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

In the Matter of the Accusation Against: Eddie Chuen-Leung Cheung, M.D. Physician's & Surgeon's Certificate No C 40226 Petitioner.	Case No. 800-2018-044185

ORDER DENYING PETITION FOR RECONSIDERATION

The Petition filed by Ivan Weinberg, Esq., attorney for Eddie Chuen-Leung Cheung, for the reconsideration of the decision in the above-entitled matter having been read and considered by the Medical Board of California, is hereby denied.

This Decision remains effective at 5:00 p.m. on May 31, 2021.

IT IS SO ORDERED: June 1, 2021.

Ronald H. Lewis, M.D., Chair
Panel A

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

In the Matter of the Accusation Against: **Eddie Chuen-Leung Cheung, M.D.** Physician's & Surgeon's Certificate No. C 40226 Respondent.	Case No. 800-2018-044185 **ORDER GRANTING STAY** (Government Code Section 11521)

Ivan Weinberg, Esq., on behalf of respondent, Eddie Chuen-Leung Cheung, has filed a Request for Stay of execution of the Decision in this matter with an effective date of May 21, 2021, at 5:00 p.m.

Execution is stayed until May 31, 2021, at 5:00 p.m.

This stay is granted solely for the purpose of allowing the Board time to review and consider the Petition for Reconsideration.

DATED: May 13, 2021

William Prasifka
Executive Director
Medical Board of California

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

In the Matter of the Accusation Against: **Eddie Chuen-Leung Cheung, M.D.** Physician's & Surgeon's Certificate No. C 40226 Respondent.	Case No. 800-2018-044185 **ORDER GRANTING STAY** (Government Code Section 11521)

Ivan Weinberg, Esq., on behalf of respondent, Eddie Chuen-Leung Cheung, has filed a Request for Stay of execution of the Decision in this matter with an effective date of April 23, 2021, at 5:00 p.m..

Execution is stayed until May 21, 2021, at 5:00 p.m.

This stay is granted solely for the purpose of allowing the Respondent to file a Petition for Reconsideration.

DATED: April 14, 2021

William Prasifka
Executive Director
Medical Board of California

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

In the Matter of the Accusation Against:	
Eddie Chuen-Leung Cheung, M.D.	**Case No. 800-2018-044185**
Physician's and Surgeon's Certificate No. C 40226	
Respondent.	

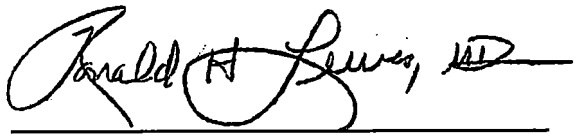
DECISION

The attached Proposed Decision 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 23, 2021.

IT IS SO ORDERED March 25, 2021.

MEDICAL BOARD OF CALIFORNIA



Ronald H. Lewis, M.D., Chair
Panel A

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

In the Matter of the Accusation Against:

EDDIE CHUEN-LEUNG CHEUNG, M.D.,

Physician's and Surgeon's Certificate No. C 40226

Respondent.

Agency Case No. 800-2018-044185

OAH No. 2020110121

PROPOSED DECISION

Administrative Law Judge Karen Reichmann, State of California, Office of Administrative Hearings, heard this matter on February 3, 2021, by videoconference.

Deputy Attorney General Carolyne Evans represented complainant William Prasifka, Executive Director of the Medical Board of California.

Respondent Eddie Chuen-Leung Cheung, M.D., appeared on his own behalf.

The record was closed and the matter was submitted for decision on February 3, 2021.

SUMMARY

Respondent's certificate was placed on probation in 2000 due to his false statements or omissions in applications for hospital privileges involving three different hospitals. Complainant seeks to discipline respondent's certificate for similar false statements or omissions in a 2017 application for hospital privileges. Because respondent failed to take responsibility for his actions, and cannot be trusted to be truthful, his certificate will be revoked.

FACTUAL FINDINGS

Background

1. On February 8, 1982, the Medical Board of California (Board) issued physician's and surgeon's certificate no. C 40226 to respondent Eddie Chuen-Leung Cheung, M.D. The certificate was in full force and effect at all times relevant to the charges in the accusation. It is scheduled to expire on March 31, 2022, unless renewed.

2. On July 29, 2020, complainant William Prasifka issued this accusation solely in his official capacity as the Executive Director of the Board. Respondent filed a notice of defense.

3. Respondent was educated in Taipei and completed post-graduate training in the United States. He is a gastroenterologist and hepatologist.

Prior Discipline

4. On March 24, 2000, in a prior disciplinary action before the Board, respondent's certificate was placed on probation for a period of three years, pursuant

to a stipulated settlement. Discipline was based on false statements and omissions by respondent on applications for hospital privileges involving three separate facilities. The accusation in the prior matter alleged:

- In a February 1993 application to El Camino Hospital, respondent falsely answered "No" when asked whether there had ever been a settlement against him in a professional liability case and whether there were any pending professional liability cases against him. In fact, respondent had settled a professional liability action in 1989 with a $29,999 payment to a patient; and at the time he submitted the application, another action against respondent was pending in superior court.

- In an August 1993 application to Summit Medical Center, respondent again falsely answered "No" when asked whether there had been any professional liability settlements against him and whether there were any actions pending. This answer was false in light of the 1989 settlement and the fact that an action was pending against him in superior court.

- In August 1995, in an application to Summit Medical Center for reappointment to the medical staff, respondent falsely answered "No" when asked whether he had ever had hospital privileges denied by any health care facility. In fact, El Camino Hospital denied his application for privileges in 1994. Respondent also falsely answered "No" when asked whether he had ever voluntarily relinquished any affiliation with a health care agency while an investigation was pending. In fact, he had withdrawn his application to El Camino Hospital while he was under investigation.

- In a January 1996 application to UCSF Medical Center, respondent falsely answered "No" when asked whether he had ever had hospital privileges suspended. In fact, Summit Medical Center suspended his privileges in November 1995. Respondent also falsely answered "No" when asked whether he had ever been refused membership on a hospital medical staff. In fact, he had been denied membership by El Camino Hospital in 1994. And, respondent falsely answered "No" when asked whether any financial settlement payment had ever been made to a patient on his behalf. This was false in light of the 1989 settlement.

5. In the stipulated settlement, respondent admitted to cause for discipline for unprofessional conduct, but did not admit that he committed dishonest or corrupt acts. Pursuant to the conditions of probation, respondent was required to complete courses in ethics, and was required to have his attorney review and approve all documents prepared by or on behalf of respondent, prior to respondent signing or affirming such documents, regarding the status of his medical license, staff privileges, disciplinary history, history of medical staff proceedings, and professional liability actions or settlements. Respondent was also required to pay probation monitoring costs and $3,000 for investigation and enforcement cost recovery.

As a result of his Board discipline, the New York State Board for Professional Misconduct issued a Statement of Charges against respondent's New York physician's license. Respondent entered into a Surrender Order, and his New York license was surrendered effective March 2, 2001.

January 2017 Application to Alameda Hospital

6. In 2015, respondent became affiliated with the Asian Healthlink medical practice in Fremont. In the fall of 2016, respondent and another physician, Dr. Kapila, discussed the possibility of respondent providing coverage for Dr. Kapila at Alameda Hospital. Dr. Kapila was hoping to travel to India. Respondent was interested in expanding his patient base to serve the Asian community in Alameda.

7. Susan Stuckey was the Business Administrator at Asian Healthlink. She has many years of prior experience assisting physicians in the credentialing and contracting application process. Stuckey understands the obligation to provide full disclosure.

8. Stuckey had previously assisted respondent submit credentialing applications at least twice and insurance contract applications at least six times. She had previously been authorized by respondent to sign documents such as credentialing applications on his behalf. In early January 2017, respondent asked her to complete and submit an application for hospital privileges on his behalf to Alameda Hospital. Stuckey was told by respondent that submitting the application to Alameda Hospital was an urgent, time-sensitive matter.

9. In connection with his earlier applications, respondent had provided Stuckey with a one-page document he wrote titled "Disclosure Information." The document contained false or misleading information relating to respondent's Board probation, the status of his New York medical license, and his history with Summit Medical Center and El Camino Hospital. Regarding his 2000 Board probation, the Disclosure Information statement states that the discipline arose: "Based on the

submission of a routine re-credentialing application completed by my office staff for which a couple of issues were unintentionally omitted."

Respondent and Stuckey also had several conversations regarding his professional history and disclosure requirements in connection with prior credentialing and insurance contract applications. Stuckey relied on respondent's "Disclosure Information" statement and her previous discussions with respondent when completing the application to Alameda Hospital.

10. On January 6, 2017, Stuckey finished the application and signed it in respondent's name. She referred to and attached respondent's Disclosure Information statement to the application. She submitted the application to the hospital by email, and copied respondent on the email. Respondent was out of the country at the time Stuckey signed and submitted the application on his behalf. Stuckey believed that she had respondent's approval for her to sign and submit the application in his absence due to the urgent desire of respondent and the other physician as well as her past history with respondent.

MISSTATEMENTS ON THE APPLICATION

11. The application contained the following misstatements[1]:

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[1] The accusation also alleges that respondent provided a false response to the application question, "Have you ever resigned or surrendered clinical privileges from a medical staff while under investigation for possible incompetence or improper conduct or in return for such an investigation not being conducted?" The evidence did not prove this allegation.

- The application asked, "Have you ever voluntarily or involuntarily resigned your membership or have you surrendered your clinical privileges in total or on a limited/reduced basis at any healthcare facility?" Respondent falsely stated, "No." This response was false in light of the fact that respondent resigned from Alta Bates Summit Medical Center in July 1996.

- The application asked, "Have any professional liability actions been filed against you?" Respondent falsely stated, "No." This response was false in light of the 1989 action against him that resulted in a $29,999 settlement.

- The application asked, "Have any judgments, awards, or settlements been made against you in a professional liability case or arbitration. Respondent falsely stated, "No." As noted above, a settlement payment in the amount of $29,999 was made to a patient in 1989.

- The application asked, "Has any action, including any investigation, ever been undertaken against you whether still pending or completed, which involves denial, revocation, suspension, reduction, limitation, probation, non-renewal or voluntary relinquishment by resignation or expiration of your Medical staff status, membership, prerogatives or privileges at any hospital, clinic, or other health care facility?" Respondent responded "Yes" and provided the following false statements in explanation, by means of his attached Disclosure Information statement:

  i. Respondent wrote that he had applied for privileges at El Camino Hospital in 1993, that another physician raised issues about respondent's charting, and that he withdrew his application because he already had privileges at

Stanford University Hospital nearby. Respondent failed to disclose that El Camino Hospital in fact denied him privileges in 1994.

ii. Respondent wrote "Allow inactive NY license to lapse." Respondent failed to disclose that his New York license was surrendered subject to a Surrender Order he entered into after a Statement of Charges had been filed against him.

RESPONDENT'S LETTER TO ALAMEDA HOSPITAL

12. On August 4, 2017, Eric Otani, M.D., Credentials Committee Chairman of Alameda Hospital, wrote respondent a letter requesting information regarding his application. Respondent wrote a response to Dr. Otani dated September 6, 2017. Respondent's letter included the following false or misleading statements:

- "The El Camino Hospital application process dragged on for quite a while. Then I got privileges at Stanford University Hospital so I let El Camino Hospital go."
- "I did not maintain my New York license and had no intention of going back to work there after I left New York in 1978."
- "I resigned from the Medical Staff at Summit Medical Center in July 1996 due to failure to return a reappointment application."

Respondent also included the following statements in his letter to Dr. Otani:

- "The application was prepared by my business manager in a hurry as Dr. Kapila told her that it was very urgent that she submit the application as soon as possible. Again, I am so sorry that apparently she did not complete it properly and had some omissions, unintentionally."

- "I sincerely hope we can move forward as quickly as possible. [Dredging] up and re-living these past haunting events has been very difficult as I and my family have already suffered and struggled and are still trying to recover from all the detrimental and hurtful effects and impacts of the past incidents. I certainly hope that this application will not end up with more negative things that I need to include in all my future applications."

ALAMEDA HOSPITAL JUDICIAL REVIEW COMMITTEE HEARING AND REPORT

13. Respondent's application was denied. Respondent requested a hearing before the Judicial Review Committee of Alameda Hospital, which was conducted on February 15, 2018. Respondent appeared and testified. The Judicial Review Committee issued a report dated March 6, 2018. The Judicial Review Committee concluded that denial of the application was reasonable and warranted.

The Judicial Review Committee found that there were significant misrepresentations in the application, that respondent did not take reasonable steps to prevent these misstatements, and that respondent was attempting to sidestep responsibility by delegating the completion of the application to someone else without providing adequate oversight. In reaching its recommendation, the Judicial Review Committee also noted that respondent had not learned from his prior Board discipline, that he demonstrated a pattern of blaming others, and that he did not attempt to withdraw the application when he realized it contained misstatements.

14. On May 14, 2018, Alameda Hospital sent the Board a Health Facility/Peer Review Reporting Form, pursuant to Business and Professions Code section 805, notifying the Board that respondent's application for medical staff membership and clinical privileges had been denied.

Interviews with Department of Consumer Affairs Investigator

15. As a result of the report submitted by Alameda Hospital, the Board initiated an investigation. An investigator interviewed respondent by telephone on November 27, 2019, and again on December 2, 2019.

Respondent blamed the misstatements in the application on Susan Stuckey and expressed disappointment in Alameda Hospital's denial of his application. He expressed regret for not withdrawing his application, and he expressed his view that the hospital process had been unfair and that he has been transparent with the hospital. Respondent also told the investigator that he did not remember the charges against him in the previous Board discipline matter.

Testimony of Susan Stuckey

16. Stuckey was adamant at hearing that she did not submit the application without respondent's knowledge. Respondent asked her to complete the application as soon as possible and she did so in accordance with past applications she worked on for respondent. Her responses on the application were based on respondent's explanations to her of his professional history. She was unaware of the true facts and based her responses on the information provided to her by respondent, including his Disclosure Information statement. At no time during the application process did respondent ask Stuckey to withdraw the application.

Stuckey explained that she filled in the box marked "No" regarding professional liability actions because respondent had told her that a claim had been paid on an action against him, but that he was not required to report it. She testified that respondent told her this was because of the age or the amount of the settlement, but she could no longer recall which reason he gave. Stuckey remembered clearly, however, that respondent directed her that this action did not need to be reported.

Stuckey was surprised that Alameda Hospital did not allow respondent to re-do the application. She testified that in her experience it is common for hospitals and insurance companies to follow up with a physician if they discover something while researching databases that is not on an application. Stuckey added that she feels "extremely sad" that respondent might lose his license due to "paperwork." She believes that respondent is an excellent physician who is highly regard by his patients, but is poor at business.

Notwithstanding her support of respondent, Stuckey's testimony was credible, especially where it contradicted the testimony of respondent.

Respondent's Testimony

17. Respondent apologized to the Board for being "sloppy" and stated that he was remorseful and should have been more careful. He denied intentionally lying. However, he distanced himself from the errors by blaming Stuckey, testifying repeatedly that she had submitted the application without his knowledge or consent. This testimony was found not credible in light of the credible testimony of Stuckey.

Respondent further testified that once he became aware that Stuckey had submitted the application, he contacted Alameda Hospital to ask for it to be withdrawn and was told that he could not do so. This testimony was not credible in

light of the findings of the Alameda Hospital Judicial Review Committee, in which it was noted that respondent never attempted to withdraw the application, and in light of respondent's statement to the investigator that he wish he had withdrawn the application. Furthermore, respondent did not provide any documentation corroborating his assertion that a request to withdraw the application was ever made.

Respondent stated that he has provided the same Disclosure Information statement to numerous organizations for many years and that there has never been any problems until his application to Alameda Hospital.

Respondent defended the false statements in his Disclosure Information statement, insisting that because his New York medical license had expired before the Surrender Order, the statement "Allow inactive NY license to lapse" was in fact true.

Respondent also justified his repeated failure to disclose the 1989 settlement award in various applications by stating that his attorney and insurance company at the time gave him "bad advice" that he need not report the settlement because it was under $30,000. He also stated that Stuckey must have misinterpreted the question on the Alameda Hospital application to only require disclosure of settlements from the past 10 years, noting that other applications she had completed only asked for settlement from that timeframe.

Respondent blamed Alameda Hospital for leading him to believe his application would be granted. He views the Alameda Hospital process as unfair and added that he had been subjected to personal attacks at the Judicial Review Committee Hearing.

18. Respondent also practices medicine in China and Taiwan. Respondent was in China at the onset of the pandemic, and due to travel restrictions has remained there. Respondent hopes to return to the United States and resume practicing. He

envisions working part-time, treating his long-time loyal patients, teaching, volunteering, and participating in drug research. He has more than 40 years of clinical practice and he desires to continue to serve the community as a physician.

LEGAL CONCLUSIONS

1. The Board may take disciplinary action for unprofessional conduct (Bus. & Prof. Code, § 2234), dishonest or corrupt acts that are substantially related to the qualifications, functions, or duties of a licensee (Bus. & Prof. Code, § 2234, subd. (e)), and knowingly making false statements on an application for hospital privileges (Bus. & Prof. Code, § 2261). Cause exists to discipline respondent's certificate pursuant to all of these statutes, in light of the matters set forth in Finding 11.

2. In exercising its disciplinary functions, protection of the public is the Board's highest priority. (Bus. & Prof. Code, § 2229, subd. (a).) The Board is also required to take disciplinary action that is calculated to aid the rehabilitation of the physician whenever possible, as long as the Board's action is not inconsistent with public safety. (Bus. & Prof. Code, § 2229, subds. (b), (c).)

3. The Board's Manual of Disciplinary Orders and Disciplinary Guidelines (12th ed., 2016; Cal. Code Regs., tit. 16, § 1361) provide for a minimum discipline of five years' probation and a maximum penalty of outright revocation as suggested penalties for respondent's misconduct.

4. Respondent has a troubling pattern of concealing adverse information and blaming others for his conduct. Despite a prior disciplinary action for misstatements and omissions on applications for hospital privileges, respondent repeated the same conduct. The prior action, which resulted in three years of

probation and a requirement that all of respondent's applications be reviewed by legal counsel, did not instill in respondent an understanding of his obligation to be truthful and transparent when required to disclose his professional history.

Rather than disclose events from many years ago, respondent again provided false and misleading information on an application for hospital privileges. His testimony at hearing that he was unaware of the contents of the application was not credible. He did not take responsibility for his actions. He persistently blames others and views himself as a victim. It is apparent that respondent has not been rehabilitated despite adverse consequences from unprofessional conduct, which included loss of his New York license and his prior three-year period of Board probation.

"Honesty is not considered an isolated or transient behavioral act; it is more of a continuing trait of character." (*Gee v. State Personnel Bd.* (1975) 5 Cal.App.3d 713, 719.) The evidence at hearing established respondent's continuing trait of dishonesty.

Under these circumstances, probation is not appropriate. Because respondent cannot be trusted to be truthful about his past, and because prior probation failed to rehabilitate him, the public interest requires revocation of respondent's certificate.

ORDER

Physician's and surgeon's certificate no. C 40226, issued to respondent Eddie Chuen-Leung Cheung, M.D., is revoked.

DATE: 03/01/2021

Karen Reichmann

KAREN REICHMANN

Administrative Law Judge

Office of Administrative Hearings

XAVIER BECERRA
Attorney General of California
MARY CAIN-SIMON
Supervising Deputy Attorney General
CAROLYNE EVANS
Deputy Attorney General
State Bar No. 289206
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 510-3448
Facsimile: (415) 703-5480
Attorneys for Complainant

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

In the Matter of the Accusation Against:	Case No. 800-2018-044185
Eddie Chuen-Leung Cheung, M.D. **Asian Medical Clinic** **388 9th St., Ste. 218** **Oakland, CA 94607** **Physician's and Surgeon's Certificate No. C 40226,** Respondent.	**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 February 8, 1982, the Medical Board issued Physician's and Surgeon's Certificate Number C 40226 to Eddie Chuen-Leung Cheung, 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.

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:

(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 . . .

(e) The commission of any act involving dishonesty or corruption that is substantially related to the qualifications, functions, or duties of a physician and surgeon.

(f) Any action or conduct that would have warranted the denial of a certificate.

6. Section 2261 of the Code states: Knowingly making or signing any certificate or other document directly or indirectly related to the practice of medicine or podiatry, which falsely represents the existence or nonexistence of a state of facts, constitutes unprofessional conduct.

FIRST CAUSE FOR DISCIPLINE

(Dishonesty/Unprofessional Conduct/False Statements)

7. On or about May 14, 2018, Alameda Hospital filed a Health Facility Reporting Form (hereinafter referred to as an "805 Report") with the Board wherein it was reported that Respondent's application ("Application") for staff privileges and membership had been denied.

The denial was based on significant misstatements and omissions on the application form that had been submitted by Respondent on or about January 6, 2017.

Specifically, in response to questions on the Application, Respondent made the following omissions and/or false statements, and/or false and/or intentionally misleading statements:

(a) In the "Hospital/Health Care Facility/Professional Affiliations" section of the Application, Respondent was asked: "Have you ever resigned or surrendered clinical privileges from a medical staff while under investigation for possible incompetence or improper conduct or in return for such an investigation not being conducted?" In response to this question, Respondent answered "No." In fact, on or about November 17, 1995, Respondent's privileges were suspended by Alta Bates Summit Medical Center for "incompetence/malpractice/negligence."

(b) In the "Hospital/Health Care Facility/Professional Affiliations" section of the Application, Respondent was asked: "Have you ever voluntarily or involuntarily resigned your membership or have you surrendered your clinical privileges in total or on a limited/reduced basis at any healthcare facility?" In response to this question, Respondent answered "No." In fact, in July of 1996, Respondent resigned from Alta Bates Summit Medical Center.

(c) In the "Insurance/Legal" section of the Application, Respondent was asked: "Have any professional liability actions been filed against you?" In response to this question, Respondent answered "No." In fact, a professional liability action was filed against Respondent and in or about 1989, a settlement payment in the amount of $29,999.00 was made to a patient on Respondent's behalf.

(d) In the "Insurance/Legal" section of the Application, Respondent was asked: "Have any judgments, awards, or settlements been made against you in a professional liability case or

arbitration?" In response to this question, Respondent answered "No." In fact, in or about 1989, a settlement payment in the amount of $29,999.00 was made to a patient on Respondent's behalf.

(e) In the "Hospital/Health Care Facility/Professional Affiliations" section, Respondent was asked: " Has any action, including any investigation, ever been undertaken against you whether still pending or completed, which involves denial, revocation, suspension, reduction, limitation, probation, non-renewal or voluntary relinquishment by resignation or expiration of your Medical staff status, membership, prerogatives or privileges at any hospital, clinic, or other health care facility?"

In response to this question, Respondent answered "Yes" and provided the following explanations:

(a) "Date of Incident 1993. Location: El Camino Hospital, Mt. View. Nature: Just after I opened an office in Mt. View, I applied for privileges at local El Camino Hospital. Questions regarding the adequacy of my charting were raised by another El Camino Hospital gastroenterologist. Disposition: I withdrew my application since I already had privileges at Stanford University Hospital nearby." Respondent, however, omitted that he was actually denied privileges by El Camino Hospital in 1994.

(b) "Allow inactive NY license to lapse." In fact, Respondent's New York license was subject to a "Surrender Order" that was entered into after a "Statement of Charges" was filed in the State of New York, Department of Health, State Board of Professional Medical Conduct.

8. Respondent's conduct as set forth above, either jointly, or singularly, or combination thereof, constitutes cause for disciplinary action pursuant to section 2234 (unprofessional conduct) and/or section 2234 (e) (dishonest and/or corrupt acts that are substantially related to the qualifications, functions, or duties of a physician and surgeon), and or section 2261 (knowingly making false statements on application for hospital privileges).

DISCIPLINARY CONSIDERATIONS

9. To determine the degree of discipline, if any, to be imposed on Respondent, Complainant alleges that on or about March 24, 2000, in a prior disciplinary action titled *In the Matter of the Accusation Against Eddie Chuen-Leung Cheung, M.D.* before the Medical Board of California, in Case Number 03-97-72745, Respondent's license was disciplined in that Respondent was placed on three years' probation with terms and conditions, and ordered to pay $3,000.00 reimbursement. Respondent was disciplined because he made false statements and omitted significant information on an application for medical staff privileges and appointments. That decision is now final and is incorporated by reference as if fully set forth herein.

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 C 40226, issued to Eddie Chuen-Leung Cheung, M.D.;

2. Revoking, suspending or denying approval of Eddie Chuen-Leung Cheung, M.D.'s authority to supervise physician assistants and advanced practice nurses;

3. Ordering Eddie Chuen-Leung Cheung, 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: JUL 29 2020

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

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