

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

In the Matter of the Accusation)
Against:)
)
SABINE S. HAZAN, M.D.)
)
)
Physician's and Surgeon's)
Certificate #C 51399)
)
Respondent.)
_____)

Case No. 05-2005-164949


DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby accepted and adopted as the Decision and Order by the Division of Medical Quality of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on September 12, 2007

IT IS SO ORDERED August 13, 2007

MEDICAL BOARD OF CALIFORNIA



Cesar A. Aristeiguieta, M.D., F.A.C.E.P.
Chair, Panel A
Division of Medical Quality

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 CHRIS LEONG, State Bar No. 141079
Deputy Attorney General
3 California Department of Justice
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6

7 Attorneys for Complainant

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

11 In the Matter of the Accusation Against:

12 SABINE S. HAZAN, M.D.
13 168 North Brent #404
Ventura, California 93003

14 Physician & Surgeon's Certificate No. C 51399,
15 Respondent.
16

Case No. 05-2005-164949

OAH No. L 2007040133

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
19 above-entitled proceedings that the following matters are true:

20 **PARTIES**

- 21 1. David T. Thornton (Complainant) is the Executive Director of the Board.
22 He brought this action solely in his official capacity and is represented in this matter by Edmund
23 G. Brown Jr., Attorney General of the State of California, by Chris Leong, Deputy Attorney
24 General.
- 25 2. Respondent Sabine S. Hazan, M.D. (Respondent) is representing herself in
26 this proceeding and has chosen not to exercise her right to be represented by counsel.
- 27 3. On or about October 31, 2003, the Board issued Physician and Surgeon's
28 Certificate No. C 51399 to Respondent. The Certificate was in full force and effect at all times

1 relevant to the charges brought in Accusation No. 05-2005-164949 and will expire on July 31,
2 2007, unless renewed.

3 JURISDICTION

4 4. Accusation No. 05-2005-164949 was filed before the Division of Medical
5 Quality, of the Board (Division) and is currently pending against respondent. The Accusation
6 and all other statutorily required documents were properly served on Respondent on January 4,
7 2007. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of
8 Accusation No. 05-2005-164949 is attached as Exhibit A and is incorporated herein by reference.

9 ADVISEMENT AND WAIVERS

10 5. Respondent has carefully read, and understands the charges and allegations
11 in Accusation No. 05-2005-164949. Respondent has also carefully read, and fully understands
12 the effects of this Stipulated Settlement and Disciplinary Order.

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

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

22 CULPABILITY

23 8. Respondent admits the truth of each and every charge and allegation in
24 Accusation No. 05-2005-164949.

25 9. Respondent agrees that her Physician and Surgeon's Certificate is subject
26 to discipline and she agrees to be bound by the Board 's imposition of discipline as set forth in
27 the Disciplinary Order below.

28 ///

1 Stipulated Settlement and Disciplinary Order for any reason, respondent will assert no claim that
2 the Division, or any member thereof, was prejudiced by his/her review, discussion and /or
3 consideration of this Stipulated Settlement and Disciplinary Order or of any matter or matters
4 related hereto.

5 **DISCIPLINARY ORDER**

6 **A. PUBLIC REPRIMAND**

7 IT IS HEREBY ORDERED that respondent Sabine S. Hazan, M.D., Physician's
8 and Surgeon's Certificate No. C 51399, shall be and is hereby Publicly Reprimanded pursuant to
9 California Business and Professions Code section 2227, subdivision (a)(4) . This Public
10 Reprimand, which is issued in connection with respondent's care and treatment of patients as set
11 forth in the First Cause for discipline in Accusation No. 05-2005-164949, is as follows:

12 1. On or about August 23, 1994, Respondent was issued a license to practice
13 medicine in the State of Florida. On or about January 18, 2002, the Florida State
14 Department of Health filed an Administrative Complaint against respondent. In it she
15 was charged with violating Florida Statutes section 458.331(1)(t), failure to practice
16 medicine within the standard of care, and section 458.331(1)(m), failure to maintain
17 adequate medical records. The Florida Complaint alleged that in 1998, while employed
18 at a specialty care center, Respondent failed to properly examine and treat an 80 year-old
19 patient who expired from massive sepsis (infection) as a consequence of untreated ulcers
20 on her back. Pursuant to the Consent Agreement, the Florida Board of Medicine issued
21 Respondent a Letter of Concern, fined her \$10,000, ordered her to pay costs of \$5,151.72,
22 and ordered her to complete a Laws and Rules Course and a medical record-keeping
23 course. The Florida Board of Medicine approved and adopted the Consent Agreement
24 effective February 18, 2005.

25 2. On or about July 27, 1999, Respondent was issued a license to practice
26 medicine in the State of New York. On or about September 22, 2005, the New York
27 State Board for Professional Medical Conduct filed a Statement of Charges against
28 Respondent. She was charged with violating New York Education Laws section 6530(4),

1 gross negligence, section 6530(3) negligence on more than one occasion, section 6530(6),
2 gross incompetence, and section 6530(5) incompetence on more than one occasion. The
3 Statement of Charges alleged that in 1999, Respondent failed to evaluate and adequately
4 document her evaluation of five patients during their colonoscopies. Pursuant to the
5 Consent Agreement and Order, Respondent's practice of medicine shall be monitored for
6 three years during which time she is required to maintain legible and complete medical
7 records, and to have a practice monitor. The New York State Board for Professional
8 Medical Conduct adopted the Consent Agreement and Order effective October 6, 2005.

9 **B. MEDICAL RECORD-KEEPING COURSE**

10 Within 60 calendar days of the effective date of this Decision, Respondent shall
11 enroll in a course in medical record keeping, at Respondent's expense, in a clinical training or
12 education program at the Physician Assessment and Clinical Education Program (PACE) offered
13 at the University of California - San Diego School of Medicine. Failure to successfully complete
14 the course within 180 calendar days of the effective date of this Decision shall constitute
15 unprofessional conduct.

16 A medical record keeping course taken after the acts that gave rise to the charges
17 in the Accusation, but prior to the effective date of the Decision may, in the sole discretion of the
18 Division or its designee, be accepted towards the fulfillment of this condition if the course would
19 have been approved by the Division or its designee had the course been taken after the effective
20 date of this Decision.

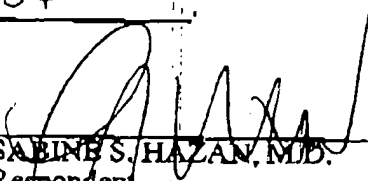
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ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the stipulation and the effect it will have on my Physician and Surgeon's Certificate. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board.

DATED: 7/12/07



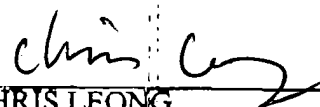
SABINE S. HAZAN, M.D.
Respondent

ENDORSEMENT

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

DATED: 7/12/07

EDMUND G. BROWN JR., Attorney General
of the State of California



CHRIS LEONG
Deputy Attorney General
Attorneys for Complainant

DOJ Matter ID: LA2006503337
50173662.wpd

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7 Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO January 4, 2007
BY Valerimon ANALYST

8
9 **BEFORE THE**
10 **DIVISION OF MEDICAL QUALITY**
11 **MEDICAL BOARD OF CALIFORNIA**
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

12 In the Matter of the Accusation Against:

Case No. 05-2005-164949

13 SABINE S. HAZAN, M.D.
168 North Brent Street, Suite 404
14 Ventura, California 93003

ACCUSATION

15 Physician and Surgeon's Certificate No. C 51399,
16 Respondent.

17
18 Complainant alleges:

19 PARTIES

20 1. David T. Thornton (Complainant) brings this Accusation solely in his
21 official capacity as the Executive Director of the Medical Board of California (Board),
22 Department of Consumer Affairs.

23 2. On or about October 31, 2003, the Board issued Physician and Surgeon's
24 Certificate Number C 51399 to Sabine Hazan, M.D. (Respondent). This license was in full force
25 and effect at all times relevant to the charges brought herein and will expire on July 31, 2007,
26 unless renewed.

27 JURISDICTION

28 3. This Accusation is brought before the Board's Division of Medical Quality

1 (Division) under the authority of the following laws. All section references are to the Business
2 and Professions Code (Code) unless otherwise indicated.

3 4. Section 2227 of the Code provides that a licensee who is found guilty
4 under the Medical Practice Act may have his or her license revoked, suspended for a period not
5 to exceed one year, placed on probation and required to pay the costs of probation monitoring, or
6 such other action taken in relation to discipline as the Division deems proper.

7 5. Section 2305 of the Code states:

8 “The revocation, suspension, or other discipline, restriction or limitation imposed
9 by another state upon a license or certificate to practice medicine issued by that state, or
10 the revocation, suspension, or restriction of the authority to practice medicine by any
11 agency of the federal government, that would have been grounds for discipline in
12 California of a licensee under this chapter [Chapter 5, the Medical Practice Act] shall
13 constitute grounds for disciplinary action for unprofessional conduct against the licensee
14 in this state.”

15 6. Section 141 of the Code states:

16 “(a) For any licensee holding a license issued by a board under the jurisdiction of
17 the department, a disciplinary action taken by another state, by any agency of the federal
18 government, or by another country for any act substantially related to the practice
19 regulated by the California license, may be a ground for disciplinary action by the
20 respective state licensing board. A certified copy of the record of the disciplinary action
21 taken against the licensee by another state, an agency of the federal government, or
22 another country shall be conclusive evidence of the events related therein.”

23 CAUSE FOR DISCIPLINE

24 (Out- of- State Discipline)

25 7. Respondent is subject to disciplinary action under sections 2305 and 141,
26 subdivision (a) of the Code in that her licenses to practice medicine were disciplined by the State
27 of Florida and by the State of New York. Respondent’s acts are substantially related to the
28 practice of medicine in California and constitute grounds for disciplinary action for

1 unprofessional conduct. The facts and circumstances are as follows:

2 A. On or about August 23, 1994, Respondent was issued a license to practice
3 medicine in the State of Florida. On or about January 18, 2002, the Florida State
4 Department of Health filed an Administrative Complaint against respondent. In it she
5 was charged with violating Florida Statutes section 458.331(1)(t), failure to practice
6 medicine within the standard of care, and section 458.331(1)(m), failure to maintain
7 adequate medical records. The Florida Complaint alleged that in 1998, while employed
8 at a specialty care center, respondent failed to properly examine and treat an 80 year-old
9 patient who expired from massive sepsis (infection) as a consequence of untreated ulcers
10 on her back. Pursuant to the Consent Agreement, the Florida Board of Medicine issued
11 respondent a Letter of Concern, fined her \$10,000., ordered her to pay costs of \$5,151.72,
12 and ordered her to complete a Laws and Rules Course and a medical record- keeping
13 course. The Florida Board of Medicine approved and adopted the Consent Agreement
14 effective February 18, 2005.

15 B. On or about July 27, 1999, Respondent was issued a license to practice
16 medicine in the State of New York. On or about September 22, 2005, the New York
17 State Board for Professional Medical Conduct filed a Statement of Charges against
18 respondent. She was charged with violating New York Education Laws section 6530(4),
19 gross negligence, section 6530(3) negligence on more than one occasion, section 6530(6),
20 gross incompetence, and section 6530(5) incompetence on more than one occasion. The
21 Statement of Charges alleged that in 1999, respondent failed to evaluate and adequately
22 document her evaluation of five patients during their colonoscopies. Pursuant to the
23 Consent Agreement and Order, respondent's practice of medicine shall be monitored for
24 three years during which time she is required to maintain legible and complete medical
25 records, and to a have a practice monitor. The New York Sate Board for Professional
26 Medical Conduct adopted the Consent Agreement and Order effective October 6, 2005.

27 8. Respondent's conduct and the actions of the Florida Board of Medicine
28 and the New York Sate Board for Professional Medical Conduct described in paragraph 7 above

1 subject her to discipline within the meaning of Code sections 2305 and 141, subdivision (a).

2 PRAYER

3 WHEREFORE, Complainant requests that a hearing be held on the matters herein
4 alleged, and that following the hearing, the Division of Medical Quality issue a decision:


5 1. Revoking or suspending Physician and Surgeon's Certificate Number
6 C 51399 issued to Sabine Hazan, M.D.;

7 2. Revoking, suspending or denying approval of her authority to supervise
8 physician's assistants pursuant to section 3527 of the Code;

9 3. Ordering her to pay the Board the costs of probation monitoring if placed
10 on probation;

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

12 DATED: January 4, 2007

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14 
15 DAVID T. THORNTON
16 Executive Director
17 Medical Board of California
18 Department of Consumer Affairs
19 State of California
20 Complainant
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SAMPLE REPORTING LANGUAGE

RE: Physician's and Surgeon's Certificate No: C 51399
Medical Board Case No: 05-2005-164949
OAH No. L 2007040133

PUBLIC REPRIMAND

An investigation by the Medical Board of California revealed that Respondent's licenses to practice medicine were disciplined by the State of Florida and by the State of New York. Respondent's acts are substantially related to the practice of medicine in California and constitute grounds for disciplinary action for unprofessional conduct as follows:

A. On or about August 23, 1994, Respondent was issued a license to practice medicine in the State of Florida. On or about January 18, 2002, the Florida State Department of Health filed an Administrative Complaint against respondent. In it she was charged with violating Florida Statutes section 458.331(1)(t), failure to practice medicine within the standard of care, and section 458.331(1)(m), failure to maintain adequate medical records. The Florida Complaint alleged that in 1998, while employed at a specialty care center, respondent failed to properly examine and treat an 80 year-old patient who expired from massive sepsis (infection) as a consequence of untreated ulcers on her back. Pursuant to the Consent Agreement, the Florida Board of Medicine issued respondent a Letter of Concern, fined her \$10,000., ordered her to pay costs of \$5,151.72, and ordered her to complete a Laws and Rules Course and a medical record-keeping course. The Florida Board of Medicine approved and adopted the Consent Agreement effective February 18, 2005.

B. On or about July 27, 1999, Respondent was issued a license to practice medicine in the State of New York. On or about September 22, 2005, the New York State Board for Professional Medical Conduct filed a Statement of Charges against respondent. She was charged with violating New York Education Laws section 6530(4), gross negligence, section 6530(3) negligence on more than one occasion, section 6530(6), gross incompetence, and section 6530(5) incompetence on more than one occasion. The Statement of Charges alleged that in 1999, respondent failed to evaluate and adequately document her evaluation of five patients during their colonoscopies. Pursuant to the Consent Agreement and Order, respondent's practice of medicine shall be monitored for three years during which time she is required to maintain legible and complete medical records, and to have a practice monitor. The New York State Board for Professional Medical Conduct adopted the Consent Agreement and Order effective October 6, 2005.

WHEREFORE, pursuant to the authority under sections 2305 and 141, subdivision (a) of the Code, the Division of Medical Quality, Medical Board of California issues this Public Reprimand with the expectation that you have addressed the causes for the violations and that the alleged conduct underlying the violations will not be repeated