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

In the Matter of the Accusation Against:)
)
LARS ERIK HANSON, M.D.) Case No. 04-2009-202592
)
Physician's and Surgeon's)
Certificate No. G79925)
)
Respondent.)
_______________________________)

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Medical Board of California, Department of Consumer Affairs, State of California, as its Decision in this matter.

This Decision shall become effective at 5:00 p.m. on September 8, 2011.

IT IS SO ORDERED August 9, 2011.

MEDICAL BOARD OF CALIFORNIA

By: Shelton Duruisseau
Shelton Duruisseau, Ph.D., Chair
Panel A

KAMALA D. HARRIS
Attorney General of California
E. A. JONES III
Supervising Deputy Attorney General
JUDITH T. ALVARADO
Deputy Attorney General
State Bar No. 155307
300 South Spring Street, Suite 1702
Los Angeles, California 90013
Telephone: (213) 576-7149
Facsimile: (213) 897-9395
Attorneys for Complainant

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

In the Matter of the Accusation Against: LARS ERIK HANSON, M.D. 745 East Valley Boulevard, PMB 252 San Gabriel, California 91776 Physician's and Surgeon's Certificate No. G 79925, Respondent.	Case No. 04-2009-202592 OAH No. 2010100273 **STIPULATED SETTLEMENT AND DISCIPLINARY ORDER**

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

PARTIES

1. Linda K. Whitney (Complainant) is the Executive Director of the Medical Board of California. She brought this action solely in her official capacity and is represented in this matter by Kamala D. Harris, Attorney General of the State of California, by Judith T. Alvarado, Deputy Attorney General.

2. Respondent LARS ERIK HANSON, M.D. is represented in this proceeding by attorney Joseph P. Furman, Esq., of Furman Healthcare Law, whose address is: 9701 Wilshire Boulevard, 10th Floor, Beverly Hills, California 90212.

3. On or about September 28, 1994, the Medical Board of California issued Physician's and Surgeon's Certificate No. G 79925 to Respondent. That certificate was in full force and effect at all times relevant to the charges brought in Accusation 04-2009-202592 and will expire on December 31, 2011, unless renewed.

JURISDICTION

4. Accusation No. 04-2009-202592 was filed before the Medical Board of California (Board) , Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on August 12, 2010. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 04-2009-202592 is attached hereto as Exhibit "A" and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 04-2009-202592. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

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

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

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CULPABILITY

8. Respondent admits that at a hearing, Complainant could set forth a prima facie case for unprofessional conduct as alleged in Accusation No. 04-2009-202592, and Respondent declines to defend same in this matter. Respondent further agrees that his Physician and Surgeon's Certificate is subject to discipline for violation of Business and Professions Code 2234 (a) and he agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order below.

RESERVATION

9. The admissions made by Respondent herein are only for the purposes of this proceeding, or any other proceedings in which the Medical Board of California or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

CONTINGENCY

10. This stipulation shall be subject to approval by the Medical Board of California. Respondent understands and agrees that counsel for Complainant and the staff of the Medical Board of California may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

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

DISCIPLINARY ORDER

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

1. **PUBLIC REPRIMAND**

IT IS HEREBY ORDERED THAT Physician's and Surgeon's Certificate No. G 79925, issued to Lars Erik Hanson, M.D. is hereby Publically Reprimanded pursuant to California Business and Professions Code section 2227, subdivision (a)(4). This Public Reprimand is issued in connection with the allegations of unprofessional conduct as set forth in Accusation No. 04-2009-202592, and is as follows:

> On or about July 28, 2009, you committed acts constituting unprofessional conduct, in violation of Business and Professions Code, section 2234, subdivision (a), as set forth in Accusation No. 04-2009-202592.

2. **ETHICS COURSE**

Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in a course in ethics, at Respondent's expense, approved in advance by the Board or its designee. Failure to successfully complete the course within eight months of the effective date of this Decision shall constitute unprofessional conduct.

An ethics course taken after the acts that gave rise to the charges in the Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board or its designee, be accepted towards the fulfillment of this condition if the course would have been approved by the Board or its designee had the course been taken after the effective date of this Decision.

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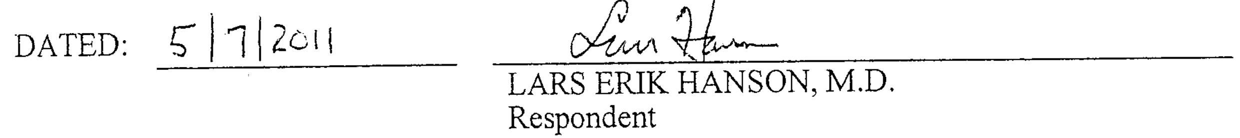
Respondent shall submit a certification of successful completion to the Board or its designee not later than 15 calendar days after successfully completing the course, or not later than 15 calendar days after the effective date of the Decision, whichever is later.

3. **MEDICAL and PSYCHIATRIC EVALUATION**

Condition successfully satisfied.

ACCEPTANCE

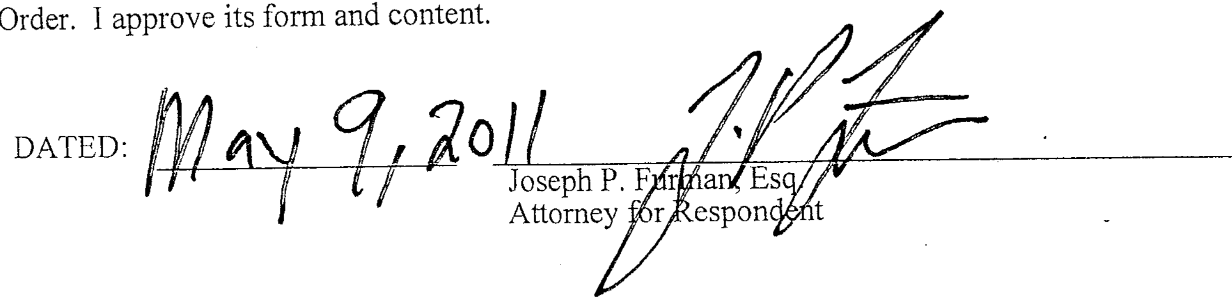
I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Joseph P. Furman, Esq.. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.



DATED: 5|7|2011

LARS ERIK HANSON, M.D.
Respondent

I have read and fully discussed with Respondent LARS ERIK HANSON, 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: May 9, 2011

Joseph P. Furman, Esq.
Attorney for Respondent

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ENDORSEMENT

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

Dated: May 9, 2011

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
E. A. JONES III
Supervising Deputy Attorney General

JUDITH T. ALVARADO
Deputy Attorney General
Attorneys for Complainant

Exhibit A

Accusation No. 04-2009-202592

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO August 12 2010
BY Arlene Krysinski ANALYST

EDMUND G. BROWN JR.
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Attorneys for Complainant

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

In the Matter of the Accusation Against: LARS ERIK HANSON, M.D. 745 East Valley Blvd., PMB 252 San Gabriel, California 91776 Physician's and Surgeon's Certificate No. G 79925, Respondent.	Case No. 04-2009-202592 **ACCUSATION**

Complainant alleges:

PARTIES

1. Linda K. Whitney (Complainant) brings this Accusation solely in her official capacity as the Executive Director of the Medical Board of California (Board).

2. On or about September 28, 1994, the Board issued Physician's and Surgeon's Certificate number G 79925 to Lars Erik Hanson, M.D. (Respondent). That certificate was in full force and effect at all times relevant to the charges brought herein and will expire on December 31, 2011, unless renewed.

JURISDICTION

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

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

5. Section 2234 of the Code states:

"The Division[1] of Medical Quality shall take action against any licensee who is charged with unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:

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

"(b) Gross negligence."

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

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

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

". . ."

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[1] California Business and Professions Code section 2002, as amended and effective January 1, 2008, provides that, unless otherwise expressly provided, the term "board" as used in the State Medical Practice Act (Cal. Bus. & Prof. Code, §§§§ 2000, et seq.) means the "Medical Board of California," and references to the "Division of Medical Quality" and "Division of Licensing" in the Act or any other provision of law shall be deemed to refer to the Board.

1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Gross Negligence)**

3 **(Failure to Properly Maintain and Operate an Abortion Clinic)**

4 6. Respondent has subjected his Physician's and Surgeon's certificate to disciplinary
5 action under sections 2227 and 2234, as defined by section 2234, subdivision (b), of the Code, in
6 that he committed gross negligence in his maintenance and operation of an outpatient abortion
7 clinic, as more particularly alleged herein:

8 7. On or before December 1, 2000, Respondent leased office space at 789 South San
9 Gabriel Boulevard, Suite E, in the city of San Gabriel, California. On or about December 1,
10 2000, Respondent sub-leased a portion of the office space to Feng Jie Yuan, an acupuncturist.

11 8. On or before June 22, 2009, Respondent opened and operated an abortion clinic in the
12 office space he leased at 789 South San Gabriel Boulevard, Suite E, in the city of San Gabriel,
13 California. Respondent advertised his abortion clinic as "Clinica Para La Mujer" on an awning
14 over the door of the clinic. Respondent also advertised his abortion clinic in the 2008 and 2009
15 editions of the Chinese Consumer Yellow Pages. Respondent's Yellow Pages advertisements
16 were listed under the heading "Doctor-Abortion Services" and his clinic was identified as a
17 Family Planning Medical Center which provided "induced abortion and surgical operation
18 induced abortion, special price $286 (Excluding anesthetic fee)."

19 9. The standard of medical practice for an outpatient abortion clinic is to provide safe,
20 legal and accessible abortion care. In so doing, the clinic must be adequately staffed with
21 licensed nurses, nurse anesthetists or anesthesiologists, physicians, counselors or other personnel
22 trained in abortion care. At least one staff member of the healthcare team must maintain a current
23 CPR (cardiopulmonary resuscitation) certificate for emergency care whenever an abortion is
24 being performed. Further, the clinic must be adequately equipped to provide abortion care. This
25 includes functioning equipment, sterile instruments, and medications. All patients who have
26 undergone a surgical abortion must be observed during the recovery period by a health care
27 worker trained in postoperative care. The clinic must provide an emergency contact service on a
28 24 hour basis; the clinic must assure physician referral if indicated. Finally, the clinic must have

appropriate equipment and medications on site to handle medical emergencies, including an oxygen delivery system, oral airways, uterotonics[2] and epinephrine.

10. Respondent's abortion clinic was not adequately staffed to provide abortion care or perform surgical procedures. Respondent did not employ any licensed nurses, nurse anesthetists or anesthesiologists, counselors or other personnel trained in abortion care. Respondent's only clinic staff member is his wife, An Li Chaing, who has no medical training.

11. Respondent did not have a current certified CPR provider at his clinic while abortions were performed.

12. The equipment in Respondent's clinic was inadequate to perform adequate pre-abortion testing, such as accurate ultrasound dating of the pregnancy.

13. Respondent maintained expired medications in his clinic.

14. Respondent maintained non-sterile medical instruments in his clinic.

15. Respondent's clinic did not have an appropriate setting for the recovery of patients and Respondent did not employ a health care worker trained in postoperative care.

16. Respondent did not have a 24 hour emergency contact service or physician referral system. Indeed, the physician Respondent contracted with to provide abortion services only came to his clinic once a week.

17. Respondent's clinic was inadequately equipped for emergencies and resuscitation.

18. Respondent's conduct as set forth above includes the following acts and/or omissions which constitute an extreme departure from the standard of practice.

A. His failure to adequately staff his abortion clinic.

B. His failure to adequately equip his clinic to safely perform surgical abortions.

C. His failure to provide adequate postoperative care.

D. His failure to adequately prepare his clinic for management of abortion emergencies.

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[2] Medications to treat heavy uterine bleeding.

19. Respondent's acts and/or omissions as set forth in paragraphs 7 through 18, inclusive, above, whether proven individually, jointly, or in any combination thereof, constitute gross negligence pursuant to section 2234 (b) of the Code. Therefore cause for discipline exists.

SECOND CAUSE FOR DISCIPLINE

(Gross Negligence)

(Unprofessional Conduct)

20. On or about July 28, 2009, at approximately 11:00 a.m., Patient Y.C.[3], a 30-year-old woman, presented for her scheduled appointment at Respondent's clinic for the purpose of having an abortion.

21. Respondent had prearranged with Andrew Rutland, M.D. that Dr. Rutland would perform the abortion on Y.C.

22. Dr. Rutland performed a history and physical on Y.C. Respondent and Dr. Rutland performed an ultrasound on Y.C. for the purpose of estimating the gestational age of the fetus. Based on the physical examination and ultrasound, Dr. Rutland estimated the gestational age at 16 to 16.5 weeks. Thereafter, Dr. Rutland performed a pelvic examination on Y.C. He then gave patient Y.C. a paracervical block[4] with lidocaine.

23. Shortly after receiving the paracervical block, patient Y.C. began to have a reaction. Respondent and acupuncturist, Mr. Yuan, were called into the procedure room and the three began performing CPR on Y.C.

24. An Li Chiang called 911 and paramedics were dispatched at 1:19 p.m. Emergency personnel (paramedics) arrived on the scene at approximately 1:20 p.m. and patient Y.C. was found to be in full cardiac arrest. The paramedics observed that neither Respondent nor Dr. Rutland were providing any care to patient Y.C.

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[3] In this Accusation, the patient is referred to by initial. The patient's full name will be disclosed to Respondent when discovery is provided pursuant to Government Code section 11507.6

[4] Regional anesthesia resulting from the injection of local anesthetic to the cervix used to provide analgesia during gynecological procedures.

25. The paramedics requested the assistance of the San Gabriel Police Department as they noted the presence of a shirtless male running inside the clinic. The "shirtless male" was later identified as Respondent. The responding officer, Officer Cortez, advised Respondent that he needed to question him regarding patient Y.C. Nevertheless, Respondent entered his vehicle and proceeded to drive away. A second officer was called to intercept Respondent and return him to the clinic.

26. Once Respondent returned to the clinic, he refused to cooperate with the San Gabriel Police Department's investigation of the circumstances surrounding patient Y.C.'s cardiac arrest. Respondent's behavior was described as irrational and excited. Respondent refused to provide accurate information to the police and insisted that he could not recall what had occurred with regard to patient Y. C.

27. Paramedics performed life saving measures and took patient Y.C. to the San Gabriel Medical Center where she died six days later.

28. An autopsy determined that the cause of Y.C.'s death was sequelae of anoxic/ischemic encephalopathy as a consequence of cardiopulmonary arrest due to lidocaine toxicity. Y.C.'s death was classified by the Los Angeles County Coroner as a homicide.

29. Respondent's conduct as set forth above includes the following acts and/or omissions which constitute an extreme departure from the standard of practice.

A. His lack of professionalism.

30. Respondent's acts and/or omissions as set forth in paragraphs 20 through 29, inclusive, above, whether proven individually, jointly, or in any combination thereof, constitute gross negligence pursuant to section 2234 (b) of the Code. Therefore cause for discipline exists.

THIRD CAUSE FOR DISCIPLINE

(Repeated Negligent Acts)

31. Respondent is subject to disciplinary action under section 2234, subdivision (c) of the Code in that his conduct and his care and treatment of patient Y.C. constituted repeated negligent acts. The circumstances are as follows:

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32. The allegations of the First Cause for Discipline are incorporated herein by reference as if fully set forth.

33. The allegations of the Second Cause for Discipline are incorporated herein by reference as if fully set forth.

Patient Y.C.

34. As noted above, after receiving the paracervical block, patient Y.C. began to have a reaction. Respondent was called into the procedure room and began to administer CPR to Y.C. by providing respirations. Apparently, Y.C. vomited on Respondent, causing Respondent to panic and run out of the procedure room, prior to the arrival of the paramedics.

35. The standard of care calls for a physician to provide basic life support (CPR) to a patient until emergency service personnel arrive and assume care of the patient.

36. Respondent's conduct as set forth above includes the following acts and/or omissions which constitute departures from the standard of practice.

A. His failure to adequately staff his abortion clinic.

B. His failure to adequately equip his clinic to safely perform surgical abortions.

C. His failure to provide adequate postoperative care.

D. His failure to adequately prepare his clinic for management of abortion emergencies.

E. His lack of professionalism.

F. His failure to continue to provide basic life support to patient Y.C. until transferring her care to paramedics.

37. Respondent's acts and/or omissions as set forth in paragraphs 32 and 36, inclusive, above, whether proven jointly, or in any combination thereof, constitute repeated negligent acts pursuant to section 2234 (c) of the Code. Therefore, cause for discipline exists.

PRAYER

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

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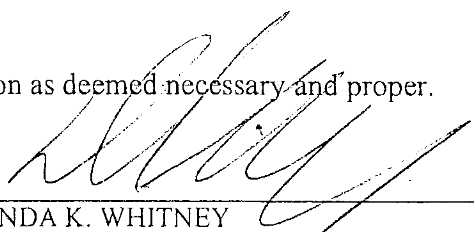
1. Revoking or suspending Physician's and Surgeon's Certificate No. G 79925 issued to Lars Erik Hanson, M.D.;

2. Ordering him to pay the Board, if placed on probation, the costs of probation monitoring;

3. Prohibiting him from supervising physician assistants pursuant to section 3527 of the Code; and

5. Taking such other and further action as deemed necessary and proper.

DATED: August 12, 2010



LINDA K. WHITNEY
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant