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

In the Matter of the Accusation Against: Laurence Howard Lief, M.D. Physician's and Surgeon's Certificate No. G 37686 Respondent.	Case No. 800-2022-091272

DECISION

The attached Stipulated Surrender 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 FEB 15 2023.

IT IS SO ORDERED FEB 08 2023.

MEDICAL BOARD OF CALIFORNIA

Reji Varghese
Deputy 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: **LAURENCE HOWARD LIEF, M.D.** **1199 Bush St., Ste. 240** **San Francisco, CA 94109** **Physician's and Surgeon's Certificate No. G 37686** Respondent.	Case No. 800-2022-091272 **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) was the Executive Director of the Medical Board of California (Board). He brought this action solely in his official capacity, and he and Deputy Director Reji Varghese, also acting in his official capacity, are represented in this matter by Rob Bonta, Attorney General of the State of California, by Mary Cain-Simon, Supervising Deputy Attorney General.

2. Laurence Howard Lief, M.D. (Respondent) is representing himself in this proceeding by and through his court-appointed conservator and has chosen not to exercise his right to be represented by counsel.

3. On July 31, 1978, the Board issued Physician's and Surgeon's Certificate No. G 37686 to Laurence Howard Lief, 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. 800-2022-091272 and will expire on November 30, 2023, unless renewed.

JURISDICTION

4. Accusation No. 800-2022-091272 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 December 30, 2022. Respondent does not contest the Accusation. A copy of Accusation No. 800-2022-091272 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

5. Respondent, by and through the conservator acting on his behalf, has carefully read, and understands the charges and allegations in Accusation No. 800-2022-091272. Respondent and/or his conservator also have carefully read, and understand the effects of this Stipulated Surrender of License and Order.

6. Respondent and/or his agent under power of attorney 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, through his agent under power of attorney, voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

8. Respondent and/or his agent under power of attorney understand that allegations in Accusation No. 800-2022-091272, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate.

9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent and or his agent under power of attorney 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 his right to contest that cause for discipline exists based on those charges.

10. Respondent and/or his agent under power of attorney understand that by signing this stipulation Respondent enables the Board to issue an order accepting the surrender of his Physician's and Surgeon's Certificate without further process.

CONTINGENCY

11. This stipulation shall be subject to approval by the Board. Respondent and/or his conservator 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 and/or his agent under power of attorney understand and agree 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.

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:

ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 37686, issued to Respondent Laurence Howard Lief, 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. 800-2022-091272 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. 800-2022-091272 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.

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ACCEPTANCE

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

DATED: February 3, 2023

LAURENCE HOWARD LIEF, M.D. POA
Respondent
By Debra Dolch, Agent under Power of Attorney

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: February 3, 2023

Respectfully submitted,

ROB BONTA
Attorney General of California
MARY CAIN-SIMON
Supervising Deputy Attorney General

Mary Cain-Simon

MARY CAIN-SIMON
Supervising Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2022-091272

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BEFORE THE
MEDICAL BOARD OF CALIFORNIA
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STATE OF CALIFORNIA

In the Matter of the Accusation Against: **Laurence Howard Lief, M.D.** **1199 Bush St., Ste. 240** **San Francisco, CA 94109** **Physician's and Surgeon's Certificate No. G 37686,** Respondent.	Case No. 800-2022-091272 **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 July 31, 1978, the Medical Board issued Physician's and Surgeon's Certificate Number G 37686 to Laurence Howard Lief, 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 November 30, 2023, 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 822 of the Code states:

> If a licensing agency determines that its licentiate's ability to practice his or her profession safely is impaired because the licentiate is mentally ill, or physically ill affecting competency, the licensing agency may take action by any one of the following methods:
>
> (a) Revoking the licentiate's certificate or license.
>
> (b) Suspending the licentiate's right to practice.
>
> (c) Placing the licentiate on probation.
>
> (d) Taking such other action in relation to the licentiate as the licensing agency in its discretion deems proper.
>
> The licensing section shall not reinstate a revoked or suspended certificate or license until it has received competent evidence of the absence or control of the condition which caused its action and until it is satisfied that with due regard for the public health and safety the person's right to practice his or her profession may be safely reinstated.

5. Section 2004 of the Code states:

> The board shall have the responsibility for the following:
>
> (a) The enforcement of the disciplinary and criminal provisions of the Medical Practice Act.
>
> (b) The administration and hearing of disciplinary actions.
>
> (c) Carrying out disciplinary actions appropriate to findings made by a panel or an administrative law judge.
>
> (d) Suspending, revoking, or otherwise limiting certificates after the conclusion of disciplinary actions.
>
> (e) Reviewing the quality of medical practice carried out by physician and surgeon certificate holders under the jurisdiction of the board.
>
> (f) Approving undergraduate and graduate medical education programs.
>
> (g) Approving clinical clerkship and special programs and hospitals for the programs in subdivision (f).

(h) Issuing licenses and certificates under the board's jurisdiction.

(i) Administering the board's continuing medical education program.

CAUSE FOR BOARD ACTION

(Physical or Mental Impairment)

6. Respondent Laurence Howard Lief, M.D. is subject to action under section 822 in that good cause exists to believe that Respondent's ability to practice medicine safely is impaired by physical and/or mental illness. The circumstances are as follows:

7. On August 24, 2022, the Board received a letter from the Chief of Staff for California Pacific Medical Center, reporting concerns regarding Dr. Lief's health and fitness to practice medicine. The letter also contained information to the effect that a number of medical staff leaders had expressed concerns that Dr. Lief was suffering from memory issues.

9. Board investigators contacted Dr. Lief, and received information from Dr. Lief's family members affirming that Dr. Lief is having severe memory problems.

10. On Friday, December 2, 2022, the Board received a copy of a sworn Capacity Declaration authored by Armen Moughamian, M.D., PhD. In that declaration, Dr. Moughamian avers that Dr. Lief is suffering major impairments of his mental functioning, including impairment as to awareness of time, such as what day or month it is, short-term memory and immediate recall, and abilities to plan and reason. Dr. Moughamian additionally describes his review of an MRI of Dr. Lief's brain taken July 2022, and compared it with a prior scan from October 2011. Among other findings, Dr. Moughamian concludes that Dr. Lief is suffering from a clinical condition that impairs his ability to safely practice medicine.

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 37686, issued to Laurence Howard Lief, M.D.;

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

3. Ordering Laurence Howard Lief, M.D., to pay the Board the costs of the investigation and enforcement of this case, and if placed on probation, the costs of probation monitoring; and

5. Taking such other and further action as deemed necessary and proper.

DATED: DEC 27 2022

REJI VARGHESE
Deputy Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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