>4</sup> 1 mg, and requested a psychiatric  
15 consultation.

16 15. On or about October 10, 2018, and on or about October 28, 2018, Respondent  
17 prescribed Patient A temazepam<sup>5</sup> 15 mg. Respondent did not see the patient on those dates and  
18 the prescriptions are not documented anywhere in the patient's chart.<sup>6</sup>

19 <sup>2</sup> Respondent's diagnosis of quadriplegia is repeated throughout Patient A's chart. At the  
20 subject interview, Respondent identified that the accurate diagnosis for this patient was  
hemiplegia.

21 <sup>3</sup> Ativan (brand name for lorazepam) is a Schedule IV controlled substance pursuant to  
22 Health and Safety Code section 11057, subdivision (d), and a dangerous drug pursuant to  
23 Business and Professions Code section 4022. It belongs to a group of drugs called  
benzodiazepines.

24 <sup>4</sup> Haldol (brand name for haloperidol) is an antipsychotic medication used to treat various  
25 mental/mood disorders, and a dangerous drug pursuant to Business and Professions Code section  
4022.

26 <sup>5</sup> Temazepam (brand name Restoril) is a Schedule IV controlled substance pursuant to  
27 Health and Safety Code section 11057, subdivision (d), and a dangerous drug pursuant to  
Business and Professions Code section 4022. It belongs to a group of drugs called  
benzodiazepines.

28 <sup>6</sup> At his subject interview, Respondent admitted that he sometimes calls in a prescription  
for temazepam if the patient cannot sleep.

1 16. On or about April 30, 2019, Respondent prescribed Patient A sixteen (16) tablets of  
2 Haldol 5 mg with twelve (12) refills, sixty-two (62) tablets of Ativan 1 mg with five (5) refills,  
3 and thirty-one (31) tablets of temazepam 15 mg with five (5) refills. Respondent did not see the  
4 patient on that day and the prescriptions are not documented anywhere in the patient's chart.

5 17. On or about August 16, 2019, Respondent prescribed Patient A sixty-two (62) tablets  
6 of Ativan 1 mg for anxiety and thirty one (31) tablets of temazepam 15 mg for insomnia.  
7 Respondent did not see the patient on that day and the prescriptions are not documented anywhere  
8 in the patient's chart.

9 18. On or about April 6, 2020, Respondent provided a letter to an investigator for the  
10 Board regarding the care and treatment he provided to Patient A. In this letter, Respondent  
11 indicated that Patient A was lost several times and was brought back to PRC by police, and was  
12 found several times in the street in the middle of traffic. During his subject interview on or about  
13 December 8, 2020, Respondent admitted that statement was in error, and that he confused this  
14 patient with another patient.

15 19. Respondent committed repeated negligent acts in his care and treatment of Patient A,  
16 which included, but was not limited to, the following:

17 A. Prescribing two benzodiazepines to Patient A at the same time;

18 B. Prescribing benzodiazepines and antipsychotic medications to Patient A  
19 without identifying and/or documenting the severity of symptoms necessitating the  
20 medications; and

21 C. Prescribing medications to Patient A without documenting the prescriptions in  
22 the patient's chart.

23 **SECOND CAUSE FOR DISCIPLINE**

24 **(Failure to Maintain Adequate and Accurate Records)**

25 20. Respondent has further subjected his Physician's and Surgeon's Certificate No.  
26 A 47792 to disciplinary action under sections 2227 and 2234, as defined by section 2266, of the  
27 Code, in that Respondent failed to maintain adequate and accurate records regarding his care and

28 ///

1 treatment of Patient A, as more particularly alleged in paragraphs 8 through 19 (C), above, which  
2 are hereby incorporated by reference and realleged as if fully set forth herein.

3 **PRAYER**

4 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
5 and that following the hearing, the Medical Board of California issue a decision:


6 1. Revoking or suspending Physician's and Surgeons Certificate No. A 47792, issued to  
7 Respondent Adel A. Boutros, M.D.;

8 2. Revoking, suspending or denying approval of Respondent Adel A. Boutros, M.D.'s  
9 authority to supervise physician assistants and advanced practice nurses;

10 3. Ordering Respondent Adel A. Boutros, M.D., to pay the Board the costs of the  
11 investigation and enforcement of this case, and if placed on probation, to pay the Board the costs  
12 of probation monitoring; and

13 4. Taking such other and further action as deemed necessary and proper.

14  
15 DATED: JAN 31 2022

16   
17 WILLIAM PRASIFKA  
18 Executive Director  
19 Medical Board of California  
20 Department of Consumer Affairs  
21 State of California  
22 Complainant

23  
24  
25  
26  
27  
28  
SD2021801348  
83215398.docx