

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

**In the Matter of the Accusation** )  
**Against:** )  
 )  
**CAROLYN FLORA ANNE DEAN, M.D.** )  
**Certificate # A-52336** )  
 )  
 )  
**Respondent.** )  
\_\_\_\_\_ )

**File No: 16-95-55448**

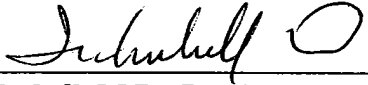
**DECISION AND ORDER**

**The attached Stipulated Decision and Disciplinary Order is hereby adopted by the Division of Medical Quality of the Medical Board of California, Department of Consumer Affairs, State of California, as its Decision in the above-entitled matter.**

**This Decision shall become effective at 5:00 pm on April 5, 2000.**

**DATED March 6, 2000.**

**DIVISION OF MEDICAL QUALITY  
MEDICAL BOARD OF CALIFORNIA**

  
\_\_\_\_\_  
**Ira Lubell, M.D., President  
Panel A  
Division of Medical Quality**

1 BILL LOCKYER, Attorney General  
of the State of California  
2 GAIL M. HEPPELL  
Supervising Deputy Attorney General  
3 1300 I Street, Suite 125  
P. O. Box 944255  
4 Sacramento, California 94244-2550  
Telephone: (916) 324-5336  
5 Attorneys for Complainant  
6

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

11 In the Matter of the Accusation ) Case No. 16-95-55448  
Against: )  
12 )  
13 **CAROLYN FLORA ANNE DEAN, M.D.** ) **STIPULATED DECISION**  
325 E. 65th Street ) **AND**  
14 New York, New York 10021 ) **DISCIPLINARY ORDER**  
California Physician's and Surgeon's )  
15 Certificate No. A-52336, )  
16 Respondent. )  
17

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

21 1. An Accusation in case number 16-95-55448 was filed  
22 with the Division of Medical Quality, of the Medical Board of  
23 California Department of Consumer Affairs (the "Division") on May  
24 30, 1996, and is currently pending against Carolyn Flora Anne  
25 Dean, M.D. (the "respondent").

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1           2.    At all times relevant herein, respondent has been  
2 licensed by the Medical Board of California under Physician and  
3 Surgeon's Certificate No. A 52336, issued by the Board to  
4 respondent on or about September 22, 1993. Said certificate  
5 expires on March 31, 2001,

6           3.    The Accusation, together with all statutorily  
7 required documents, was duly served on the respondent on or about  
8 May 30, 1996, and respondent filed her Notice of Defense  
9 contesting the Accusation on or about June 12, 1996. A copy of  
10 Accusation No. 16-95-55448 is attached as Exhibit "A" and hereby  
11 incorporated by reference as if fully set forth.

12           4.    The Complainant, Ronald Joseph, is the Executive  
13 Director of the Medical Board of California and brought this  
14 action solely in his official capacity. The Complainant is  
15 represented by the Attorney General of California, Bill Lockyer,  
16 by and through Supervising Deputy Attorney General, Gail M.  
17 Heppell.

18           5.    Respondent is represented in this matter by  
19 William H. Dailey, Esq., Attorney at Law, 16161 Ventura  
20 Boulevard, Suite 748, Encino, California, 91436.

21           6.    Respondent and her attorney have fully discussed  
22 the charges contained in Accusation number 16-95-55448, and the  
23 respondent has been fully advised regarding her legal rights and  
24 the effects of this stipulation.

25           7.    Respondent understands the nature of the charges  
26 alleged in the Accusation and that, if proven at hearing, the  
27 charges and allegations would constitute cause for imposing

1 discipline upon her certificate. Respondent is fully aware of  
2 her right to a hearing on the charges contained in the  
3 Accusation, her right to confront and cross-examine witnesses  
4 against her, her right to the use of subpoenas to compel the  
5 attendance of witnesses and the production of documents in both  
6 defense and mitigation of the charges, her right to  
7 reconsideration, appeal and any and all other rights accorded by  
8 the California Administrative Procedure Act and other applicable  
9 laws. Respondent knowingly, voluntarily and irrevocably waives  
10 and gives up each of these rights.

11           8.     In order to avoid the expense and uncertainty of a  
12 hearing, respondent freely and voluntarily waives each and every  
13 one of these rights set forth above and admits the truth of the  
14 allegations contained in Accusation No. 16-95-55448. Respondent  
15 agrees that cause exists to discipline her certificate pursuant  
16 to Business and Professions Code section 141. Respondent agrees  
17 to be bound by the Division's Disciplinary Order as set forth  
18 below.

19           9.     Based on the foregoing admissions and stipulated  
20 matters, the parties agree that the Division shall, without  
21 further notice or formal proceeding, issue and enter the  
22 following order:

23   **DISCIPLINARY ORDER**

24           **IT IS HEREBY ORDERED** that Physician's and Surgeon's  
25 Certificate number A 52336 issued to Carolyn Flora Anne Dean,  
26 M.D., is revoked. However, such revocation is stayed and  
27 respondent is placed on probation for three (3) years with the

1 following terms and conditions. Within 15 days after the  
2 effective date of this decision the respondent shall provide the  
3 Division, or its designee, proof of service that respondent has  
4 served a true copy of this decision on the Chief of Staff or the  
5 Chief Executive Officer at every hospital where privileges or  
6 membership are extended to respondent or where respondent is  
7 employed to practice medicine and on the Chief Executive Officer  
8 at every insurance carrier where malpractice insurance coverage  
9 is extended to respondent.

10           1.     EDUCATION COURSE. Within ninety (90) days of the  
11 effective date of this decision, and on an annual basis  
12 thereafter, respondent shall submit to the Division or its  
13 designee for its prior approval an educational program or course  
14 to be designated by the Division, which shall not be less than 40  
15 hours per year, for the entire three (3) years of probation.  
16 This program shall be in addition to the Continuing Medical  
17 Education requirements for re-licensure. Following the  
18 completion of each course, the Division or its designee may  
19 administer an examination to test respondent's knowledge of the  
20 course. Respondent shall provide proof of attendance for 65  
21 hours of continuing medical education of which 40 hours were in  
22 satisfaction of this condition and were approved in advance by  
23 the Division or its designee.

24           2.     SPECIAL PURPOSE EXAMINATION (SPEX). Respondent shall  
25 take and pass the Special Purpose Examination (SPEX). Respondent  
26 shall not practice medicine until respondent has passed this  
27 examination and has been so notified by the Division or its

1 designee. Respondent agrees that the Federation of State Medical  
2 Boards which administers the SPEX will make respondent's score(s)  
3 available to the division or its designee. Respondent shall pay  
4 any costs associated with this examination(s).

5           3.     **OBEY ALL LAWS.**     Respondent shall obey all federal,  
6 state and local laws, all rules governing the practice of  
7 medicine in California, and remain in full compliance with any  
8 court ordered criminal probation, payments and other orders.

9           4.     **QUARTERLY REPORTS.**     Respondent shall submit  
10 quarterly declarations under penalty of perjury on forms provided  
11 by the Division, stating whether there has been compliance with  
12 all the conditions of probation.

13           5.     **PROBATION SURVEILLANCE PROGRAM COMPLIANCE**  
14 Respondent shall comply with the Division's probation  
15 surveillance program. Respondent shall, at all times, keep the  
16 Division informed of her addresses of business and residence  
17 which shall both serve as addresses of record. Changes of such  
18 addresses shall be immediately communicated in writing to the  
19 Division. Under no circumstances shall a post office box serve  
20 as an address of record.

21           Respondent shall also immediately inform the Division,  
22 in writing, of any travel to any areas outside the jurisdiction  
23 of California which lasts, or is contemplated to last, more than  
24 thirty (30) days.

25           6.     **INTERVIEW WITH THE DIVISION, ITS DESIGNEE OR ITS**  
26 **DESIGNATED PHYSICIAN(S).**     Respondent shall appear in person for  
27 interviews with the Division, its designee or its designated

1 physician(s) upon request at various intervals and with  
2 reasonable notice.

3           7.     **TOLLING FOR OUT-OF-STATE PRACTICE, RESIDENCE OR IN-STATE NON-**  
4 **PRACTICE.** In the event respondent should leave California to  
5 reside or to practice outside the State or for any reason should  
6 respondent stop practicing medicine in California, respondent  
7 shall notify the Division or its designee in writing within ten  
8 (10) days of the dates of departure and return or the dates of  
9 non-practice within California. Non-practice is defined as any  
10 period of time exceeding thirty days in which respondent is not  
11 engaging in any activities defined in Sections 2051 and 2052 of  
12 the Business and Professions Code. All time spent in an  
13 intensive training program approved by the Division or its  
14 designee shall be considered as time spent in the practice of  
15 medicine. Periods of temporary or permanent residence or  
16 practice outside California or of non-practice within California,  
17 as defined in this condition, will not apply to the reduction of  
18 the probationary period.

19           Respondent may petition for modification or termination  
20 of penalty if Canada's discipline terms are modified, terminated  
21 or reduced; and if at least one year has elapsed.

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23           8.     **VALID LICENSE STATUS.** Respondent shall maintain a  
24 current and valid license for the length of the probation.  
25 Failure to maintain such license and to pay all fees shall  
26 constitute a violation of probation.

27           9.     **COMPLETION OF PROBATION.** Upon successful completion

1 of probation, respondent's certificate shall be fully restored.

2           10. **VIOLATION OF PROBATION.** If respondent violates  
3 probation in any respect, the Division, after giving respondent  
4 notice and the opportunity to be heard, may revoke probation and  
5 carry out the disciplinary order that was stayed. If an  
6 accusation or petition to revoke probation is filed against  
7 respondent during probation, the Division shall have continuing  
8 jurisdiction until the matter is final, and the period of  
9 probation shall be extended until the matter is final.

10           11. **COST RECOVERY.** The respondent is hereby ordered  
11 to reimburse the Division the amount of \$1,000.00 within ninety  
12 (90) days of the effective date of this decision for its  
13 investigative and prosecution costs. Failure to reimburse the  
14 Division's cost of investigation and prosecution shall constitute  
15 a violation of the probation order, unless the Division agrees in  
16 writing to payment by an installment plan because of financial  
17 hardship. The filing of bankruptcy by the respondent shall not  
18 relieve the respondent of his responsibility to reimburse the  
19 Division for its investigative and prosecution costs. Periods of  
20 residence or practice outside California, whether the periods of  
21 residency or practice are temporary or permanent, will toll the  
22 probation period but will not toll the cost recovery requirement.

23           12. **PROBATION COSTS.** Respondent shall pay the costs  
24 associated with probation monitoring each and every year of  
25 probation, which are currently set at \$2,304, but may be adjusted  
26 on an annual basis. Such costs shall be payable to the Division  
27 of Medical Quality and delivered to the designated probation



1 surveillance monitor at the beginning of each calendar year.  
2 Failure to pay costs within 30 days of the due date shall  
3 constitute a violation of probation.

4 13. LICENSE SURRENDER. Following the effective date of  
5 this decision, if respondent ceases practicing due to retirement,  
6 health reasons or is otherwise unable to satisfy the terms and  
7 conditions of probation, respondent may voluntarily tender her  
8 certificate to the Board. The Division reserves the right to  
9 evaluate the respondent's request and to exercise its discretion  
10 whether to grant the request, or to take any other action deemed  
11 appropriate and reasonable under the circumstances. Upon formal  
12 acceptance of the tendered license, respondent will no longer be  
13 subject to the terms and conditions of probation.

14 CONTINGENCY

15 This stipulation shall be subject to the approval of  
16 the Division. Respondent understands and agrees that Board staff  
17 and counsel for complainant may communicate directly with the  
18 Division regarding this stipulation and settlement, without  
19 notice to or participation by respondent or her counsel. If the  
20 Division fails to adopt this stipulation as its Order, the  
21 stipulation shall be of no force or effect, it shall be  
22 inadmissible in any legal action between the parties, and the  
23 Division shall not be disqualified from further action in this  
24 matter by virtue of its consideration of this stipulation.

25 ACCEPTANCE

26 I have read the above Stipulated Settlement and  
27 Disciplinary Order. I have fully discussed the terms and

1 conditions and other matters contained therein with my attorney,  
2 William H. Dailey, Esq. I understand the effect this stipulated  
3 Settlement and Disciplinary Order will have on my certificate,  
4 and agree to be bound thereby. I enter this stipulation freely,  
5 knowingly, intelligently and voluntarily.

6 DATED: August 24, 1999

7  
8 Carolyn F A Dean MD  
9 CAROLYN FLORA ANNE DEAN, M.D.  
10 Respondent

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I have read the above Stipulated Settlement and  
Disciplinary Order and approve of it as to form and content. I  
have fully discussed the terms and conditions and other matters  
therein with respondent Carolyn Flora Anne Dean, M.D.

DATED: August 30, 1999

W H Dailey  
WILLIAM H. DAILEY, ESQ.  
Attorney for Respondent

**ENDORSEMENT**

The foregoing Stipulated Settlement and Disciplinary  
Order is hereby respectfully submitted for the consideration of  
the Division of Medical Quality, Medical Board of California,  
Department of Consumer Affairs.

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DATED: Sept 2, 1999 .

BILL LOCKYER, Attorney General  
of the State of California

*Gail M. Hoppel*  
GAIL M. HEPPEL  
Supervising Deputy Attorney General  
Attorneys for Complainant

EXHIBIT  
A

1 DANIEL E. LUNGREN, Attorney General  
of the State of California  
2 JANA L. TUTON  
Supervising Deputy Attorney General  
3 ROBERT C. MILLER  
Deputy Attorney General  
4 1300 I Street, Suite 125  
P. O. Box 944255  
5 Sacramento, California 94244-2550  
Telephone: (916) 324-5161

6 Attorneys for Complainant  
7

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

11 In the Matter of the Accusation ) Case No. 16-95-55448  
Against: )  
12 )  
CAROLYN FLORA ANNE DEAN, M.D. ) ACCUSATION  
13 2427 1/2 Glyndon Avenue )  
Venice, California 90291 )  
14 California Physician's and )  
Surgeon's Certificate No. A52336 )  
15 )  
Respondent. )  
16 )

17 The Complainant alleges:  
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19 PARTIES

20 1. Complainant, Ronald Joseph, is the Executive  
Director of the Medical Board of California (hereinafter the  
21 "Board") and brings this accusation solely in his official  
22 capacity.  
23

24 2. On or about September 22, 1993, Physician's and  
Surgeon's Certificate No. A52336 was issued by the Board to  
25 Carolyn Flora Anne Dean (hereinafter "respondent"), and at all  
26 times relevant to the charges brought herein, this license has  
27

1 been in full force and effect. Unless renewed, it will expire on  
2 March 31, 1997.

### 3 JURISDICTION

4 3. This accusation is brought before the Division of  
5 Medical Quality of the Medical Board of California, Department of  
6 Consumer Affairs (hereinafter the "Division"), under the  
7 authority of the following sections of the California Business  
8 and Professions Code (hereinafter "Code"):

9 A. Section 2227 of the Code provides that the Board  
10 may revoke, suspend for a period not to exceed one year, or  
11 place on probation, the license of any licensee who has been  
12 found guilty under the Medical Practice Act.

13 B. Section 125.3 of the Code provides, in part, that  
14 the Board may request the administrative law judge to direct  
15 any licentiate found to have committed a violation or  
16 violations of the licensing act, to pay the Board a sum not  
17 to exceed the reasonable costs of the investigation and  
18 enforcement of the case.

19 C. Section 118(b) of the Code provides, in part, that  
20 the expiration of a license shall not deprive the Board of  
21 jurisdiction to proceed with a disciplinary action during  
22 the time within which the license may be renewed, restored,  
23 or reinstated.

24 D. Section 2428 of the Code provides, in part,  
25 that a license which has expired may be renewed any  
26 time within five years after expiration.

27 E. Section 141 of the Code provides:

1           "(a) For any licensee holding a license issued by  
2 a board under the jurisdiction of the department, a  
3 disciplinary action taken by another state, by any  
4 agency of the federal government, or by another country  
5 for any act substantially related to the practice  
6 regulated by the California license, may be a ground  
7 for disciplinary action by the respective state  
8 licensing board. A certified copy of the record of the  
9 disciplinary action taken against the licensee by  
10 another state, an agency of the federal government, or  
11 another country shall be conclusive evidence of the  
12 events related therein.

13           "(b) Nothing in this section shall preclude a  
14 board from applying a specific statutory provision in  
15 the licensing act administered by that board that  
16 provides for discipline based upon a disciplinary  
17 action taken against the licensee by another state, an  
18 agency of the federal government, or another country."

19                           **FIRST CAUSE FOR DISCIPLINE**

20 (Discipline, Restriction, or Limitation Imposed By Another State)

21           4. Respondent Dean is subject to disciplinary action  
22 under section 141 of the Business and Professions Code in that on  
23 July 24, 1995, the College of Physicians and Surgeons of Ontario,  
24 Canada revoked respondent's certificate of registration for  
25 Independent Practice in the Province of Ontario having found  
26 respondent guilty of professional misconduct and incompetence.  
27 Attached as Exhibit A is a true and correct copy of the

1 Certificate of Status of Registration from the Province of  
2 Ontario.

3 PRAYER

4 WHEREFORE, the complainant requests that a hearing be  
5 held on the matters herein alleged, and that following the  
6 hearing, the Division issue a decision:


7 1. Revoking or suspending Physician's and Surgeon's  
8 Certificate Number A52336, heretofore issued to respondent  
9 Carolyn Flora Anne Dean, M.D.;

10 2. Revoking, suspending or denying approval of the  
11 respondent's authority to supervise physician's assistants,  
12 pursuant to Business and Professions Code section 3527;

13 3. Ordering respondent to pay the Division the actual  
14 and reasonable costs of the investigation and enforcement of this  
15 case;

16 4. Taking such other and further action as the  
17 Division deems necessary and proper.

18 DATED: May 30, 1996.

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21   
22 RONALD JOSEPH  
23 Executive Director  
24 Medical Board of California  
25 Department of Consumer Affairs  
26 State of California

27 Complainant

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SA96AD0467  
(SM 4/18/96)



EXHIBIT A



THE  
COLLEGE  
OF  
PHYSICIANS  
AND  
SURGEONS  
OF  
ONTARIO

## CERTIFICATE OF STATUS OF REGISTRATION

### ISSUED TO:

Ms. Beverly Wright  
Enforcement Program Analyst  
Medical Board of California  
357 Van Ness Way  
Suite 110  
Torrance, California  
90501

### REGARDING:

Dr. Carolyn Flora Anne Dean

DATE OF BIRTH: 20 Mar 1949

YEAR AND SOURCE OF MEDICAL DEGREE: 1978, Dalhousie University, M.D.

CPSO REGISTRATION NUMBER: 30780

STATUS OF REGISTRATION: Revoked: Discipline Committee

CLASS OF CERTIFICATE OF REGISTRATION AND EFFECTIVE DATE: None

SPECIALTY QUALIFICATIONS FROM THE ROYAL COLLEGE OF PHYSICIANS AND SURGEONS OF CANADA AS RECORDED IN THE REGISTER:

None

QUALIFICATIONS FROM THE COLLEGE OF FAMILY PHYSICIANS OF CANADA AS RECORDED IN THE REGISTER:

None

### HISTORY OF REGISTRATION:

First certificate of registration issued: Postgraduate Education certificate  
Transfer of class of certificate to: Independent Practice certificate  
Revoked: Discipline Committee

Effective: 12 Jun 1978  
Effective: 20 Jun 1979  
Effective: 24 Jul 1995

ONTARIO HOSPITAL PRIVILEGES AS RECORDED IN THE REGISTER:

None

ALLEGATIONS OF PROFESSIONAL MISCONDUCT, INCOMPETENCE OR INCAPACITY CURRENTLY REFERRED TO THE DISCIPLINE OR FITNESS TO PRACTISE COMMITTEES AND NOT YET DECIDED:

None



THE  
COLLEGE  
OF  
PHYSICIANS  
AND  
SURGEONS  
OF  
ONTARIO

**CERTIFICATE OF STATUS OF REGISTRATION**

**ISSUED TO:**

Ms. Beverly Wright  
Enforcement Program Analyst  
Medical Board of California  
357 Van Ness Way  
Suite 110  
Torrance, California  
90501

**REGARDING:**

Dr. Carolyn Flora Anne Dean

**PUBLIC HISTORY\* OF FINDINGS, DECIDED OR UNDER APPEAL, OF PROFESSIONAL MISCONDUCT, INCOMPETENCE OR INCAPACITY AS RECORDED IN THE REGISTER:**

On Monday, July 24, 1995, the Discipline Committee of the College of Physicians of Ontario having found Dr. Carolyn Flora Anne Dean guilty of professional misconduct and incompetence pursuant to the Health Disciplines Act, directed that Dr. Dean's certificate of registration for Independent Practice in the Province of Ontario be revoked.

The certificate of registration for Independent Practice issued in the name of Carolyn Flora Anne Dean was revoked effective Monday, July 24, 1995.

**ADDITIONAL INFORMATION:**

The College of Physicians and Surgeons of Ontario is not permitted to release any other information without the express consent of the physician. Enclosed is a request form for a Certificate of Professional Conduct which, when completed in full, provides for the disclosure of further information as specified.

**\* NOTE REGARDING THE INFORMATION PROVIDED IN THIS CERTIFICATE:**

*This Certificate of Status of Registration contains only that information from the register of the College of Physicians and Surgeons of Ontario which is designated as public information by the Health Professions Procedural Code and Regulation 114/94, under the Medicine Act, 1991. Pursuant to that Regulation, the following information is not public: (i) any terms, conditions and limitations which were imposed on a member's certificate of registration by a committee other than the Discipline Committee but which have since been removed, (ii) any finding of professional misconduct made against a member - with the exception of a finding of sexual abuse involving physical sexual relations or touching of a sexual nature - for which the penalty imposed was a reprimand or a fine and for which the penalty order became final at least six years prior to the date of this Certificate. Accordingly, whether such information exists in respect of the member named in this Certificate cannot be recorded in this Certificate, and the reader is cautioned not to infer from its contents whether such information does or does not exist in respect of the member. Information regarding any and all findings of professional misconduct is provided in the Certificate of Professional Conduct, the release of which requires a completed request form for that certificate and the signed consent of the member.*



THE COLLEGE OF PHYSICIANS AND SURGEONS OF ONTARIO

**CERTIFICATE OF STATUS OF REGISTRATION**

**ISSUED TO:**

Ms. Beverly Wright  
Enforcement Program Analyst  
Medical Board of California  
357 Van Ness Way  
Suite 110  
Torrance, California  
90501

**REGARDING:**

Dr. Carolyn Flora Anne Dean

**DATE OF ISSUE:** 9 Feb 1996

**MICHAEL E. DIXON, M.D., M.Sc., FRCPC  
REGISTRAR**

..... Not official without signature of Registrar and impression of College seal .....

..... No further entries below this line .....