
In the Matter Of	:	
	:	
SAID ISAAC JACOB, M.D.	:	
(CERTIFICATE NO.06604R) :	:	No. 93-I-034-X
	:	
Respondent.	:	CONSENT ORDER
	:	

¹See *Stipulation In Settlement, Decision and Order* before the Division of Medical Quality, Medical Board of California, Department of Consumer Affairs, State of California, In The Matter of the Accusation Against: Said Jacob, M.D. (6/10/93). (Attached as Appendix 1).

1

In December, 1992, Dr. Jacob submitted to the Louisiana State Board of Medical Examiners, his annual application for renewal of Louisiana licensure, in which he failed to disclose the 1992 California Accusation, of which he received formal notice on October 29, 1992.³ However, Dr. Jacob did admit of disciplinary action by the California Board on inquiry in his 1993 application for renewal of Louisiana licensure. The Investigating Officer recognizes that a final decision was not entered, pursuant to the Accusation filed in California against Dr. Jacob, until September 29, 1993. While Dr. Jacob admits knowledge of the California inquiry based on the Accusation forwarded to him in 1992 and recognizes that he may be charged in Louisiana with a violation of the Louisiana Medical Practice Act, he nevertheless consents to this agreement without admission of such a violation.⁴

Although Dr. Jacob currently resides and practices medicine exclusively in the State of California, he remains licensed to practice medicine in the State of Louisiana. Accordingly, the investigation of the captioned matter has been assigned to John B. Bobear, M.D., Director of Investigations for the Louisiana State Board of Medical Examiners. Dr. Bobear's review and analysis of the California Stipulation in Settlement as well as the 1992 and 1993 renewal applications submitted by Dr. Jacob confirms to his satisfaction that just cause exists for recommending that a formal administrative complaint be filed against Dr. Jacob pursuant to the Louisiana Medical Practice Act, LSA-R.S. 37:1261 et seq., charging Dr. Jacob with "the refusal of a licensing authority of another state to issue or renew a license, permit or certificate to practice medicine or osteopathy in that state or the revocation, suspension or other restriction imposed on a license, permit or certificate issue by such licensing authority which prevents or restricts practice in that state . . ." in violation of LSA-R.S. 37:1285 (A)(29).

Recognizing his right to have notice of allegations and charges asserted against him, to administrative adjudication of such charges, pursuant to LSA-R.S. 49:955-958, and to a final decision rendered upon written findings of fact and conclusions of law, Dr. Jacob, nonetheless, hereby waives his right to notice of allegations and charges and formal adjudication and, pursuant to LSA-R.S. 49:955(D), consents to entry of the Order set forth hereinafter. By his subscription hereto, Dr. Jacob also hereby

³Dr. Jacob was specifically asked the question "Were you the subject of any type of disciplinary action or inquiry by any licensing authority, institution, society, etc.?" His response was "No." The application was signed by Dr. Jacob and dated November 18, 1992.

⁴LSA-R.S. 37:1285 (A)(3) specifically prohibits "fraud, deceit or perjury in obtaining any diploma, license, or permit pertaining to this Part" of the Louisiana Medical Practice Act.

authorizes the Investigating Officer designated by the Board with respect hereto, as well his legal counsel assisting him in connection herewith, to present this Consent Order to the Board for its consideration and to fully disclose to and discuss with the Board the nature and results of the investigation and waives any objection to such disclosures under LSA-R.S. 49:960. Dr. Jacob expressly acknowledges that disclosure of the information to the Board by the Investigating Officer or his counsel shall be without prejudice to the Investigating Officer's authority to file a formal Administrative Complaint against him, or to the Board's capacity to adjudicate such Complaint, should the Board decline to approve this Consent Order.

On the basis of the information provided to and received by the Board and with Dr. Jacob's knowledge and consent, however, the Board is persuaded that he may maintain his license to practice medicine in the State of Louisiana, provided, however, that he strictly observes and complies with appropriate restrictions on and conditions to maintenance of such licensure.

In consideration of this finding, accordingly, and on the recommendation of the Board's Investigation Officer, respecting the pending investigation, the Board has concluded that its responsibility to ensure the health, safety and welfare of the citizens of this State against the unprofessional, unqualified and unsafe practice of medicine, LSA-R.S. 37:1261, will be effectively served by entry of the Order set forth hereinafter, by consent.

Accordingly, in consideration of the foregoing and pursuant to the authority vested in the Board by LSA-R.S. 49:955(D);

IT IS ORDERED that the license of Said Isaac Jacob, M.D., to engage in the practice of medicine in the State of Louisiana as evidenced by Certificate Number 06604R, be, and the same is hereby revoked; provided, however, said revocation is stayed and Dr. Jacob is placed on **PROBATION** to run concurrently with the balance of the three (3) year period of probation imposed by the Division of Medical Quality, Medical Board of California, Department of Consumer Affairs, State of California, in its original 1993 Stipulation in Settlement agreement and to continue until such time as Dr. Jacob obtains a completely unrestricted license to practice medicine in the State of California and his medical license is fully re-instated by the Division of Medical Quality, Medical Board of California, Department of Consumer Affairs, State of California.

IT IS FURTHER ORDERED that during the balance of the probationary period ordered hereinabove, Dr. Jacob shall strictly comply with and satisfy the following probationary terms, conditions and restrictions:

- a) **Compliance with California Order:** Dr. Jacob shall comply fully with all terms and orders imposed by the Division of Medical Quality, Medical Board of California, Department of Consumer Affairs, State of California;

- b) **Notice of Current Address:** Dr. Jacob shall advise the Board of any change of address, mailing or office, within thirty (30) days of such occurrence;
- c) **Relocation to Louisiana:** In no event shall Dr. Jacob relocate to Louisiana for the purpose of the practice of medicine in Louisiana until such time as his license to practice medicine in the State of California is fully reinstated and he provides the Board with at least sixty (60) days advance written notice of such intention, and shall contact the Board to discuss his then-current practice, plans and intentions.

IT IS FURTHER ORDERED that any violation or failure of strict compliance with any of the terms, conditions or restrictions of the Consent Order by Dr. Jacob shall, upon proof of such violation or failure, be deemed adequate and sufficient cause, for the suspension and/or revocation of Dr. Jacob's medical license or for such other disciplinary action as the Board deems appropriate, as if such violations were enumerated among the causes provided in LSA-R.S. 37:1285.

IT IS FURTHER ORDERED that this Consent Order shall be, and shall be deemed to be, a public record.

New Orleans, Louisiana, this 2nd day of March, 1995.

**LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS**

BY:

F. P. Bordehon, Jr.
F. P. BORDELON, JR., M.D.
PRESIDENT

ACKNOWLEDGEMENT AND CONSENT

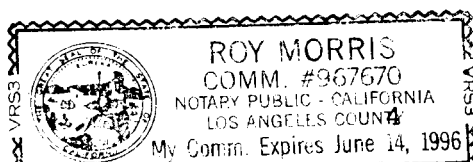
I, Said Isaac Jacob, M.D., hereby acknowledge, approve, and accept and consent to entry of the above and foregoing Consent Order, this 16th day of February, 1995.

Isaac Jacob
SAID ISAAC JACOB, M.D.

Roy Morris
WITNESS

C:\DOC\412-94\CONSENT.ORD

Subscribed and sworn to before me this
16 day of February, 1995
Roy Morris
ROY MORRIS
In and for the County of Los Angeles, State of California



MEDICAL BOARD OF CALIFORNIA
I do hereby certify that
this document is true
and correct copy of the
original on file in this
office.

Theresa Kelly 12-20-93
SIGNED DATE
Assistant to the
Custodian of Records
TITLE

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

In the Matter of the Accusation
Against:

SAID JACOB, M.D.
130 W. Alosta, Ste. 210
Glendora, CA 91740

Physicians's and Surgeon's
Certificate No. A-43666,

Respondent.

Case No. D-5005

STIPULATION IN SETTLEMENT.
DECISION AND ORDER

IT IS HEREBY STIPULATED by and between the parties in the above-entitled
matter as follows:

1. Complainant Dixon Arnett is the Executive Director of the Medical Board of
California, Department of Consumer Affairs, State of California (hereinafter "Board"), and
is represented herein by Daniel E. Lungren, Attorney General of the State of California,
by Carlos Ramirez, Deputy Attorney General.

APPENDIX 1

1 2. Said Jacob. M.D. (hereinafter "respondent") is represented herein by Mark
2 A. Levin.

3
4 3. At all times mentioned herein respondent was licensed by the Board under
5 Physician's and Surgeon's Certificate No. A-43666. Said certificate was issued by the
6 Board on May 26, 1987, and is in CURRENT STATUS at the present time. Respondent
7 has no record of prior discipline and is not a supervisor of a Physician Assistant.

8
9 4. On or about October 27, 1992, then complainant Kenneth J. Wagstaff, in his
10 official capacity as Executive Director of the Board, filed Accusation No. D-5005
11 (hereinafter "Accusation") against respondent, a copy of which is attached hereto as
12 Attachment "A" and incorporated by reference as if fully set forth herein.

13
14 5. On or about October 29, 1992, respondent was properly served with a copy
15 of the Accusation, together with copies of all other statutorily required documents.
16 Thereafter, on or about November 4, 1992, respondent filed a timely notice of defense to
17 the charges contained in the Accusation.

18
19 6. Complainant and respondent are desirous of resolving this matter without a
20 hearing or further administrative proceedings.

21
22 7. Respondent herein has been specifically advised both by the documents served
23 upon him and personally by his counsel of his right to an administrative hearing on the
24 charges and allegations set forth in the Accusation; his right to confront and cross-examine
25 witnesses called to testify against him; his right to the use of process to secure oral and
26 documentary evidence both in defense and mitigation; his right to petition the Division of
27 Medical Quality ("Division") for reconsideration of any decision rendered adverse to him;

1 and his rights to judicial review, appeal, and all other rights which may be available to him
2 pursuant to the California Administrative Procedure Act and the California Code of Civil
3 Procedure.
4

5 8. Respondent knowingly, intelligently, and with the advice and concurrence of
6 his counsel waives and agrees to give up each of the above enumerated rights set forth in
7 paragraph 7 above, and further agrees that the pending charges and allegations set forth
8 against him in the Accusation may be resolved pursuant to this Stipulation.
9

10 9. Respondent has carefully read and fully understands the charges and
11 allegations contained in the Accusation, and has fully reviewed same with his attorney of
12 record.
13

14 10. Respondent has carefully read and fully understands the contents, force and
15 effect of this Stipulation in Settlement, Decision and Order, having fully reviewed same
16 with his attorney of record.
17

18 11. Respondent, solely for the purpose of this proceeding, any other proceedings
19 before the Division, or any other action taken by and before any governmental body
20 responsible for licensing physicians or other health care professionals, and for no other
21 purpose, admits the truth of each of paragraphs 1, 2, 12 (excluding the last sentence of said
22 paragraph), 14(C), and 14(D) in the Accusation. Respondent acknowledges that his
23 admission to paragraph 14(C) constitutes a violation of Business and Professions Code
24 section 2234(b) and that his admission to paragraph 14(D) constitutes a violation of
25 Business and Professions Code section 2262. Respondent agrees that he has thereby
26 subjected his Physician's and Surgeon's Certificate to disciplinary action. Respondent
27 agrees to be bound by the Division's disciplinary order as set forth below.
28

1 12. This Stipulation in Settlement, Decision and Order is intended by the parties.
2 herein to be an integrated writing representing the complete, final and exclusive
3 embodiment of the agreements of the parties. All allegations and charges in the
4 Accusation not specifically admitted to in this Stipulation are dismissed.
5

6 13. This Stipulation in Settlement, Decision and Order shall be subject to the
7 approval of the Division of Medical Quality of the Medical Board of California,
8 Department of Consumer Affairs, State of California. If the Division fails, for any reason,
9 to approve this Stipulation in Settlement, Decision and Order, it shall be of no force or
10 effect for either party.
11

12 WHEREFORE, IT IS STIPULATED that the Division may, without further notice
13 or formal proceeding, issue and enter the following decision and order in Case No.
14 D-5005:
15

16
17 ORDER
18

19 Certificate number A-43666 heretofore issued to respondent Said Jacob, M.D., is
20 hereby revoked; provided, however, said revocation is stayed and respondent is placed on
21 probation to the Division for a period of three (3) years subject to the following terms and
22 conditions:
23

24 1. ORAL CLINICAL EXAMINATION. Within one year of the effective date
25 of the decision, respondent shall take and pass an oral examination in his field of practice
26 which is general adult psychiatry and chemical dependency. If respondent fails this
27 examination, respondent shall cease the practice of medicine, and may not practice
28

1 medicine until a re-examination has been successfully passed, as evidenced by written
2 notice to respondent by the Division. The waiting period between repeat examinations
3 shall be at three month intervals until success is achieved. Respondent shall pay the cost
4 of the first examination and any re-examination. Failure to pass the required examination
5 no later than 100 days prior to the termination date of probation shall constitute a
6 violation of probation.

7
8 2. Within 60 days of the effective date of this decision, respondent shall submit
9 to the Division for its prior approval a course in ethics which respondent shall successfully
10 complete during the first year of probation.

11
12 3. Respondent shall not be eligible to petition the Division for early termination
13 of probation.

14
15 4. Respondent shall obey all federal, state and local laws, and all rules governing
16 the practice of medicine in California.

17
18 5. Respondent shall submit quarterly declarations under penalty of perjury on
19 forms provided by the Division, stating whether there has been compliance with all the
20 conditions of probation.

21
22 6. Respondent shall comply with the Division's probation surveillance program.

23
24 7. Respondent shall appear in person for interviews with the Division's medical
25 consultant upon request at various intervals and with reasonable notice.

26

27

28

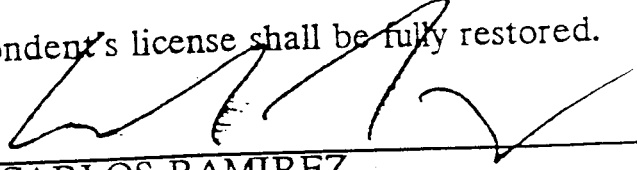
1 8. The period of probation shall not run during the time respondent is residing
2 or practicing outside the jurisdiction of California. If, during probation, respondent moves
3 out of the jurisdiction of California to reside or practice elsewhere, respondent is required
4 to immediately notify the Division in writing of the date of departure and the date of
5 return, if any.
6

7 If during the period of probation an accusation has been filed against respondent's
8 license or a request has been made by the Division for the preparation of an accusation
9 against respondent's license, such period shall automatically be extended and shall not
10 expire until the accusation has been acted upon by the Division.
11

12 Should respondent violate any of the above terms or conditions of probation the
13 Division, after providing respondent with notice and an opportunity to be heard, may
14 terminate probation and reimpose the order of revocation, effective immediately, or take
15 such other action modifying or changing the terms and conditions as the Division deems
16 just and reasonable in its discretion.
17

18 Should respondent comply with all of said terms and conditions, then at the end of
19 the three (3) year period of probation, respondent's license shall be fully restored.

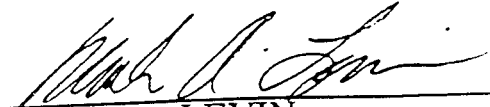
20 Dated: June 30, 1993.


CARLOS RAMIREZ
Deputy Attorney General
Attorney for Complainant

23 Dated: June 10th, 1993.

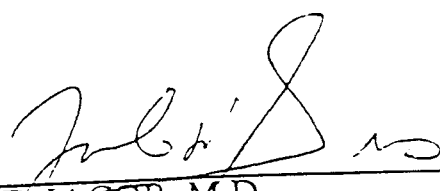

SAID JACOB, M.D.
Respondent

26 Dated: June 10, 1993.


MARK A. LEVIN
Attorney for Respondent

ACKNOWLEDGMENT

1
2 I, Said Jacob. M.D., have read the above Stipulation and, with the advice of counsel.
3 enter into it freely and voluntarily and with full knowledge of its force and effect. By
4 entering into this Stipulation, I recognize that, upon formal acceptance by the Division, my
5 license to practice medicine in California will be revoked, with said revocation being
6 stayed, and I will be placed on probation on the above terms and conditions. I further
7 recognize that, if I violate the terms or conditions of my probation in any respect, the
8 Division, after giving me notice and the opportunity to be heard, may carry out the
9 disciplinary order that was stayed, i.e., the revocation of my license to practice medicine.
10 Dated: June 16th, 1993.



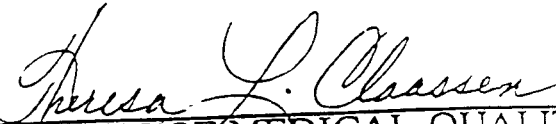
SAID JACOB, M.D.
Respondent

//
//
//
//
//
//
//
//
//
//
//
//
//
//
//

ORDER

The attached Stipulation in Settlement and Decision is hereby adopted by the Division of Medical Quality of the Medical Board of California, Department of Consumer Affairs, State of California, as its Decision in the above-entitled matter and shall become effective on the 29th day of October, 1993.

IT IS SO ORDERED this 29th day of September, 1993.


DIVISION OF MEDICAL QUALITY
Medical Board of California
Department of Consumer Affairs
State of California

THERESA CLAASSEN
Secretary/Treasurer

1 DANIEL E. LUNGREN, Attorney General
of the State of California
2 CARLOS RAMIREZ,
Deputy Attorney General
3 300 South Spring Street, Suite 500
Los Angeles, California 90013
4 Telephone: (213) 897-2558
5 Attorneys for Complainant

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

10 In the Matter of the Accusation)
11 Against:) NO. D-5005
12 SAID JACOB, M.D.)
540 E. Foothill Blvd., Suite 200) ACCUSATION
13 San Dimas, CA 91773)
14 Physician and Surgeon's)
Certificate No. A-43666,)
15 Respondent(s).)
16)

17 Complainant, Kenneth J. Wagstaff, alleges as follows:

18 1. He is the Executive Director of the Medical Board
19 of California (hereinafter "Board") and brings this action solely
20 in his official capacity.

21 2. Said Jacob, M.D. (hereinafter "respondent") holds
22 physician and surgeon's certificate number A-43666 issued by the
23 Board on or about May 26, 1987, authorizing him to practice
24 medicine in the State of California. Said certificate is
25 currently, and was at all times material herein, in full force
26 and effect.

27 ///

1 3. Pursuant to Business and Professions Code sections
2 2220 and 2224, the Division of Medical Quality, a division of the
3 Board (hereinafter "Division"), is authorized to take
4 disciplinary action against all persons, including licensed
5 physicians and surgeons, guilty of violating the Medical Practice
6 Act.^{1/}

7 4. Section 2234 provides, in pertinent part, that the
8 Division shall take action against any licensee who is guilty of
9 unprofessional conduct. According to the terms of said section,
10 unprofessional conduct includes, but is not limited to:

11 "

12 " (b) Gross negligence.

13 " (c) Repeated negligent acts.

14 " (d) Incompetence.

15 " (e) The commission of any act involving dishonesty or
16 corruption which is substantially related to the
17 qualifications, functions or duties of a physician and
18 surgeon."

19 5. Section 2262 provides, in pertinent part, that:
20 "Altering or modifying the medical record of any person, with
21 fraudulent intent, or creating any false medical record, with
22 fraudulent intent, constitutes unprofessional conduct."

23 6. Section 2261 provides, in pertinent part, that:
24 "Knowingly making or signing any certificate or other document
25 directly or indirectly related to the practice of medicine

26
27 1. Except as otherwise indicated, all statutory
references are to the Business and Professions Code.

1 which falsely represents the existence or nonexistence of a state
2 of facts, constitutes unprofessional conduct.

3 7. Respondent is subject to disciplinary action
4 pursuant to section 2234, subsections (b), (c), (d) and (e), and
5 sections 2261 and 2262, in that he is guilty of gross negligence,
6 incompetence, acts of corruption and dishonesty, and creating
7 false medical records in connection with his treatment of
8 patients Frances M. and Martha M. The particular circumstances
9 are set forth in the succeeding paragraphs of this accusation, as
10 follows:

11 Frances M.

12 8. On January 7, 1989, Frances M., then 86 years old,
13 was admitted to Las Encinas Hospital suffering from increasing
14 confusion and agitation. On admission, respondent diagnosed
15 Frances M. as having an organic brain syndrome with psychotic
16 features. A chest X-ray obtained two days after admission showed
17 a poorly defined density in both upper lobes. The radiologist
18 was unable to rule out pneumonia.

19 9. On January 29, 1989, respondent's progress note
20 described Frances M. as having impaired orientation and memory,
21 but no lowering of consciousness. On the same day, an internist
22 found her "completely obtunded." He suspected dehydration and
23 possible sepsis and ordered a chest X-ray and laboratory studies.
24 The internist transferred the patient to San Gabriel Valley
25 Medical Center for treatment of pneumonia. Frances M. died
26 approximately a month later.
27

1
2 10. Respondent's failure to accurately evaluate the
3 medical or mental condition of Frances M. on or about January 29,
4 1989 constitutes repeated negligent acts within the meaning of
5 Business and Professions Code section 2234, subsection (C).
6

7 Martha M.

8 11. On January 23, 1989, Martha M., then 84 years old
9 was admitted to Las Encinas Hospital suffering from dementia and
10 agitated behavior. After her admission, respondent prescribed
11 haloperidol up to 35 mg. daily plus as needed doses. He also
12 prescribed benztropine 2 mg. three times daily, trazodone 50 mg.
13 at night, and phenytoin 300 mg. daily.

14 12. Respondent did not see or examine Martha M. during
15 the period of February 9 through February 27, 1989, and did not
16 chart her progress during the period of February 13 through
17 February 23, 1989. During these periods respondent wrote
18 progress notes detailing Martha M.'s medical condition that were
19 not based on his personal knowledge or his personal observations.
20 Respondent's daily progress notes state that the patient remained
21 disoriented, confused, and incoherent with waxing and waning
22 combativeness. Respondent did not observe any side effects of the
23 haloperidol doses.

24 13. On March 17, 1989, another psychiatrist assumed
25 care of the patient. The new doctor tapered and discontinued the
26 haloperidol, substituting amitriptyline 125 mg. Cytomel 25 gr.
27 and lithium carbonate 300 mg. daily. Martha M. was discharged to

1 a nursing home on May 9, 1989.

2 14. Respondent's treatment of Martha M. was grossly
3 negligent within the meaning of Business and Professions Code
4 section 2234, subsection (b), in the following respects:

5 A. Respondent failed to examine patient Martha M.
6 in a timely manner.

7 B. Respondent failed to accurately assess the
8 physical condition of patient Martha M.

9 C. Respondent failed to see or examine patient
10 Martha M. for extended periods of time.

11 D. Respondent dictated progress notes to Martha
12 M.'s medical records for dates on which he did not see
13 or examine her.

14 E. Respondent prescribed or caused to be
15 administered excessive doses of Haldol to patient
16 Martha M. without monitoring her response to this
17 medication.

18 F. Respondent administered excessive doses of
19 haloperidol and benztropine to Frances M. without
20 reference to the high probability of side effects.

21 15. Respondent while providing medical treatment to
22 Martha M. engaged in repeated negligent acts within the meaning
23 of Business and Professions Code section 2234, subsection (c).
24 The circumstances are as follows:

25 A. Paragraphs 11,12,13 and 14 are incorporated by
26 referenced herein as though fully set forth at this
27 point.

1 16. Respondent, while providing medical treatment to
2 Martha M., engaged in incompetence within the meaning of Business
3 and Professions Code section 2234, subsection (d). The
4 circumstances are as follows:

5 A. Paragraphs 11,12,13 and 14 are incorporated by
6 referenced herein as though fully set forth at this
7 point.

8 17. Respondent is guilty of acts of corruption and
9 dishonesty within the meaning of Business and Professions Code
10 section 2234, subsection (e), and of creating false medical
11 records within the meaning of sections 2261 and 2262, in that
12 during February 9 through February 27, 1989, respondent prepared
13 and signed progress notes for Martha M. that implicitly
14 represented that respondent had seen or examined her, as set
15 forth in paragraph 12 above.

PRAYER

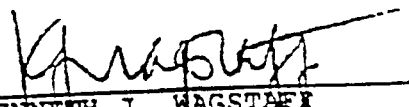
WHEREFORE, complainant prays a hearing be held on the matters alleged herein, and that following said hearing, the Division issue a decision:

1. Revoking or suspending physician and surgeon's certificate number A-43666 heretofore issued to respondent Said Jacob;

2. Imposing a civil penalty of Five Hundred Dollars (\$500) against respondent for each violation of Business and Professions Code section 2262; and

3. Taking such other and further action as the Division may deem proper.

DATED: October 27, 1992.


KENNETH J. WAGSTAFF
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California

Complainant

c: Jacob