

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

In the Matter of the Accusation  
Against:

ROBERT SANTELLA, M.D.,  
Certificate No. G-23945,

Respondent.

NO. D-2922

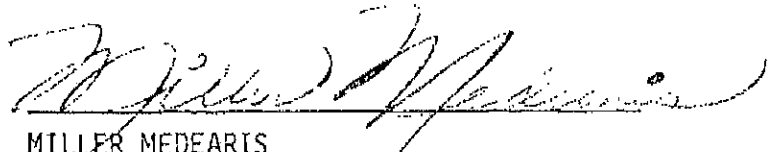
DECISION

The attached Stipulation is hereby adopted by the Division of Medical Quality of the Board of Medical Quality Assurance as its Decision in the above-entitled matter.

This Decision shall become effective on December 10, 1983.

IT IS SO ORDERED January 4, 1984.

DIVISION OF MEDICAL QUALITY  
BOARD OF MEDICAL QUALITY ASSURANCE



MILLER MEDEARIS  
Secretary-Treasurer

1 JOHN K. VAN DE KAMP, Attorney General  
of the State of California  
2 BARRY D. LADENDORF,  
Deputy Attorney General  
3 110 West A Street, Suite 700  
San Diego, California 92101  
4 Telephone: (619) 237-7811

5 Attorneys for Complainant  
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7

8 BEFORE THE  
9 DIVISION OF MEDICAL QUALITY  
10 BOARD OF MEDICAL QUALITY ASSURANCE  
11 DEPARTMENT OF CONSUMER AFFAIRS  
12 STATE OF CALIFORNIA  
13

14 In the Matter of the Accusation ) No. D-2922  
Against: )  
15 ) STIPULATION FOR  
ROBERT SANTELLA, M.D. ) SETTLEMENT  
16 1662 East Main Street )  
Suite 306 )  
17 El Cajon, California 92021 )  
License No. G 23945 )  
18 Respondent. )  
19 )  
20

21 IT IS HEREBY STIPULATED AND AGREED by and between  
22 the parties to the above-entitled matter that the following  
23 allegations are true.

24 1. Stephen R. Wilford, complainant herein and Acting  
25 Executive Director of the Board of Medical Quality Assurance of  
26 the State of California, is represented by John K. Van De Kamp,  
27

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1 Attorney General of the State of California by Barry D. Ladendorf,  
2 Deputy Attorney General.

3           2. Robert Santella, M. D. (hereinafter "respondent")  
4 is represented by Daniel T. Broderick III, who has been retained  
5 as his attorney in regard to the administrative action herein  
6 and that the respondent has counseled with Mr. Broderick  
7 concerning the effect of this stipulation, which the respondent  
8 herein has carefully read and fully understands.

9           3. Respondent has received and read the accusation  
10 which is presently on file and pending as Case No. D-2922  
11 before the Division of Medical Quality of the Board of  
12 Medical Quality Assurance, State of California.

13           4. Respondent understands the nature of the charges  
14 alleged in the above-mentioned accusation and that said  
15 charges and allegations would constitute cause for imposing  
16 discipline upon respondent's medical license heretofore issued  
17 by the Board of Medical Quality Assurance.

18           5. Respondent and his counsel are aware of each of  
19 respondent's rights, including the right to a hearing on the  
20 charges and allegations, the right to confront and cross-examine  
21 witnesses who would testify against him, the right to present  
22 evidence in his favor and call witnesses on his behalf, or  
23 to testify himself, his right to contest the charges and allega-  
24 tions, and any other rights which may be accorded to him pur-  
25 suant to California Administrative Procedure Act (Gov. Code  
26 § 11500, et seq.) his right to reconsideration, review by the  
27 superior court and to appeal to any other court; that respondent

1 understands that in signing this stipulation rather than contest-  
2 ing the accusation, he is enabling the Division of Medical  
3 Quality of the Board of Medical Quality Assurance to issue the  
4 following order from this stipulation without further process.

5           6. Respondent freely and voluntarily waives each and  
6 every one of the rights set forth hereinabove; that respondent  
7 admits he is guilty of violating section 2234(b) (gross  
8 negligence) and/or (d) (incompetence) by reason of the  
9 following:

10                   Patient - Judy L.

11           A. Judy L. was a patient of respondent and  
12 admitted to Grossmont Hospital for a vaginal hysterectomy.

13           B. Respondent failed to document the patient's  
14 history of a elective abortion within one month of the hysterec-  
15 tomy.

16           C. Respondent failed to respond promptly to the  
17 hospital's notification that the patient's post-operative con-  
18 dition had deteriorated.

19           D. Following the patient's second surgery,  
20 respondent left the patient before her condition had stablized,  
21 and he did not write post-operative orders. However, he did ask  
22 the assistant surgeon to write them.

23                   Patient - Cheryl L.

24           A. Patient Cheryl L. was admitted to Sharp  
25 Hospital with a pelvic inflammatory disease and a temperature of  
26 99°.

27 /

1 B. Respondent failed to examine Cheryl L. at the  
2 hospital until some 25 hours after her admission.

3 C. Cheryl L. was ultimately found to have a  
4 urinary tract infection.

5 Patient - Randa P.

6 A. At all times Randa P. was pregnant and a  
7 patient of respondent.

8 B. Respondent failed to recognize the danger  
9 the patient's hypertension headaches posed to the fetus.

10 C. Respondent failed to do adequate antepartum  
11 monitoring of the condition of the fetus.

12 D. Respondent delayed hospitalizing the patient  
13 for evaluation of preeclampsia or possible placental separation  
14 for two days.

15 E. Patient Randa P. delivered a still-born baby  
16 on August 27, 1981.

17 7. Based on the foregoing stipulations and reci-  
18 tal, it is stipulated and agreed that the Division of Medical  
19 Quality may issue the following order as its decision in this  
20 case, to be effective on December 10, 1983.

21 ORDER

22 IT IS HEREBY ORDERED that License Number G-23945  
23 issued to Robert Santella, M. D. is revoked. However, said  
24 revocation is stayed and respondent is placed on probation for  
25 five years on the following terms and conditions:

26 /

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1           A. As part of probation, respondent is  
2 suspended from the practice of medicine for 60 days  
3 beginning December 10, 1983.

4           B. Within 60 days of the effective date of  
5 this decision, respondent shall take and pass an  
6 oral clinical examination to be administered by the  
7 Division or its designee. If the respondent fails  
8 this examination, respondent must wait three months  
9 between reexaminations, except that after three  
10 failures, respondent must wait one year to take each  
11 necessary reexamination thereafter. The Division  
12 shall pay the cost of the first examination and  
13 respondent shall pay the costs of any subsequent  
14 examinations.

15           Respondent shall not practice medicine until  
16 respondent has passed this examination and has been so notified  
17 by the Division in writing.

18           C. Within 90 days of the effective date of this  
19 decision and on an annual basis thereafter during the  
20 period of probation, respondent shall take and complete not  
21 less than 40 hours per year of Category I continuing medi-  
22 cal education with emphasis in obstetrics and gynecology.  
23 This program shall be in addition to the continuing medical  
24 education requirements for relicensure.

25           D. Respondent shall obey all federal, state and  
26 local laws and all rules governing the practice of medicine  
27 in California.

1 E. Respondent shall submit quarterly declarations  
2 under penalty of perjury on forms provided by the Division,  
3 stating whether there has been compliance with all con-  
4 ditions on probation.

5 F. Respondent shall comply with the Division's pro-  
6 bation surveillance program.

7 G. Respondent shall appear in person for interviews  
8 with the Division's medical consultant upon request at  
9 various intervals and with reasonable notice.

10 H. In the event respondent should leave California  
11 to reside or to practice outside the state, respondent must  
12 notify in writing the Division of the dates of departure  
13 and return. Periods of residency or practice outside  
14 California will not apply to the reduction of this proba-  
15 tion period.

16 I. Upon successful completion of probation,  
17 respondent's certificate will be fully restored.

18 J. If respondent violates probation in any respect,  
19 the Division, after giving respondent notice and the oppor-  
20 tunity to be heard, may revoke probation and carry out the  
21 disciplinary order that was stayed. If an accusation or  
22 petition to revoke probation is filed against the respon-  
23 dent during probation, the Division shall have continuing

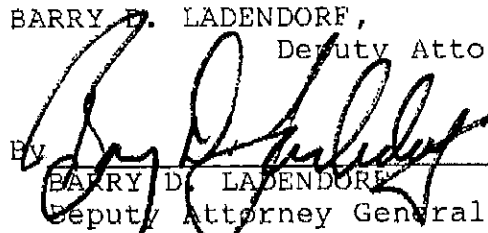
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1 jurisdiction until the matter is final and the period of  
2 probation shall be extended until the matter is final.

3 I concur in the stipulation and order.

4 Dated: 11/1/83

5 JOHN K. VAN DE KAMP, Attorney General  
6 of the State of California  
7 BARRY D. LADENDORF,  
8 Deputy Attorney General

9   
10 BY BARRY D. LADENDORF  
11 Deputy Attorney General

12 Attorneys for Complainant  
13 Board of Medical Quality Assurance  
14 State of California

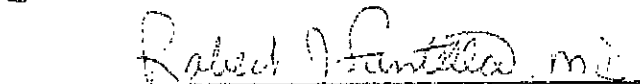
15 I concur in the stipulation and order.

16 Dated: 10/26/83

17   
18 DANIEL T. BRODERICK, III  
19 Attorney for Respondent

20 I have read the above stipulation fully and have  
21 discussed it with my counsel. I understand that by its terms I  
22 will be waiving certain rights accorded me under California law.  
23 I also understand that by its terms the Board of Medical Quality  
24 Assurance will issue a Decision and Order on this stipulation  
25 whereby my license to practice medicine will be subject to cer-  
26 tain terms and conditions. I agree to the above stipulation  
27 for settlement.

Dated: 10/24/83

  
ROBERT SANTELLA, M. D.  
Respondent



1 JOHN K. VAN DE KAMP, Attorney General  
of the State of California  
2 BARRY D. LADENDORF,  
Deputy Attorney General  
3 110 West "A" Street, Suite 700  
San Diego, California 92101  
4 Telephone: (619) 237-7811

5 Attorneys for Complainant

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

12 In the Matter of the Accusation ) NO. D 2922  
13 Against: )  
14 ROBERT SANTELLA, M. D. ) SUPPLEMENTAL  
15 1662 East Main Street, Suite 306 ) ACCUSATION  
16 El Cajon, California 92021 )  
17 License No. G 23945 )  
Respondent. )

18 Complainant, Vernon Leeper, alleges:

19 21. He is the Program Manager--Enforcement for the  
20 Board of Medical Quality Assurance and makes and files this  
21 supplemental accusation in his official capacity.

22 22. Paragraphs 1-20 of the original accusation are  
23 realleged and incorporated herein as though fully set forth.

24 RANDA P. MATTER

25 23. At all times herein mentioned Randa P. was  
26 pregnant and was a patient of and under the care of respondent.

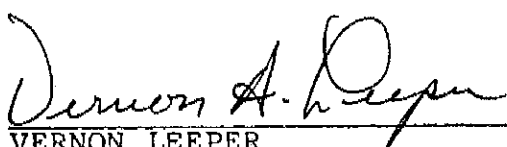
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2. Take such other and further action to  
protect the public health, safety and welfare.

Dated: July 11, 1983



VERNON LEEPER  
Program Manager--Enforcement  
Division of Medical Quality  
Board of Medical Quality Assurance

BDL:sol