

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

In the Matter of the Accusation)	
Against:)	
)	
)	
Edna Regala Sayat, M.D.)	Case No. 800-2013-000099
)	
Physician's and Surgeon's)	
Certificate No. C53302)	
)	
Respondent)	
_____)	

DECISION

The attached Stipulated Settlement and Disciplinary Order 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 July 7, 2017.

IT IS SO ORDERED June 9, 2017.

MEDICAL BOARD OF CALIFORNIA

By: *Michelle Anne Bholat M.D.*
Michelle Anne Bholat, M.D.
Panel B

1 XAVIER BECERRA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 LORI JEAN FORCUCCI
Deputy Attorney General
4 State Bar No. 125345
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5 San Diego, CA 92101
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6 San Diego, CA 92186-5266
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8 *Attorneys for Complainant*

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

11

12

13

In the Matter of the Accusation Against:

Case No. 800-2013-000099

14

**EDNA REGALA SAYAT, M.D.
7203 Ravenswood Place
Rancho Cucamonga, CA 91701**

OAH No. 2016100301

15

**Physician's and Surgeon's Certificate No.
C 53302**

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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Respondent.

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

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PARTIES

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1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
of California (Board). She brought this action solely in her official capacity and is represented in
23 this matter by Xavier Becerra, Attorney General of the State of California, by Lori Jean Forcucci,
24 Deputy Attorney General.
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2. Respondent Edna Regala Sayat, M.D. (Respondent) is represented in this proceeding
27 by James Victor Kosnett, Esq., whose address is: 11355 West Olympic Blvd., Suite 300
28 Los Angeles, CA 90064.

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1 3. On or about May 28, 2008, the Medical Board of California issued Physician's and
2 Surgeon's Certificate No. C 53302 to Respondent. Physician's and Surgeon's Certificate No. C
3 53302 was in full force and effect at all times relevant to the charges brought in Accusation No.
4 800-2013-000099, and will expire on February 28, 2018, unless renewed.

5 **JURISDICTION**

6 4. On September 20, 2016, Accusation No. 800-2013-000099 was filed before the
7 Board, and is currently pending against Respondent. The Accusation and all other statutorily
8 required documents were properly served on Respondent on September 20, 2016, at her address
9 of record. On or about September 23, 2016, Respondent timely filed her Notice of Defense
10 contesting the Accusation. A true and correct copy of Accusation No. 800-2013-000099 is
11 attached as Exhibit A and incorporated by reference as if fully set forth herein.

12 **ADVISEMENT AND WAIVERS**

13 5. Respondent has carefully read, fully discussed with counsel, and understands the
14 charges and allegations in Accusation No. 800-2013-000099. Respondent has also carefully read,
15 fully discussed with counsel, and understands the effects of this Stipulated Settlement and
16 Disciplinary Order.

17 6. Respondent is fully aware of her legal rights in this matter, including the right to a
18 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
19 the witnesses against her; the right to present evidence and to testify on her own behalf; the right
20 to the issuance of subpoenas to compel the attendance of witnesses and the production of
21 documents; the right to reconsideration and court review of an adverse decision; and all other
22 rights accorded by the California Administrative Procedure Act and other applicable laws, having
23 been fully advised of same by her attorney of record, James Victor Kosnett.

24 7. Having the benefit of counsel, Respondent voluntarily, knowingly, and intelligently
25 waives and gives up each and every right set forth above.

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1 CULPABILITY

2 8. Respondent admits the truth of each and every charge and allegation in Accusation
3 No. 800-2013-000099. Respondent agrees that her Physician's and Surgeon's Certificate No.
4 C 53302 is subject to discipline and she agrees to be bound by the Board's imposition of
5 discipline as set forth in the Disciplinary Order below.

6 CONTINGENCY

7 9. The parties agree that this Stipulated Settlement and Disciplinary Order shall be
8 submitted to the Board for its consideration in the above-entitled matter and, further, that the
9 Board shall have a reasonable period of time in which to consider and act on this Stipulated
10 Settlement and Disciplinary Order after receiving it. By signing this stipulation, Respondent fully
11 understands and agrees that she may not withdraw her agreement or seek to rescind this
12 stipulation prior to the time the Board considers and acts upon it.

13 10. The parties agree that this Stipulated Settlement and Disciplinary Order shall be null
14 and void and not binding upon the parties unless approved and adopted by the Board, except for
15 this paragraph, which shall remain in full force and effect. Respondent fully understands and
16 agrees that in deciding whether or not to approve and adopt this Stipulated Settlement and
17 Disciplinary Order, the Board may receive oral and written communications from its staff and/or
18 the Attorney General's office. Communications pursuant to this paragraph shall not disqualify
19 the Board, any member thereof, and/or any other person from future participation in this or any
20 other matter affecting or involving respondent. In the event that the Board, in its discretion, does
21 not approve and adopt this Stipulated Settlement and Disciplinary Order, with the exception of
22 this paragraph, it shall not become effective, shall be of no evidentiary value whatsoever, and
23 shall not be relied upon or introduced in any disciplinary action by either party hereto.
24 Respondent further agrees that should the Board reject this Stipulated Settlement and Disciplinary
25 Order for any reason, respondent will assert no claim that the Board, or any member thereof, was
26 prejudiced by its/his/her review, discussion and/or consideration of this Stipulated Settlement and
27 Disciplinary Order or of any matter or matters related hereto.

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1 **ADDITIONAL PROVISIONS**

2 11. This Stipulated Settlement and Disciplinary Order is intended by the parties herein to
3 be an integrated writing representing the complete, final and exclusive embodiment of the
4 agreements of the parties in the above-entitled matter.

5 12. The parties understand and agree that Portable Document Format (PDF) and facsimile
6 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
7 signatures thereto, shall have the same force and effect as the originals.

8 13. In consideration of the foregoing admissions and stipulations, the parties agree that
9 the Board may, without further notice or formal proceeding, issue and enter the following
10 Disciplinary Order:

11 **DISCIPLINARY ORDER**

12 **PUBLIC REPRIMAND**

13 IT IS HEREBY ORDERED that Respondent Edna Sayat, M.D.'s Physician's and
14 Surgeon's Certificate No. C 53302 shall be and is hereby Publically Reprimanded pursuant to
15 California Business and Professions Code section 2227, subdivision (a)(4). This Public
16 Reprimand, which is issued in connection with Respondent's care and treatment of patient D.L.,
17 as set forth in Accusation 800-2013-000999, attached as Exhibit A, is as follows:

18 On or about July 30, 2013, you saw patient D.L. a 14 year-old male, for a well-child
19 assessment. Patient D.L.'s hemoglobin was found to be 8.2, significantly lower than normal.
20 You started him on iron supplement therapy, instructed him to follow up in three months, as set
21 forth more fully in in Accusation 800-2013-000999. You failed to order a follow up complete
22 blood count by venipuncture; scheduled an untimely hemoglobin recheck for three months in the
23 future; and assumed that patient D.L.'s anemia resulted from an iron deficiency without properly
24 considering broader differential diagnoses related to anemia. Further, you repeatedly failed to
25 attend and participate in an interview by the Board.

26 **A. COMMUNITY SERVICE - FREE SERVICES**

27 Within 60 calendar days of the effective date of this Decision, Respondent shall submit to
28 the Board or its designee for prior approval a community service plan in which Respondent shall

1 within six (6) months from the effective date of this Decision and Order, provide sixty (60) hours
2 of free services (e.g. nonmedical services) to a community or non-profit organization.

3 Prior to engaging in any community service Respondent shall provide a true copy of the
4 Decision and Order to the chief of staff, director, office manager, program manager, officer, or
5 the chief executive officer at every community or non-profit organization where Respondent
6 provides community service and shall submit proof of compliance to the Board or its designee
7 within 15 calendar days. This condition shall also apply to any change(s) in community service.

8 Community service performed prior to the effective date of the Decision shall not be
9 accepted in fulfillment of this condition.

10 **B. EDUCATION COURSE**

11 Within sixty (60) calendar days of the effective date of this Decision and Order,
12 Respondent shall submit to the Board or its designee for its prior approval educational program(s)
13 or course(s) which shall not be less than 40 hours per year, for the one year period, commencing
14 on the effective date of this Decision and Order. The educational program(s) or course(s) shall be
15 aimed at correcting any areas of deficient practice or knowledge (diagnostic medicine/diagnosis
16 of leukemia) and shall be Category I certified. The educational program(s) or course(s) shall be
17 at Respondent's expense and shall be in addition to the Continuing Medical Education (CME)
18 requirements for renewal of licensure. Following the completion of each course, the Board or its
19 designee may administer an examination to test Respondent's knowledge of the course.
20 Respondent shall provide proof of attendance for 65 hours of CME of which 40 hours were in
21 satisfaction of this condition.

22 **C. PROFESSIONALISM PROGRAM (ETHICS COURSE)**

23 Within sixty (60) calendar days of the effective date of this Decision, Respondent shall
24 enroll in a professionalism program, that meets the requirements of Title 16, California Code of
25 Regulations (CCR) section 1358. Respondent shall participate in and successfully complete that
26 program. Respondent shall provide any information and documents that the program may deem
27 pertinent. Respondent shall successfully complete the classroom component of the program not
28 later than six (6) months after Respondent's initial enrollment, and the longitudinal component of

1 the program not later than the time specified by the program, but no later than one (1) year after
2 attending the classroom component. The professionalism program shall be at Respondent's
3 expense and shall be in addition to the Continuing Medical Education (CME) requirements for
4 renewal of licensure.

5 A professionalism program taken after the acts that gave rise to the charges in the
6 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
7 or its designee, be accepted towards the fulfillment of this condition if the program would have
8 been approved by the Board or its designee had the program been taken after the effective date of
9 this Decision.

10 Respondent shall submit a certification of successful completion to the Board or its
11 designee not later than fifteen (15) calendar days after successfully completing the program or not
12 later than fifteen (15) calendar days after the effective date of the Decision, whichever is later.

13 **D. CLINICAL COMPETENCE ASSESSMENT PROGRAM**

14 Within 60 calendar days of the effective date of this Decision, Respondent shall enroll
15 in a clinical competence assessment program approved in advance by the Board or its designee.

16 Respondent shall successfully complete the program not later than six (6) months after
17 Respondent's initial enrollment unless the Board or its designee agrees in writing to an extension
18 of that time.

19 The program shall consist of a comprehensive assessment of Respondent's physical and
20 mental health and the six general domains of clinical competence as defined by the Accreditation
21 Council on Graduate Medical Education and American Board of Medical Specialties pertaining to
22 Respondent's current or intended area of practice. The program shall take into account data
23 obtained from the pre-assessment, self-report forms and interview, and the Decision(s),
24 Accusation(s), and any other information that the Board or its designee deems relevant. The
25 program shall require Respondent's on-site participation for a minimum of 3 and no more than 5
26 days as determined by the program for the assessment and clinical education evaluation.

27 Respondent shall pay all expenses associated with the clinical competence assessment
28 program.

1 At the end of the evaluation, the program will submit a report to the Board or its designee
2 which unequivocally states whether the Respondent has demonstrated the ability to practice
3 safely and independently. Based on Respondent's performance on the clinical competence
4 assessment, the program will advise the Board or its designee of its recommendation(s) for the
5 scope and length of any additional educational or clinical training, evaluation or treatment for any
6 medical condition or psychological condition, or anything else affecting Respondent's practice of
7 medicine. Respondent shall comply with the program's recommendations.

8 Determination as to whether Respondent successfully completed the clinical competence
9 assessment program is solely within the program's jurisdiction.

10 **ACCEPTANCE**

11 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
12 discussed it with my attorney, James Victor Kosnett. I understand the stipulation and the effect it
13 will have on my Physician's and Surgeon's Certificate No. C 53302. I fully understand that, after
14 signing this stipulation, I may not withdraw from it, that it shall be submitted to the Board for its
15 consideration, and that the Board shall have a reasonable period of time to consider and act on
16 this stipulation after receiving it. By entering into this stipulation, I fully understand that, upon
17 formal acceptance by the Board, I shall be publicly reprimanded by the Board and shall be
18 required to comply with all of the terms and conditions of the Disciplinary Order set forth above.
19 I also fully understand that any failure to comply with the terms and conditions of the
20 Disciplinary Order set forth above shall constitute unprofessional conduct and will subject my
21 Physician's and Surgeon's Certificate No. C 53302 to further disciplinary action. I enter into this
22 Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree
23 to be bound by the Decision and Order of the Medical Board of California.

24 DATED: 5/10/17



EDNA REGALA SAYAT, M.D.
Respondent

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I have read and fully discussed with Respondent Edna Regala Sayat, M.D. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 5-10-17




JAMES VICTOR KOSNETT, ESQ.
Attorney for Respondent

ENDORSEMENT

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

Dated: 5-15-17

Respectfully submitted,
XAVIER BECERRA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General


LORI JEAN FORCUCCI
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2013-000099

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO September 20 20 16
BY R. Firdaus ANALYST

1 KAMALA D. HARRIS
Attorney General of California
2 ALEXANDRA M. ALVAREZ
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8 *Attorneys for Complainant*

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

12
13 **In the Matter of the Accusation Against:**

Case No. 800-2013-000099

14 **EDNA REGALA SAYAT M.D.**
15 **7203 Ravenswood Place**
Rancho Cucamonga, CA 91701

OAH No.

16 **Physician's and Surgeon's Certificate**
17 **No. C53302,**

A C C U S A T I O N

18 **Respondent.**

19 Complainant alleges:

20 **PARTIES**

- 21 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
22 capacity as the Executive Director of the Medical Board of California.
- 23 2. On or about May 28, 2008, the Medical Board of California issued Physician's and
24 Surgeon's Certificate No. C53302 to Edna Regala Sayat, M.D. (Respondent). Physician's and
25 Surgeon's Certificate No. C53302 was in effect at all times relevant to the charges brought herein
26 and will expire on February 28, 2018, unless renewed.

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JURISDICTION

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

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

9 5. Section 2234 of the Code states:

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

13 “(a) Violating or attempting to violate, directly or indirectly, assisting in or
14 abetting the violation of, or conspiring to violate any provision of this chapter.
15 [Chapter 5, the Medical Practices Act.]

16 “...

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

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

24 “(2) When the standard of care requires a change in the diagnosis, act, or
25 omission that constitutes the negligent act described in paragraph (1), including, but
26 not limited to, a reevaluation of the diagnosis or a change in treatment, and the
27 licensee’s conduct departs from the applicable standard of care, each departure
28 constitutes a separate and distinct breach of the standard of care.

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“... ”

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

6. A subpoena duces tecum for investigative purposes may be issued by the Medical Board of California, an entity within the Department of Consumer Affairs, under Government Code section 11181, subdivision (e).

7. “[T]he Board’s investigators are authorized to exercise delegated powers (Gov. Code, § 11182) to ‘[i]nspect books and records’ and to ‘[i]ssue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents and testimony in any inquiry [or] investigation . . . in any part of the state’ (citations).” (*Arnett v. Dal Cielo* (1996) 14 Cal.4th 4, 8.)

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

FIRST CAUSE FOR DISCIPLINE
(Repeated Negligent Acts)

9. Respondent has subjected her Physician’s and Surgeon’s Certificate No. C53302 to disciplinary action under sections 2227 and 2234, as defined by section 2234, subdivision (c), of the Code, in that she has committed repeated negligent acts in her care and treatment of patient D.L., as more particularly alleged hereinafter:

10. On or about July 2013, Respondent was a pediatrician working at Riverside-San Bernardino County Indian Health, Inc. (RSBCIH).

11. Patient D.L. a 14 year-old male, was seen by Respondent at a RSBCIH facility on or about July 30, 2013, for a well-child assessment. Respondent reviewed patient D.L.’s height, weight, temperature, blood pressure and administered hearing and vision tests. She reviewed patient D.L.’s development, including body image, home situation, education, school progress,

1 risk taking behaviors, sexuality and mental health. A complete physical examination was
2 performed.

3 12. On or about July 30, 2013, patient D.L. also received a routine HPV immunization.
4 Routine diagnostic laboratory tests were ordered, including urinalysis. A hemoglobin¹ test by
5 finger stick² was performed. Patient D.L.'s urinalysis test result was normal, but his hemoglobin
6 result of 8.2 was significantly lower than normal. Respondent repeated the hemoglobin test by
7 finger stick, but did not order a complete blood count³ by venipuncture.⁴ Patient D.L.'s
8 hemoglobin result was again 8.2.

9 13. Respondent started patient D.L. on iron supplement therapy and instructed him to
10 follow up in three (3) months. No additional diagnostic tests were done during this visit.

11 14. On or about August 18, 2013, RSBCIH received a report that patient D.L. was
12 experiencing shortness of breath and chest pain. Patient D.L. was instructed to go to an
13 emergency room. At the emergency room patient D.L. experienced a full cardiac arrest. His
14 complete blood count revealed severe anemia, with a hemoglobin result of 7.5; a hematocrit⁵

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21 ¹ Hemoglobin is the protein molecule in red blood cells that carries oxygen from the
lungs to the body's tissues and returns carbon dioxide from the tissues back to the lungs.

22 ² A finger stick blood test is conducted by piercing the skin with a sterile lancet so that a
23 blood droplet is captured in a capillary tube. Test results by finger stick are less sensitive and
comprehensive than test results by venipuncture [see footnote 4.]

24 ³ A complete blood count (CBC) is a blood test used to evaluate overall health and detect
25 a wide range of disorders, including anemia, infection and leukemia. A CBC test measures
several components and features of blood, including red blood cells, which carry oxygen.

26 ⁴ Venipuncture is puncture of a vein, typically to withdraw a blood sample.

27 ⁵ Hematocrit is a blood test that measures the percentage of the volume of whole blood
28 that is made up of red blood cells.

1 result of 21; 99 atypical lymphocytes;⁶ and a critically low platelet⁷ count of 39,000. Patient
2 D.L.'s cause of death was acute lymphoblastic leukemia/lymphoma.⁸

3 15. Respondent committed repeated acts of negligence in her care and treatment of
4 patient D.L. which included, but was not limited to, the following:

- 5 (a) When patient D.L.'s first finger stick test produced abnormal test results,
6 Respondent failed to order a complete blood count by venipuncture for the follow up
7 blood test;
- 8 (b) When patient D.L.'s finger stick tests produced results showing severe anemia,
9 Respondent scheduled an untimely hemoglobin recheck for three months in the future,
10 instead of scheduling his recheck visit for an earlier date; and
- 11 (c) Respondent assumed that patient D.L.'s anemia resulted from an iron deficiency
12 without properly considering broader differential diagnoses related to anemia.

13 **SECOND CAUSE FOR DISCIPLINE**

14 **(Repeated Failures to Attend and Participate in an Interview by the Board)**

15 16. Respondent has further subjected her Physician's and Surgeon's Certificate No.
16 C53302 to disciplinary action under sections 2227 and 2234, as defined by section 2234,
17 subdivision (h), of the Code, in that she repeatedly failed, in the absence of good cause, to attend
18 and participate in an interview by the board, as more particularly alleged hereinafter:

19 17. Paragraphs 9 through 15, above, are incorporated by reference and realleged, as if
20 fully set forth herein.

21 18. On or about October 4, 2013, the Medical Board of California received a Health
22 Faculty/Peer Review Reporting Form (Report), a mandatory reporting form required by section
23 805 of the Code, from RSBCIH. The Report triggered an investigation by the Health Quality
24 Investigation Unit (HQIU). HQIU investigations include an interview of the licensee, typically

25 ⁶ A lymphocyte is one subtype of white blood cell in the immune system, and is the main
26 type of cell found in lymph.

27 ⁷ Platelets help blood to clot.

28 ⁸ Acute lymphoblastic leukemia is a cancer of the bone marrow and blood.

1 conducted by the HQIU investigator, and the District Medical Consultant (DMC), with the
2 assigned Deputy Attorney General (DAG) in attendance.

3 19. On or about January 28, 2015, HQIU Investigator S.T. (the Investigator)
4 corresponded directly with Respondent to schedule her Board Interview. Respondent responded
5 by letter, stating that she retained counsel. Thereafter, between February 12, 2015, and April 28,
6 2015, the Investigator contacted Respondent's attorney, by phone and letter, but had no success in
7 scheduling a Board Interview.⁹ On or about March 10, 2015, Respondent came to the San
8 Bernardino HQIU Field Office without her attorney to review copies of patient D.L.'s medical
9 records.

10 20. On or about April 30, 2015, Respondent was personally served at her address of
11 record in Rancho Cucamonga, California, with a subpoena that ordered her to appear for her
12 Medical Board interview on June 10, 2015, at 10:00 a.m., at the HQIU Field Office in Tustin,
13 California. On or about May 1, 2015, Respondent's attorney was served a copy of the subpoena
14 and proof of personal service via electronic mail. No objection to the time or place of the
15 interview was received. At approximately 10:00 a.m., on June 10, 2015, a HQIU Investigator, a
16 DMC, and the DAG convened at the Tustin Field Office for Respondent's interview. Neither
17 Respondent nor her attorney appeared, nor did either telephone or otherwise attempt to excuse the
18 appearance.¹⁰

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21 ⁹ On February 12, and 19, 2015, the Investigator telephoned Respondent's attorney to
22 schedule a date for the interview, but he failed to return her calls. The Investigator renewed
23 requests to schedule Respondent's Board Interview, offering the dates of April 28, 29, or 30,
24 2015, as possible interview dates. Respondent's attorney failed to return her call. On March 13,
25 2015, the Investigator again offered the same possible interview dates in writing, with no
26 response. On April 28, 2015, the Investigator telephoned Respondent's attorney to advise him
27 that she was going to serve Respondent with a subpoena for her appearance at her Medical Board
28 interview.


26 ¹⁰ A telephone call placed to the attorney on June 10, 2015, was not accepted by the
27 attorney, nor was it returned. About six weeks later, on or about June 22, 2015, Respondent's
28 attorney prepared a letter that stated, among other things, that the Medical Board's subpoena
would not be obeyed without a court order. Respondent's attorney was informed of the legal
authority that supported the Board's ability to enforce its subpoenas.

PRAYER

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

1. Revoking or suspending Physician's and Surgeon's Certificate No. C53302, issued to Edna Regala Sayat, M.D.;
2. Revoking, suspending or denying approval of Respondent Edna Regala Sayat, M.D.'s authority to supervise physician assistants, pursuant to section 3527 of the Code;
3. Ordering Respondent Edna Regala Sayat, M.D., to pay to the Board, if placed on probation, the costs of probation monitoring; and
4. Taking such other and further action as deemed necessary and proper.

DATED: September 20, 2016


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
State of California
Complainant

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