

1 XAVIER BECERRA
Attorney General of California
2 JUDITH T. ALVARADO
Supervising Deputy Attorney General
3 RANDALL R. MURPHY
Deputy Attorney General
4 State Bar No. 165851
California Department of Justice
5 300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
6 Telephone: (213) 897-2493
Facsimile: (213) 897-9395
7 *Attorneys for Complainant*

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO September 12 2017
BY: R. Voong ANALYST

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

11 In the Matter of the Accusation Against:

12 Prudence Elizabeth Hall, M.D.
13 406 Wilshire Blvd.
Santa Monica, CA 90401

14 Physician's and Surgeon's Certificate
15 No. G 41661,

16 Respondent.

Case Nos. 800-2015-010885

A C C U S A T I O N

17 Complainant alleges:

18 **PARTIES**

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

22 2. On or about March 24, 1980, the Medical Board issued Physician's and Surgeon's
23 Certificate Number G 41661 to Prudence Elizabeth Hall, M.D. (Respondent). The Physician's
24 and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
25 herein and will expire on August 31, 2017, unless renewed.

26 ///

27 ///

JURISDICTION

1
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 unless otherwise indicated.

4 4. The Medical Practice Act (“Act”) is codified at sections 2000-2521 of the Business
5 and Professions Code.

6 5. Pursuant to Code section 2001.1, the Board’s highest priority is public protection.

7 6. Section 2004 of the Code states:

8 “The board shall have the responsibility for the following:

9 “(a) The enforcement of the disciplinary and criminal provisions of the Medical
10 Practice Act.

11 “(b) The administration and hearing of disciplinary actions.

12 “(c) Carrying out disciplinary actions appropriate to findings made by a panel or an
13 administrative law judge.

14 “(d) Suspending, revoking, or otherwise limiting certificates after the conclusion of
15 disciplinary actions.

16 “(e) Reviewing the quality of medical practice carried out by physician and surgeon
17 certificate holders under the jurisdiction of the board.

18 “...”

19 7. Section 2234 of the Code, states:

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

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

25 “(b) Gross negligence.

26 “(c) Repeated negligent acts. To be repeated, there must be two or more negligent acts or
27 omissions. An initial negligent act or omission followed by a separate and distinct departure from
28 the applicable standard of care shall constitute repeated negligent acts.

1 “(1) An initial negligent diagnosis followed by an act or omission medically appropriate
2 for that negligent diagnosis of the patient shall constitute a single negligent act.

3 “(2) When the standard of care requires a change in the diagnosis, act, or omission that
4 constitutes the negligent act described in paragraph (1), including, but not limited to, a
5 reevaluation of the diagnosis or a change in treatment, and the licensee's conduct departs from the
6 applicable standard of care, each departure constitutes a separate and distinct breach of the
7 standard of care.

8 “(d) Incompetence.

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

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

12 “(g) The practice of medicine from this state into another state or country without meeting
13 the legal requirements of that state or country for the practice of medicine. Section 2314 shall not
14 apply to this subdivision. This subdivision shall become operative upon the implementation of
15 the proposed registration program described in Section 2052.5.

16 “(h) The repeated failure by a certificate holder, in the absence of good cause, to attend and
17 participate in an interview by the board. This subdivision shall only apply to a certificate holder
18 who is the subject of an investigation by the board.”

19 8. Section 2266 of the Code states: “The failure of a physician and surgeon to maintain
20 adequate and accurate records relating to the provision of services to their patients constitutes
21 unprofessional conduct.”

22 FACTS

23 Patient L.H.¹

24 9. Respondent treated L.H. with bioidentical hormones,² which potentially can cause
25 uterine cancer. Respondent then failed to diagnose L.H.'s aggressive uterine cancer.

26 ¹ Initials are used to protect patient privacy.

27 ² Bioidentical hormones are hormones that are identical in molecular structure to the
28 hormones women naturally produce. They are synthesized, from a plant chemical extracted from
yams and soy. “Bioidentical hormone” is a marketing term and not a scientific term. These are
scientifically untested and unproven hormones.

1 10. L.H., was under the gynecologic care of Respondent from September 23, 2011, until
2 October 15, 2014. Throughout the pendency of the care, L.H. received bioidentical hormone
3 therapy. Respondent noted in the initial intake notes for L.H. that the patient had a documented
4 family history of maternal uterine cancer.

5 11. At her interview, Respondent asserted that she is a specialist in "hormone balance," or
6 "endocrinology." However, Respondent does not have any post-medical school training in
7 endocrinology by an ACGME³ accredited fellowship in either Medical Endocrinology⁴ or
8 Reproductive Endocrinology.

9 12. L.H. completed a patient questionnaire prior to her initial visit with Respondent on
10 September 23, 2011. On L.H.'s initial visit she was evaluated as having menstrual migraines one
11 day before the start of her menses and "zero" libido. In her initial assessment, Respondent
12 concludes that L.H. is: (1) Perimenopausal (despite L.H. having regular periods and prior to
13 performing any laboratory studies); (2) hypothyroid⁵ (prior to performing thyroid studies); (3)
14 adrenal deficient⁶ (prior to performing any adrenal studies); (4) "create her cycle in the books"
15 (which term is unexplained); (5) has low [Vitamin] D3 (prior to performing any studies of her
16 Vitamin D levels); and, (6) that they discussed psychological work, which discussion is not
17 explained anywhere in the records.

18 13. L.H. was noted to have normal lab values in the report submitted on September 11,
19 2011. Despite normal lab values for all of the sex hormones and adrenal hormones and no lab
20 value for thyroid hormones on September 23, 2011, Respondent prescribed L.H. Estrogen,⁷

22 ³ ACGME is the acronym for the Accreditation Council for Graduate Medical Education.

23 ⁴ Endocrinology is the subspecialty of internal medicine that focuses on the diagnosis and
care of disorders of the endocrine (glandular) system and the associated metabolic dysfunction.

24 ⁵ Hypothyroid indicates an underactive thyroid and is a common disorder of the endocrine
system in which the thyroid gland does not produce enough thyroid hormone.

25 ⁶ Adrenal deficiency is a condition in which the adrenal glands do not produce adequate
26 amounts of steroid hormones, primarily cortisol; but may also include impaired production of
aldosterone (a mineralocorticoid), which regulates sodium conservation, potassium secretion, and
water retention.

27 ⁷ Estrogen is the primary female sex hormone. It is responsible for the development and
28 regulation of the female reproductive system and secondary sex characteristics. Estrogen may
also refer to any substance, natural or synthetic, that mimics the effects of the natural hormone.

1 Progesterone,⁸ DHEA,⁹ Pregnenolone,¹⁰ D3, Testosterone, thyroid replacement, iodine and lemon
2 drops. In addition, L.H. underwent a pelvic ultrasound and a thyroid ultrasound on September 23,
3 2011, both in Respondent's office that were both normal.

4 14. The medical records show that Respondent did not take a thorough sexual history and
5 attempt to address any underlying physical, psychological and relationship factors in treating
6 L.H.'s low libido.

7 15. L.H. had additional labs performed on October 13, 2011, which demonstrate changes
8 in her baseline from the initial labs performed on September 11, 2011. The notes for these results
9 indicate that her testosterone levels are now suprathreshold.¹¹ In her interview, Respondent
10 justifies this result by claiming that the elevated levels are in accordance with her plan of care.

11 16. L.H. was next examined by Respondent on December 31, 2012, when a pap smear,
12 pelvic exam, pelvic ultrasound, and a breast ultrasound were performed. All results were within
13 normal limits. Respondent's interview discussion of the chart for this day indicated that L.H. was
14 having irregular uterine bleeding, but Respondent suggests the ultrasound findings were
15 reassuring. This is inconsistent because the EEC¹² was 1.7mm, which is far from reassuring.

16 17. On January 23, 2013, L.H. underwent a screening mammogram, the results of which
17 were normal.

18 ⁸ Progesterone is an endogenous steroid and progestogen sex hormone involved in the
19 menstrual cycle, pregnancy, and embryogenesis of humans and other species. Progesterone is
20 also a crucial metabolic intermediate in the production of other endogenous steroids, including
21 the sex hormones and the corticosteroids, and plays an important role in brain function as a
22 neurosteroid.

23 ⁹ DHEA is an endogenous steroid hormone. It is one of the most abundant circulating
24 steroids in humans, produced in the adrenal glands, the gonads, and the brain, where it functions
25 as a metabolic intermediate in the biosynthesis of the androgen and estrogen sex steroids.

26 ¹⁰ Pregnenolone is an endogenous steroid and precursor/metabolic intermediate in the
27 biosynthesis of most of the steroid hormones, including the progestogens, androgens, estrogens,
28 glucocorticoids, and mineralocorticoids. In addition, pregnenolone is biologically active in its
own right, acting as a neurosteroid.

¹¹ Suprathreshold levels means that the laboratory results reflect levels that are greater
than normal levels.

¹² Endometrial echo complex (EEC) is a commonly measured parameter on routine
gynecologic ultrasound. The appearance, as well as the thickness of the endometrium, will
depend on whether the patient is of reproductive age or post-menopausal. The measurement is of
the thickest echogenic area from one basal endometrial interface across the endometrial canal to
the other basal surface. The designation of "normal" endometrial thickness rests on the thickness,
age, menopausal status and presence of abnormal bleeding.

1 18. On March 5, 2013, L.H. had a breast ultrasound which was normal.

2 19. On December 10, 2013, L.H. received a pelvic ultrasound in Respondent's office.
3 Small ovarian cysts were discovered. The EEC of 2.1mm was also noted, again indicating that
4 L.H. was not perimenopausal.

5 20. A chart note made on December 12, 2013, states that patient is going into menopause
6 and small cysts on ovary are normal and physiologic. However, no objective medical evidence
7 supports that statement. L.H. then has an abdominal and pelvic CT performed on December 27,
8 2013, for "Stone Microhematuria."¹³ This CT shows a 3.3cm right ovarian cyst.

9 21. Although numerous tests were performed, L.H.'s actual third visit with Respondent
10 takes place on June 28, 2014, almost three years after the initial visit. During this visit the
11 estrogen dosage is increased and a recommendation is made for follow up in six months. The
12 notes reflect no objective medical reason for the increase in estrogen.

13 22. As could be expected, on July 15, 2014, L.H. complains of feeling foggy and
14 Respondent adjusts the hormone dosing via the telephone, instead of requiring L.H. to come into
15 the office.

16 23. On September 2, 2014, L.H. calls Respondent's office reporting that her menstrual
17 cycle has been continuing for a month and that she has been bleeding heavily for 8 days. Instead
18 of requiring L.H. to come into the office, Respondent recommends "P4 6 drops [progesterone]
19 nightly, 2 c BID (twice a day) of E2 (estrogen)."

20 24. Respondent prescribed L.H. exogenous estrogen starting in September of 2011 and
21 continued through October of 2014. When L.H. complained on September 2, 2014, that she was
22 experiencing a menstrual cycle that lasted for over a month, and during which she had heavy
23 bleeding for 8 straight days, Respondent did not perform any endometrial sampling¹⁴ to exclude
24

25 ¹³ It is likely that what is meant is microscopic hematuria which means three or more red
26 blood cells in a high-power microscopic field of urinary sediment from two of three properly
27 collected urinalysis specimens. Thus, the blood is only visible in the urine under a microscope.
This can be related to kidney stones.

28 ¹⁴ Endometrial sampling is obtaining a tissue sample from the glandular mucous
membrane that lines the uterus, for testing.

1 endometrial hyperplasia¹⁵ as the cause of her menometrorrhagia.¹⁶

2 25. On September 25, 2014, Respondent notes that L.H. is being "recommended" 4c of
3 estrogen, twice a day, progesterone drops in the evening, 3c of testosterone in the am, 2 grains of
4 thyroid, 5mg DHEA, D3 and Cortisol. Respondent recommended another ultrasound and if L.H.
5 continues to bleed, "office D&C."¹⁷

6 26. On September 26, 2014, L.H. had another ultrasound in Respondent's office that
7 shows a slightly enlarged uterus, and an EEC of 2.3mm, as well as a mass thought to be a fibroid
8 in the uterus, measuring 1.4 x 1.6 x 1.9cm. L.H. is also noted to have periods that are heavy and
9 red lasting for 3 weeks, as well as passage of clots and cramping for 2 weeks. The chart reflects
10 the recommendation is to decrease her E2 (estrogen) to "2c" bid [assuming that means 2 clicks,¹⁸
11 twice a day].

12 27. Respondent is not certified in gynecologic ultrasound analysis and has not had post-
13 medical school training in gynecologic ultrasound analysis.

14 28. On October 3, 2014, a telephone note documents L.H. questioning Respondent's
15 prescription of a steroid. L.H. advises Respondent's office that she is having irregular menses
16 and bleeding lasting up to 19 days in a row for the last 2 months. L.H. advises the office that her
17 intention is to have blood drawn and make an appointment [presumably with Respondent].
18 However, no records indicate that such an appointment was made.

19 29. On October 10, 2014, L.H. underwent another abdominal and pelvic CT from
20 University Imaging Centers showing a right adnexal mass 8.5 x 8.5mm, and simple cysts on the
21 left ovary. Note the prior CT showed a right ovary cyst.

22 _____
23 ¹⁵ Hyperplasia is an abnormal increase in the number of cells in a tissue or organ, with
consequent enlargement of the part or organ

24 ¹⁶ Menometrorrhagia is a condition in which prolonged or excessive uterine bleeding
occurs irregularly and more frequently than normal. It is thus a combination of metrorrhagia and
menorrhagia.

25 ¹⁷ Dilation and curettage (D&C) is a surgical procedure in which the cervix is opened
26 (dilated) and a thin instrument is inserted into the uterus. This instrument is used to remove tissue
from the inside of the uterus (curettage).

27 ¹⁸ A "click" is a unitary bioidentical hormone measurement that is unknown to Board
28 Certified ObGyn's. Neither is it a recognized value in standard of care analysis. Thus, there is no
way to determine what amount the patient was receiving.

1 30. On October 13, 2014, L.H. called Respondent's office and asked why the cyst that
2 was found on the October 10, 2014, CT was not seen on an ultrasound performed by Respondent
3 on September 26, 2014, two weeks prior.

4 31. On October 15, 2014, L.H. underwent another abdominal and pelvic ultrasound in
5 Respondent's office, which revealed a 8.2 x 6.5 x 8.5cm adnexal mass on the right side, and an
6 EEC of 2.5mm. On the same day L.H. also had a pelvic ultrasound at Argus Radiology that
7 shows an enlarged uterus of 9.3cm x 4.4cm and a left ovarian cyst measuring 4.0 x 2.7 x 2.7cm
8 and an EEC of 2.98cm. In addition, it shows a right adnexal mass of 8.2 x 6.5 x 8.5cm.¹⁹

9 32. L.H.'s testosterone levels recorded by Respondent reveal the following values: 14, 89,
10 45, 442, 46. A review of L.H.'s Estradiol levels as recorded by Respondent reveal the following
11 values: 96.9, 58.3, 162.7, 13.4, 16.2. A review of L.H.'s TSH²⁰ levels reveals the following
12 values as recorded by Respondent: 0.936, 0.027, 0.175. Two of these values represent
13 supratherapeutic levels of hormones.

14 33. The cost of Respondent's "bioidentical hormone" prescriptions to L.H., over the
15 course of 3 years, was in excess of \$7000.00.

16 Patient M.S.

17 34. M.S. presented to Respondent on May 6, 2013, for sleeping problems and low energy.
18 At that initial visit M.S. signed the consent for treatment. M.S. had previously had blood drawn
19 and filled out an extensive medical questionnaire. Respondent used the patient questionnaire to
20 diagnose M.S. with thyroid issues, instead of M.S.'s laboratory data regarding thyroid function.

21 35. Respondent's notes indicate that M.S. previously had undergone bypass surgery
22 (2000-with a revision in 2011), a cholecystectomy in 2005 and a uterine ablation in 2011 (due to
23 menorrhagia or heavy menses).

24 36. Respondent notes that M.S. had night sweats, hair loss, and difficulty with sleeping
25 even while on 5mg Ambien, 50mg Benadryl and 0.5mg Xanax every night before bed.

26 ¹⁹ The ultrasound and CT show a right adnexal mass. The CT from University Imaging
27 apparently made a typographical error when they classified L.H.'s right adnexal mass as being in
the units of "mm", as opposed to "cm", which the mass was later found to measure.

28 ²⁰ TSH means thyroid-stimulating hormone.

1 37. Respondent's notes state that M.S. had recently been diagnosed with Diabetes, Type
2 II and prescribed Acarbose²¹ 25mg TID by her primary care physician. In her subject interview,
3 Respondent stated that she assessed M.S.'s menses as "irregular", although that is not noted in the
4 records. Respondent also refers to M.S. as "perimenopausal" without any objective medical
5 evidence to support that conclusion.

6 38. M.S.'s blood lab report done prior to the initial visit with Respondent shows TSH²²
7 was 1.65.

8 39. M.S.'s blood laboratory analysis, taken prior to the initial visit with Respondent,
9 show only two (2) values that fall outside the normal ranges; the HgbA1c²³ (for which she was
10 recently started on therapy by her ObGyn), and Pregnenolone (a value that does not warrant
11 treatment in a gynecologic standard of care analysis).

12 40. Respondent then used M.S.'s patient questionnaire and a review of the blood
13 laboratory analysis, with no physical examination (other than reflexes according to the chart), to
14 diagnose M.S. as perimenopausal (a diagnosis unsupported by M.S.'s laboratory data and her
15 clinical history) and hypothyroid (a diagnosis unsupported by any laboratory abnormalities and
16 based solely on clinical symptomatology elicited from M.S.).

17 41. At no time did Respondent examine M.S.'s thyroid, a standard exam for all women,
18 but especially for those women being treated for thyroid disorders.

19 42. Respondent recommended the following for M.S.: Estradiol, testosterone, Omega 3,
20 melatonin, magnesium, chromium, digestive enzymes, thyroid and vitamin D, with a
21 recommendation to repeat the laboratory blood work in 2 months and a follow up appointment in
22 1 month.

23 43. On May 6, 2013, M.S. was given a transvaginal ultrasound, whose indication is
24 "endometrial lining" showing a uterus measuring 5.85 x 3.32 x 5.44cm, right ovary measuring
25 2.33 x 1.45cm, and left ovary measuring 3.82 x 2.35cm. A cyst is noted on the left ovary

26 ²¹ Acarbose is an anti-diabetic drug used to treat diabetes mellitus type 2.

27 ²² This is the thyroid stimulating hormone indicative of thyroid malfunction. A 5.3
reading is abnormal, thus thyroid hormones are an inappropriate treatment.

28 ²³ Hemoglobin A1C is the major fraction of glycosylated hemoglobin—a blood value
particularly relevant to diabetes patients.

1 measuring 2.69mm x 1.43mm (it is not characterized as simple or complex). The endometrial
2 echo complex is measured at 1.7mm. No interpretation of the ultrasound is provided in the
3 medical record; thus, it is unknown why M.S. received the ultrasound.

4 44. At M.S.'s first visit to Respondent her estrogen and testosterone were within normal
5 limits for both the laboratory values, as well as Respondent's own "normal"²⁴ values. However,
6 Respondent prescribed medication for both of these normal values. In addition, although M.S.'s
7 three thyroid studies (TSH, Free T4 and Free T3²⁵) were also within normal clinical limits
8 (although two were outside Respondent's "normal"), Respondent prescribed M.S. thyroid
9 hormone therapy.

10 45. Respondent did not contact M.S.'s other care providers, made no records request, and
11 made no effort to coordinate the care being given to M.S., or coordinate prescriptions that could
12 potentially have interactions with M.S.'s other prescribed medications.

13 46. M.S. was on multiple psychiatric medications at her initial presentation to
14 Respondent. M.S. was on Ambien (5mg), Xanax (0.5mg) and Pristiq (50mg) at her initial
15 consultation. Respondent made no effort to determine what potential interactions her
16 prescriptions might have with these other prescribed medications and no indication is present that
17 M.S. was cautioned or otherwise advised regarding taking all of these medications concurrently.
18 There is no indication that M.S.'s suicidality issues were addressed regarding all of the prescribed
19 medications and their possible interactions.

20 47. M.S. next spoke with Respondent on May 20, 2013, in a telephone call follow up and
21 additional medications were sent (apparently through the mail) to M.S. on June 3, 2013.

22 48. M.S. then underwent laboratory work on June 11, 2013, which showed completely
23 normal range values. However, M.S. returned to Respondent's office on July 11, 2013, wherein
24 estrogen and testosterone dosages were increased.

25 49. M.S. also went to Respondent's office on July 1, 2013. Additional labs were ordered

26 _____
27 ²⁴ Respondent explained at her interview that she did not follow recognized standards for
28 hormonal normalcy, but followed her own value determinations based on her experience.
Respondent's values do not track clinical norms.

²⁵ These are three standard thyroid hormonal values.

1 and M.S.'s dosage of estradiol, testosterone and thyroid hormones were increased, although the
2 records lack any justification for the increases.

3 50. M.S. saw Respondent on August 26, 2013, and again on October 2, 2013.
4 Respondent increased M.S.'s thyroid hormone from 1gm to 1.5gm on October 2, 2013, despite
5 M.S. having completely normal Free T4 and Free T3 lab values, as well as normal TSH values.
6 Respondent increased M.S.'s thyroid hormone based on symptoms, not lab values, although the
7 specific symptoms are unclear from the medical records. M.S. then notified Respondent that she
8 had increased her thyroid dosing herself, and Respondent notes that 50% of her patients increase
9 their medications on their own. Respondent apparently took no action as a result of this
10 information, including counseling M.S. about such a choice.

11 51. M.S. next saw Respondent on January 13, 2014 when M.S. reported that she had no
12 bleeding secondary to her uterine ablation and that she wants "10 lbs loss" [weight loss]. Her
13 TSH is noted to be non-detectable, and Free T4 and Free T3 are normal.

14 52. Respondent's analysis of the January 13, 2014, visit indicate her perception that
15 despite the fact that M.S.'s thyroid is "very very" suppressed, the fact that M.S. is going into
16 menopause needs to be accounted for in the analysis of the thyroid. This note is made despite no
17 objective medical evidence that M.S. is going into menopause. Respondent references a TSH of
18 8.3 as evidence that M.S. is going into menopause. Respondent also states that M.S.'s HgbA1c
19 dropped from 6.0 to 5.2 on 4 grains of thyroid hormone as proof that the thyroid medication is
20 working (however, the medication was prescribed to M.S. by her primary care physician for the
21 treatment of Diabetes). Respondent fails to include M.S.'s changes in diet or exercise or the
22 numerous other supplements that M.S. has purchased with the intent of maintaining glucose
23 metabolism and for weight loss. The chart reflects that the patient should take 4 "clicks" of 65mg
24 thyroid or 2 clicks of 130mg thyroid.

25 53. On April 7, 2014, Respondent recommends that M.S. take 1 "click" of Isocort, 3
26 "clicks" of estradiol and 2 "clicks" of testosterone.

27 54. On October 14, 2014, Respondent recommends that M.S. take 4 grains of thyroid, 3
28 "clicks" of estradiol and 2 "clicks" of testosterone.

1 62. Despite initiating post-menopausal testosterone prescriptions for L.H., Respondent
2 failed to follow up for potential cosmetic or systemic adverse outcomes, any abnormal uterine
3 bleeding and any lipid and liver function testing. Respondent's failure to perform any of this
4 necessary follow-up testing constitutes gross negligence.

5 63. Respondent failed to require an annual mammogram despite prescribing L.H.
6 testosterone therapy and failed to use serum blood to achieve an acceptable testosterone level,
7 which constitutes gross negligence.

8 64. Respondent purposefully tried to achieve a suprathereapeutic level of testosterone in
9 L.H., thus putting L.H. at risk for liver, heart disease, breast and uterine cancer and prescribing
10 levels of testosterone that caused L.H.'s testosterone levels to rise to a reading of 442, (reference
11 range for testosterone levels are 3-41), a level over 10 times the highest "normal" level for a
12 woman. At the same time Respondent failed to test L.H.'s lipid and liver functions and did not
13 require yearly mammograms, which constitutes gross negligence for a woman receiving androgen
14 therapy.

15 65. Respondent performed pelvic ultrasounds in her office on L.H. on five separate
16 occasions and found no evidence of thickening of the lining of the endometrium. An ultrasound
17 performed in Respondent's office on October 15, 2014, demonstrated an EEC of 2.5mm, but a
18 pelvic ultrasound performed on the same day by a board certified radiologist demonstrated an
19 EEC of 2.98cm, which is a clinically significant reading and is the difference between a normal
20 reading and a reading that detected cancer. Respondent's failure to recognize a large mass in the
21 uterus that was ultimately found to be endometrial cancer constitutes gross negligence.

22 66. Respondent diagnosed M.S. with hypothyroidism when no clinical evidence indicated
23 she had hypothyroidism. M.S. had no laboratory aberrations until she had abnormalities caused
24 iatrogenically²⁸ by Respondent. Respondent knowingly allowed M.S. to be maintained at supra-
25 therapeutic thyroid levels without consent and without warning M.S. about the health dangers and
26 risks of doing such treatment. Respondent also knowingly kept M.S. at suprathereapeutic thyroid
27 levels purportedly to assist with weight loss, but Respondent never documented that she

28 ²⁸ Iatrogenically means induced unintentionally in a patient by a physician.

1 performed a physical exam of M.S.'s thyroid. Respondent's failure to properly diagnose M.S.'s
2 alleged hypothyroidism, her prescribing thyroid hormones to supratherapeutic levels without
3 consent or proper warnings, and never performing a thyroid examination constitute gross
4 negligence.

5 67. Respondent's failure to: document a physical examination of M.S.; coordinate care
6 for M.S. with other treating physicians (or even obtain their names); obtain medical records from
7 other health care providers to avoid medication interaction issues, and; conform to standard
8 documentation for a pelvic ultrasound when the diagnosis did not support the performance of a
9 pelvic ultrasound as M.S. had undergone an endometrial ablation and did not complain of
10 abnormal bleeding, constitute gross negligence.

11 68. Respondent's specific failure to coordinate care with M.S.'s psychiatrist when M.S.
12 was at a high-risk for death due to suicidality and Respondent's prescribed medications could
13 potentially exacerbate pre-existing mental health disorders, putting the patient at risk for
14 potentially dangerous side effects, constitutes gross negligence.

15 **SECOND CAUSE FOR DISCIPLINE**
16 **(Unprofessional Conduct-Repeated Negligent Acts)**

17 69. By reason of the matters set forth above in paragraphs 9 through 68, incorporated
18 herein by this reference, Respondent is subject to disciplinary action under Code section 2234,
19 subdivision (c), in that she engaged in unprofessional conduct constituting repeated negligent
20 acts. The circumstances are as follows:

21 70. Respondent's repeated and continuous prescribing of bioidentical hormones, which
22 are scientifically unproven and untested, while failing to properly monitor L.H.'s objective
23 medical issues, constitutes repeated negligent acts.

24 71. Respondent's repeatedly diagnosing M.S. as perimenopausal, and "approaching"
25 menopause when laboratory data demonstrated that she was definitely not perimenopausal,
26 constitute negligence.

27 72. Respondent's diagnosing M.S. with perimenopause despite no objective medical
28 evidence of such condition and then treating that incorrect diagnosis in a manner such that

1 Respondent stood to gain financially constitutes negligence.

2 73. Respondent's performing a "baseline" pelvic ultrasound before treating M.S. with
3 estrogen, progesterone and testosterone, despite M.S. having no complaints of abnormal bleeding
4 constitutes negligence.

5 **THIRD CAUSE FOR DISCIPLINE**
6 **(Medical Record Keeping)**

7 74. By reason of the matters set forth above in paragraphs 9 through 73, incorporated
8 herein by this reference, Respondent violated Code section 2266, in that she failed to keep
9 adequate records for L.H. and M.S. The circumstances are as follows:

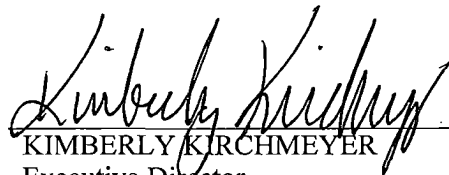
10 75. Respondent's notes for L.H. and M.S. are incomplete, illegible and wholly lacking in
11 required information concerning the respective patients.

12 **PRAYER**

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

- 15 1. Revoking or suspending Physician's and Surgeon's Certificate Number G 41661,
16 issued to Prudence Elizabeth Hall, M.D.;
- 17 2. Revoking, suspending or denying approval of Prudence Elizabeth Hall, M.D.'s
18 authority to supervise physician assistants and advanced practice nurses;
- 19 3. Ordering Prudence Elizabeth Hall, M.D., if placed on probation, to pay the Board the
20 costs of probation monitoring; and
- 21 4. Taking such other and further action as deemed necessary and proper.

22
23 DATED: September 12, 2017


24 KIMBERLY KIRCHMEYER
25 Executive Director
26 Medical Board of California
27 Department of Consumer Affairs
28 State of California
Complainant

27 LA2017505925
28 62432857.docx