

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

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

**Alicja Soczewko Steiner, M.D.**

**Physician's & Surgeon's  
Certificate No A 69227**

**Case No. 800-2016-025313**

**Respondent.**

**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 JUL 17 2020**

**IT IS SO ORDERED JUN 18 2020**

**MEDICAL BOARD OF CALIFORNIA**



**Kristina D. Lawson, J.D., Chair  
Panel B**

1 XAVIER BECERRA  
Attorney General of California  
2 ALEXANDRA M. ALVAREZ  
Supervising Deputy Attorney General  
3 JOSEPH F. MCKENNA III  
Deputy Attorney General  
4 State Bar No. 231195  
600 West Broadway, Suite 1800  
5 San Diego, California 92101  
P.O. Box 85266  
6 San Diego, California 92186-5266  
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7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

13 **ALICJA SOCZEWKO STEINER, M.D.**  
2100 5th Avenue, Suite 200  
14 San Diego, California 92101-2102

15 **Physician's and Surgeon's Certificate**  
No. A 69227,

16  
17 Respondent.

Case No. 800-2016-025313

OAH No. 2020010226

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

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

20 **PARTIES**

21 1. Christine J. Lally (Complainant) is the Interim Executive Director of the Medical Board  
22 of California (Board). This action was brought by then Complainant Kimberly Kirchmeyer,<sup>1</sup>  
23 solely in her official capacity. Complainant is represented in this matter by Xavier Becerra,  
24 Attorney General of the State of California, and Joseph F. McKenna III, Deputy Attorney General.

25 2. Respondent Alicja Soczewko Steiner, M.D., (Respondent) is represented in this  
26 proceeding by attorney David Rosenberg, Esq., whose address is: 10815 Rancho Bernardo Road,  
27 Suite 310, San Diego, California, 92127.

28 <sup>1</sup> Ms. Kirchmeyer became the Director of the Department of Consumer Affairs on October 28, 2019.

1           3.     On or about July 9, 1999, the Board issued Physician's and Surgeon's Certificate No.  
2     A 69227 to Alicja Soczewko Steiner, M.D. The Physician's and Surgeon's Certificate was in full  
3     force and effect at all times relevant to the charges brought in Accusation No. 800-2016-025313,  
4     and will expire on February 28, 2021, unless renewed.

5                                   **JURISDICTION**

6           4.     Accusation No. 800-2016-025313 was filed before the Board, and is currently  
7     pending against Respondent. The Accusation and all other statutorily required documents were  
8     properly served on Respondent on August 16, 2019. Respondent timely filed her Notice of  
9     Defense contesting the Accusation. A true and correct copy of the Accusation is attached hereto  
10    as Exhibit A and hereby incorporated by reference as if fully set forth herein.

11                               **ADVISEMENT AND WAIVERS**

12          5.     Respondent has carefully read, discussed with her counsel, and fully understands the  
13    charges and allegations contained in Accusation No. 800-2016-025313. Respondent has also  
14    carefully read, discussed with her counsel, and fully understands the effects of this Stipulated  
15    Settlement and Disciplinary Order.

16          6.     Respondent is fully aware of her legal rights in this matter, including the right to a  
17    hearing on the charges and allegations contained in the Accusation; the right to confront and  
18    cross-examine the witnesses against her; the right to present evidence and to testify on her own  
19    behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the  
20    production of documents; the right to reconsideration and court review of an adverse decision;  
21    and all other rights accorded by the California Administrative Procedure Act and other applicable  
22    laws, having been fully advised of same by her counsel.

23          7.     Having the benefit of counsel, Respondent voluntarily, knowingly, and intelligently  
24    waives and gives up each and every right set forth above.

25                               **CULPABILITY**

26          8.     Respondent understands and agrees that the charges and allegations contained in  
27    Accusation No. 800-2016-025313, if proven at a hearing, constitute cause for imposing discipline  
28    upon her Physician's and Surgeon's Certificate No. A 69227.

9. Respondent stipulates that, at a hearing, Complainant could establish a *prima facie* case or factual basis for the charges and allegations contained in the Accusation; that she gives up her right to contest those charges and allegations contained in the Accusation; and that she has thereby subjected her Physician's and Surgeon's Certificate to disciplinary action.

## CONTINGENCY

10. This stipulation shall be subject to approval by the Medical Board of California. 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 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. Respondent agrees that if an accusation is ever filed against her before the Board, all of the charges and allegations contained in Accusation No. 800-2016-025313 shall be deemed true, correct and fully admitted by Respondent for purposes of any such proceeding or any other licensing proceeding involving Respondent in the State of California.

## **ADDITIONAL PROVISIONS**

12. This Stipulated Settlement and Disciplinary Order is intended by the parties herein to be an integrated writing representing the complete, final and exclusive embodiment of the agreements of the parties in the above-entitled 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:

**DISCIPLINARY ORDER**

1  
2       1.    PUBLIC REPRIMAND.

3       IT IS HEREBY ORDERED that Respondent Alicja Soczewko Steiner, M.D.'s Physician's  
4 and Surgeon's Certificate No. A 69227 shall be and is hereby Publicly Reprimanded pursuant to  
5 California Business and Professions Code section 2227, subdivision (a), subsection (4). This  
6 Public Reprimand, which is issued in connection with the charges and allegations contained in  
7 Accusation No. 800-2016-025313, is as follows:

8               Respondent committed negligence by failing to maintain adequate and  
9 accurate records in connection with her care and treatment of Patients A and B, as  
10 more particularly alleged in Accusation No. 800-2016-025313.

11       2.    MEDICAL RECORD KEEPING COURSE.

12       Within sixty (60) calendar days of the effective date of this Decision, Respondent shall  
13 enroll in a course in medical record keeping approved in advance by the Board or its designee.  
14 Respondent shall provide the approved course provider with any information and documents that  
15 the approved course provider may deem pertinent. Respondent shall participate in and  
16 successfully complete the classroom component of the course not later than six (6) months after  
17 Respondent's initial enrollment. Respondent shall successfully complete any other component of  
18 the course within one (1) year of enrollment. The medical record keeping course shall be at  
19 Respondent's expense and shall be in addition to the Continuing Medical Education requirements  
20 for renewal of licensure.

21       A medical record keeping course taken after the acts that gave rise to the charges contained  
22 in Accusation 800-2016-025313, but prior to the effective date of the Decision may, in the sole  
23 discretion of the Board or its designee, be accepted towards the fulfillment of this condition if the  
24 course would have been approved by the Board or its designee had the course been taken after the  
25 effective date of this Decision.

26       Respondent shall submit a certification of successful completion to the Board or its  
27 designee not later than fifteen (15) calendar days after successfully completing the course, or not  
28 later than fifteen (15) calendar days after the effective date of the Decision, whichever is later.

1           3.    FAILURE TO COMPLY.

2           Any failure by Respondent to comply with the terms and conditions of the Disciplinary  
3   Order set forth above shall constitute unprofessional conduct and grounds for further disciplinary  
4   action.

5                               ACCEPTANCE

6           I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
7   discussed it with my attorney, David Rosenberg, Esq. I understand the stipulation and the effect  
8   it will have on my Physician's and Surgeon's Certificate No. A 69227. I enter into this Stipulated  
9   Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be  
10   bound by the Decision and Order of the Medical Board of California.

11    DATED: 5/13/2020



12                               ALICIA SOCZEWKO STEINER, M.D.  
                                  Respondent

13           I have read and fully discussed with Respondent Alicia Soczewko Steiner, M.D., the terms  
14   and conditions and other matters contained in the above Stipulated Settlement and Disciplinary  
15   Order. I approve its form and content.

16    DATED: 5/11/20



17                               DAVID ROSENBERG, ESQ.  
                                  Attorney for Respondent

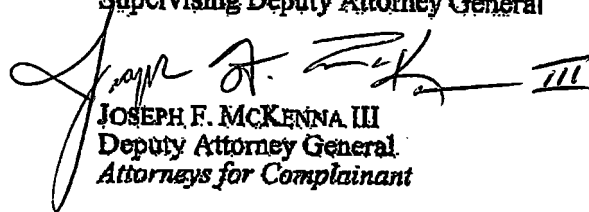
18                               ENDORSEMENT

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

21    DATED: May 14, 2020

                                  Respectfully submitted,

22                               XAVIER BECERRA  
23                               Attorney General of California  
24                               ALEXANDRA M. ALVAREZ  
                                  Supervising Deputy Attorney General

25                                 
26                               JOSEPH F. MCKENNA III  
27                               Deputy Attorney General  
                                  Attorneys for Complainant

28   SD2019701867 / 82295830.docx

**Exhibit A**

**Accusation No. 800-2016-025313**

1 XAVIER BECERRA  
Attorney General of California  
2 ALEXANDRA M. ALVAREZ  
Supervising Deputy Attorney General  
3 JOSEPH F. MCKENNA III  
Deputy Attorney General  
4 State Bar No. 231195  
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5 San Diego, California 92101  
P.O. Box 85266  
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7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO Aug 16 20 19  
BY SWA 12107 ANALYST

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

14 In the Matter of the Accusation Against:

Case No. 800-2016-025313

15 **ALICJA SOCZEWKO STEINER, M.D.**  
2100 5th Avenue, Suite 200  
16 San Diego, California 92101-2102

**A C C U S A T I O N**

17 **Physician's and Surgeon's Certificate**  
No. A69227,

18 Respondent.

19  
20 Complainant alleges:

21 **PARTIES**

22 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official  
23 capacity as the Executive Director of the Medical Board of California, Department of Consumer  
24 Affairs (Board).

25 2. On or about July 9, 1999, the Medical Board issued Physician's and Surgeon's  
26 Certificate No. A69227 to Alicja Soczewko Steiner, M.D. (Respondent). The Physician's and  
27 Surgeon's Certificate was in full force and effect at all times relevant to the charges and  
28 allegations brought herein and will expire on February 28, 2021, 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 2227 of the Code states:

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

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

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

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

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

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

(b) Any matter heard pursuant to subdivision (a), except for warning letters, medical review or advisory conferences, professional competency examinations, continuing education activities, and cost reimbursement associated therewith that are agreed to with the board and successfully completed by the licensee, or other matters made confidential or privileged by existing law, is deemed public, and shall be made available to the public by the board pursuant to Section 803.1.

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

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:

(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

1 separate and distinct departure from the applicable standard of care shall constitute  
2 repeated negligent acts.

3 ...

3 6. Unprofessional conduct under section 2234 of the Code is conduct which breaches  
4 the rules or ethical code of the medical profession, or conduct which is unbecoming to a member  
5 in good standing of the medical profession, and which demonstrates an unfitness to practice  
6 medicine. (*Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564, 575.).

7 7. Section 2266 of the Code states:

8 The failure of a physician and surgeon to maintain adequate and accurate records  
9 relating to the provision of services to their patients constitutes unprofessional conduct.

10 **FIRST CAUSE FOR DISCIPLINE**

11 **(Gross Negligence)**

12 8. Respondent has subjected her Physician's and Surgeon's Certificate No. A69227  
13 to disciplinary action under sections 2227 and 2234, as defined in section 2234, subdivision (b),  
14 of the Code, in that Respondent committed gross negligence in her care and treatment of Patients  
15 A and B,<sup>1</sup> as more particularly alleged hereinafter:

16 9. **Patient A**

17 (a) On or about December 12, 2013, Patient A, a then-56-year-old male,  
18 was first seen at Respondent's clinic for pain management treatment. Respondent  
19 is board-certified in pain management and anesthesiology, and held both  
20 certifications at all times relevant to the care of this patient. Patient A was referred  
21 to Respondent by his primary care physician for treatment of chronic pain.  
22 Respondent diagnosed Patient A with chronic pain syndrome.

23 (b) In 2015, Respondent administered approximately ten (10) steroid trigger  
24 point injections to Patient A to treat his pain. These injections were performed on  
25 a near monthly basis, and some were performed under ultrasound guidance with  
26 the use of Vitamin B12 as the injectate. Significantly, there was no adequate

27  
28 <sup>1</sup> To protect the privacy of all patients involved, patient names have not been included in  
this pleading. Respondent is aware of the identity of the patients referred to herein.

1 documentation in Patient A's medical record that he was receiving sustained  
2 benefit from these repeated steroid trigger point injections in 2015.

3 10. Respondent committed gross negligence in her care and treatment of Patient A  
4 including, but not limited to, the following:

5 (a) In 2015, Respondent administered approximately ten (10) trigger point  
6 injections with no documented sustained benefit from prior injections  
7 for Patient A.

8 11. Patient B

9 (a) On or about August 10, 2012, Patient B, a then-60-year-old female, was  
10 first seen at Respondent's clinic for pain management treatment. Patient B was  
11 referred to Respondent by her primary care physician for treatment of chronic  
12 pain. Respondent diagnosed Patient B with chronic pain syndrome due to this  
13 patient's complex pain issues.

14 (b) Between in or around August 2012, through in or around November,  
15 2015, Respondent routinely issued controlled pain medication to Patient B  
16 including, but not limited to, high dose opioids, benzodiazepines, and muscle  
17 relaxants. These prescriptions were issued to Patient B for concomitant use and  
18 were intended to address her complex pain issues.

19 (c) Respondent, notwithstanding the significant amount of controlled pain  
20 medication routinely prescribed to Patient B for over three (3) years, routinely  
21 scheduled this patient to be seen at her clinic at six (6) and eight (8) week  
22 intervals.

23 12. Respondent committed gross negligence in her care and treatment of Patient B  
24 including, but not limited to, the following:

25 (a) Between in or around August 2012, through in or around November,  
26 2015, Respondent, despite prescribing a significant amount of controlled pain  
27 medication to Patient B, failed to see this patient on a regular basis by routinely  
28 scheduling clinic visits at six (6) and eight (8) week intervals.



1 (b) Between in or around 2013 and in or around 2015, Respondent failed to  
2 adequately document changes and/or modifications to Patient A's  
3 prescriptions for controlled substances;

4 (c) Between in or around 2013 and in or around 2015, Respondent failed to  
5 document any official referral made on behalf of Patient A, and/or document  
6 obtaining any reports regarding Patient A from outside specialists; and

7 (d) Between in or around 2013 and in or around 2015, many of Respondent's  
8 handwritten chart notes for Patient A contained illegible handwriting.

9 16. **Patient B**

10 (a) Paragraphs 11 and 12, above, are hereby incorporated by reference  
11 and realleged as if fully set forth herein.

12 (b) Between in or around 2012 and in or around 2015, due to Patient B's  
13 multiple complex pain issues along with diagnosed anxiety, Respondent  
14 documented "recommendations" made to the patient for consultation with outside  
15 specialists including, physical therapy, neurology, and a psychiatrist. However,  
16 Patient B's medical record does not indicate whether any official referrals were  
17 made and/or whether reports were obtained from any outside specialists.

18 (c) Between in or around 2012 and in or around 2015, many of Patient B's  
19 chart notes were handwritten. A large number of these chart notes contain  
20 Respondent's handwriting, which is fundamentally illegible.

21 17. Respondent committed repeated negligent acts in her care and treatment of Patient B  
22 including, but not limited to, the following:

23 (a) Between in or around August 2012, through in or around November,  
24 2015, Respondent, despite prescribing a significant amount of controlled pain  
25 medication to Patient B, failed to see this patient on a regular basis by  
26 routinely scheduling clinic visits at six (6) and eight (8) week intervals;

27 (b) Between in or around 2012 and in or around 2015, Respondent failed to  
28 document any official referral made on behalf of Patient B, and/or document

obtaining any reports regarding Patient B from a physical therapist,  
neurologist, or a psychiatrist; and

(c) Between in or around 2012 and in or around 2015, many of Respondent's  
handwritten chart notes for Patient B contained illegible handwriting.

### **THIRD CAUSE FOR DISCIPLINE**

#### **(Failure to Maintain Adequate and Accurate Medical Records)**

18. Respondent has further subjected her Physician's and Surgeon's Certificate  
No. A69227 to disciplinary action under sections 2227 and 2234, as defined in section 2266, of  
the Code, in that Respondent failed to maintain adequate and accurate records in connection with  
her care and treatment of Patients A and B, as more particularly alleged hereinafter:

#### **19. Patient A**

(a) Paragraphs 14 and 15, above, are hereby incorporated by reference  
and realleged as if fully set forth herein.

#### **20. Patient B**

(a) Paragraphs 16 and 17, above, are hereby incorporated by reference  
and realleged as if fully set forth herein.

### **FOURTH CAUSE FOR DISCIPLINE**

#### **(Unprofessional Conduct)**

21. Respondent has further subjected her Physician's and Surgeon's Certificate No.  
A69227 to disciplinary action under sections 2227 and 2234 of the Code, in that Respondent has  
engaged in conduct which breaches the rules or ethical code of the medical profession, or conduct  
which is unbecoming to a member in good standing of the medical profession, and which  
demonstrates an unfitness to practice medicine, as more particularly alleged in paragraphs 8  
through 20, above, which are hereby incorporated by reference and realleged as if fully set forth  
herein.

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1 PRAYER

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

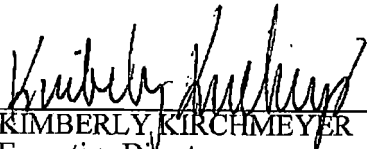
4 1. Revoking or suspending Physician's and Surgeon's Certificate No. A69227, issued to  
5 Respondent Alicja Soczewko Steiner, M.D.;

6 2. Revoking, suspending or denying approval of Respondent Alicja Soczewko Steiner,  
7 M.D.'s, authority to supervise physician assistants pursuant to section 3527 of the Code, and  
8 advanced practice nurses;

9 3. Ordering Respondent Alicja Soczewko Steiner, M.D., to pay the Medical Board of  
10 California the costs of probation monitoring, if placed on probation; and

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

12  
13 DATED: August 16, 2019

14   
15 KIMBERLY KIRCHMEYER  
16 Executive Director  
17 Medical Board of California  
18 Department of Consumer Affairs  
19 State of California  
20 Complainant

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26  
27 SD2019701867  
28 Doc.No.71944996