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

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In the Matter of the Accusation Against:

Case No. 800-2017-034617

14

**Suzie E. Schuder, M.D.
881 Dover Drive, Suite 350
Newport Beach, CA 92663-5962**

A C C U S A T I O N

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**Physician's and Surgeon's
Certificate No. G 82171,**

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18

Respondent.

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PARTIES

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

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2. On or about February 21, 1996, the Medical Board issued Physician's and Surgeon's
25 Certificate No. G 82171 to Suzie E. Schuder, 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 June 30, 2021, unless renewed.

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JURISDICTION

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2 3. This Accusation is brought before the Board, under the authority of the following
3 laws. All section references are to the Business and Professions Code (Code) unless otherwise
4 indicated.

5 4. Section 2227 of the Code states:

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
into a stipulation for disciplinary action with the board, may, in accordance with the
provisions of this chapter:

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

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

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

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

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

17 “(b) Any matter heard pursuant to subdivision (a), except for warning letters,
18 medical review or advisory conferences, professional competency examinations,
19 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.”

20 5. Section 2234 of the Code, states:

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

23 “(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting
24 the violation of, or conspiring to violate any provision of this chapter.

25 “...”

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1 6. Section 2236 of the Code states:

2 “(a) The conviction of any offense substantially related to the qualifications,
3 functions, or duties of a physician and surgeon constitutes unprofessional conduct within
4 the meaning of this chapter [Chapter 5, the Medical Practice Act]. The record of conviction
5 shall be conclusive evidence only of the fact that the conviction occurred.”

6 “...

7 “(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is
8 deemed to be a conviction within the meaning of this section and Section 2236.1. The
9 record of conviction shall be conclusive evidence of the fact that the conviction occurred.”

10 7. California Code of Regulations, title 16, section 1360, states:

11 “For the purposes of denial, suspension or revocation of a license, certificate or
12 permit pursuant to Division 1.5 (commencing with Section 475) of the code, a crime
13 or act shall be considered to be substantially related to the qualifications, functions or
14 duties of a person holding a license, certificate or permit under the Medical Practice
15 Act if to a substantial degree it evidences present or potential unfitness of a person
16 holding a license, certificate or permit to perform the functions authorized by the
17 license, certificate or permit in a manner consistent with the public health, safety or
18 welfare. Such crimes or acts shall include but not be limited to the following:
19 Violating or attempting to violate, directly or indirectly, or assisting in or abetting the
20 violation of, or conspiring to violate any provision of the Medical Practice Act.”

21 8. Unprofessional conduct under Business and Professions Code section 2234 is conduct
22 which breaches the rules or ethical code of the medical profession, or conduct which is
23 unbecoming a member in good standing of the medical profession, and which demonstrates an
24 unfitness to practice medicine. (*Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564,
25 575.)

26 **FIRST CAUSE FOR DISCIPLINE**

27 **(Conviction of a Crime Substantially Related to the Qualifications,
28 Functions, or Duties of a Physician and Surgeon)**

1 9. Respondent has subjected her Physician’s and Surgeon’s Certificate No. G 82171 to
2 disciplinary action under sections 2227 and 2234, as defined by section 2236, subdivision (a), of
3 the Code, in that she has been convicted of a crime substantially related to the qualifications,
4 functions, or duties of a physician and surgeon, as more particularly alleged hereinafter:

5 10. On or about March 29, 2018, Orange County District Attorney’s Office filed a criminal
6 information against Respondent, in the case of the *People of the State of California vs. Suzie*

1 *Schuder*, Case No. 17CF1242 (criminal information). Count 1 alleges that on or about January 8,
2 2012, Respondent committed a felony violation of Penal Code section 550, subdivision (a)(6),
3 “knowingly make or cause to be made any false or fraudulent claim for a payment of a health care
4 benefit.” Count 2 alleges that on or about April 10, 2012, Respondent committed a felony violation
5 of Penal Code section 550, subdivision (a)(5), “knowingly prepare, make, or subscribe any writing,
6 with the intent to present or use it, or to allow it to be presented, in support of any false or fraudulent
7 [insurance] claim.” Count 3 alleges that on or about July 26, 2012, Respondent committed a felony
8 violation of Penal Code section 550, subdivision (a)(5), “knowingly prepare, make, or subscribe
9 any writing, with the intent to present or use it, or to allow it to be presented, in support of any false
10 or fraudulent [insurance] claim.”

11 11. On or about May 14, 2019, Respondent pled guilty to Count 4 of the criminal
12 information, which was added by interlineation, alleging that on or about April 10, 2012, through
13 August 24, 2013, Respondent committed a misdemeanor violation of Penal Code section 550,
14 subdivision (a)(6), “knowingly make or cause to be made any false or fraudulent claim for payment
15 of a health care benefit.” Respondent admitted to the following factual basis: “In Orange Co[unty]
16 on or between April 10, 2012, and August 24, 2013, I knowingly signed urine drug prescription at
17 the request of Philip and Pam Ganong, owners of Ghostline labs, without having seen the patients,
18 knowing the prescriptions would be used to support fraudulent claims to Anthem Blue Cross and
19 Cigna Ins[urance] Co[mpanies].” Respondent was sentenced to, among other things, three years
20 of probation, victim restitution in the amount of \$21,784.22, and various fines and fees.

21 **SECOND CAUSE FOR DISCIPLINE**

22 **(General Unprofessional Conduct)**

23 12. Respondent has further subjected her Physician’s and Surgeon’s Certificate No.
24 G 82171 to disciplinary action under sections 2227 and 2234, as defined by section 2234, of the
25 Code, in that she has engaged in conduct which breaches the rules or ethical code of the medical
26 profession, or conduct which is unbecoming a member in good standing of the medical
27 profession, and which demonstrates an unfitness to practice medicine, as more particularly
28 alleged in paragraphs 9 through 11, above, which are hereby incorporated by reference and

1 realleged as if fully set forth herein.

2 **PRAYER**

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


5 1. Revoking or suspending Physician's and Surgeon's Certificate No. G 82171, issued
6 to Suzie E. Schuder, M.D.;

7 2. Revoking, suspending or denying approval of Suzie E. Schuder, M.D.'s authority to
8 supervise physician assistants and advanced practice nurses;

9 3. Ordering Suzie E. Schuder, M.D., if placed on probation, to pay the Board the costs
10 of probation monitoring; and

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

12
13 DATED: JUL 09 2020



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

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