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

In the Matter of the First Amended
Accusation Against:

FREDERIC HARRIS CORBIN, M.D.  )  File No. 04-2006-173690

Physician's and Surgeon's
Certificate No. G41325

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 February 20, 2009.

IT IS SO ORDERED January 21, 2009.

MEDICAL BOARD OF CALIFORNIA

By: Shelton Duruisseaux, Ph.D., Chair
Panel A
BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the First Amended Accusation Against:
FREDERIC HARRIS CORBIN, M.D.
400 W. Central Avenue, Suite 101
Brea, CA 92621

Physician's and Surgeon's Certificate No.
G41325

Respondent.

Case No. 04-2006-173690
OAH No. L-2008070700

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. Barbara Johnston (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 Edmund G. Brown Jr., Attorney General of the State of California, by Alexandra M. Alvarez, Deputy Attorney General.

2. Respondent Frederic Harris Corbin, M.D. (Respondent) is represented in this proceeding by attorney Mark A. Levin, Esq., whose address is 11377 West Olympic Boulevard, Fifth Floor, Los Angeles, CA 90064-1683.
3. On or about December 11, 1979, the Medical Board of California issued
Physician’s and Surgeon’s Certificate No. G 41325 to Frederic Harris Corbin, M.D. (Respondent).
The Physician’s and Surgeon’s Certificate was in full force and effect at all times relevant to the
charges brought in First Amended Accusation No. 04-2006-173690 and will expire on November
30, 2009, unless renewed.

JURISDICTION

4. On or about June 19, 2008, Accusation No. 04-2006-173690 was filed
before the Medical Board of California (Medical Board or Board) for the Department of
Consumer Affairs, State of California. On or about June 24, 2008, a true and correct copy of the
Accusation and all other statutorily required documents were properly served on Respondent.
Respondent timely filed his Notice of Defense contesting the Accusation.

5. On or about July 30, 2008, First Amended Accusation 04-2006-173690
was filed before the Medical Board. On or about August 5, 2008, a true and correct copy of First
Amended Accusation No. 04-2006-173690 was properly served on Respondent. A true and
correct copy of First Amended Accusation No. 04-2006-173690 is attached as Exhibit A and
incorporated herein by reference as if fully set forth herein.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and
understands the charges and allegations in First Amended Accusation No. 04-2006-173690.
Respondent has also carefully read, fully discussed with counsel, and understands the effects of
this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of his legal rights in this matter, including the
right to a hearing on the charges and allegations in First Amended Accusation No. 04-2006-
173690; 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.
8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

**CULPABILITY**

9. Respondent admits the truth of each and every charge and allegation in First Amended Accusation No. 04-2006-173690.

10. Respondent agrees that his Physician's and Surgeon's Certificate No. G 41325 is subject to discipline and agrees to be bound by the Medical Board's imposition of discipline as set forth in the Disciplinary Order below.

**CONTINGENCY**

11. The parties agree that this Stipulated Settlement and Disciplinary Order shall be submitted to the Board for its consideration in the above-entitled matter and, further, that the Board shall have a reasonable period of time in which to consider and act on this Stipulated Settlement and Disciplinary Order after receiving it.

12. 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 may communicate directly with the Medical 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 Medical Board considers and acts upon it. If the Medical 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 Medical Board shall not be disqualified from further action by having considered this matter.

**OTHER MATTERS**

13. 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.

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

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

**DISCIPLINARY ORDER**

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 41325 issued to Respondent Frederic Harris Corbin, M.D. (Respondent) is revoked. However, the revocation is stayed and Respondent is placed on probation for one (1) year from the effective date of this Decision on the following terms and conditions:

1. **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 prior to the end of probation is a violation of probation.

   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.

   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.

2. **NOTIFICATION** Prior to engaging in the practice of medicine, the respondent shall provide a true copy of the Decision and First Amended Accusation to the Chief of Staff or the Chief Executive Officer at every hospital where privileges or membership are extended to respondent, at any other facility where respondent engages in the practice of medicine, including all physician and locum tenens registries or other similar agencies, and to the...
Chief Executive Officer at every insurance carrier which extends malpractice insurance coverage to respondent. Respondent shall submit proof of compliance to the Board or its designee within 15 calendar days.

This condition shall apply to any change(s) in hospitals, other facilities or insurance carrier.

3. SUPERVISION OF PHYSICIAN ASSISTANTS During probation, respondent is prohibited from supervising physician assistants.

4. OBEY ALL LAWS Respondent shall obey all federal, state and local laws, all rules governing the practice of medicine in California, and remain in full compliance with any court ordered criminal probation, payments and other orders.

5. QUARTERLY DECLARATIONS Respondent shall submit quarterly declarations under penalty of perjury on forms provided by the Board, stating whether there has been compliance with all the conditions of probation. Respondent shall submit quarterly declarations not later than 10 calendar days after the end of the preceding quarter.

6. PROBATION UNIT COMPLIANCE Respondent shall comply with the Board’s probation unit. Respondent shall, at all times, keep the Board informed of respondent’s business and residence addresses. Changes of such addresses shall be immediately communicated in writing to the Board or its designee. Under no circumstances shall a post office box serve as an address of record, except as allowed by Business and Professions Code section 2021(b).

Respondent shall not engage in the practice of medicine in respondent’s place of residence. Respondent shall maintain a current and renewed California physician’s and surgeon’s license.

Respondent shall immediately inform the Board, or its designee, in writing, of travel to any areas outside the jurisdiction of California which lasts, or is contemplated to last, more than 30 calendar days.

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7. **INTERVIEW WITH THE BOARD, OR ITS DESIGNEE**  
Respondent shall be available in person for interviews either at respondent’s place of business or at the probation unit office, with the Board or its designee, upon request at various intervals, and either with or without prior notice throughout the term of probation.

8. **RESIDING OR PRACTICING OUT-OF-STATE**  
In the event respondent should leave the State of California to reside or to practice, respondent shall notify the Board or its designee in writing 30 calendar days prior to the dates of departure and return. Non-practice is defined as any period of time exceeding 30 calendar days in which respondent is not engaging in any activities defined in Sections 2051 and 2052 of the Business and Professions Code.  

All time spent in an intensive training program outside the State of California which has been approved by the Board or its designee shall be considered as time spent in the practice of medicine within the State. A Board-ordered suspension of practice shall not be considered as a period of non-practice. Periods of temporary or permanent residence or practice outside California will not apply to the reduction of the probationary term. Periods of temporary or permanent residence or practice outside California will relieve respondent of the responsibility to comply with the probationary terms and conditions with the exception of this condition and the following terms and conditions of probation: Obey All Laws and Probation Unit Compliance.

Respondent's license shall be automatically cancelled if respondent’s periods of temporary or permanent residence or practice outside California total two years. However, respondent’s license shall not be cancelled as long as respondent is residing and practicing medicine in another state of the United States and is on active probation with the medical licensing authority of that state, in which case the two year period shall begin on the date probation is completed or terminated in that state.

9. **FAILURE TO PRACTICE MEDICINE - CALIFORNIA RESIDENT**

In the event respondent resides in the State of California and for any reason respondent stops practicing medicine in California, respondent shall notify the Board or its designee in writing within 30 calendar days prior to the dates of non-practice and return to
practice. Any period of non-practice within California, as defined in this condition, will not apply to the reduction of the probationary term and does not relieve respondent of the responsibility to comply with the terms and conditions of probation. Non-practice is defined as any period of time exceeding 30 calendar days in which respondent is not engaging in any activities defined in sections 2051 and 2052 of the Business and Professions Code.

All time spent in an intensive training program which has been approved by the Board or its designee shall be considered time spent in the practice of medicine. For purposes of this condition, non-practice due to a Board-ordered suspension or in compliance with any other condition of probation, shall not be considered a period of non-practice.

Respondent’s license shall be automatically cancelled if respondent resides in California and for a total of two years, fails to engage in California in any of the activities described in Business and Professions Code sections 2051 and 2052.

10. COMPLETION OF PROBATION Respondent shall comply with all financial obligations (e.g., probation costs) not later than 120 calendar days prior to the completion of probation. Upon successful completion of probation, respondent's certificate shall be fully restored.

11. VIOLATION OF PROBATION Failure to fully comply with any term or condition of probation is a violation of probation. If respondent violates probation in any respect, the Board, after giving respondent notice and the opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. If an Accusation, Petition to Revoke Probation, or an Interim Suspension Order is filed against respondent during probation, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

12. LICENSE SURRENDER Following the effective date of this Decision, if respondent ceases practicing due to retirement, health reasons or is otherwise unable to satisfy the terms and conditions of probation, respondent may request the voluntary surrender of respondent’s license. The Board reserves the right to evaluate respondent's request and to exercise its discretion whether or not to grant the request, or to take any other action deemed
appropriate and reasonable under the circumstances. Upon formal acceptance of the surrender, 
respondent shall within 15 calendar days deliver respondent’s wallet and wall certificates to the 
Board or its designee and respondent shall no longer practice medicine. Respondent will no 
longer be subject to the terms and conditions of probation and the surrender of respondent’s 
license shall be deemed disciplinary action. If respondent re-applies for a medical license, the 
apPLICATION shall be treated as a petition for reinstatement of a revoked certificate.

13. **PROBATION MONITORING COSTS** Respondent shall pay the costs 
associated with probation monitoring each and every year of probation, as designated by the 
Board. Such costs shall be payable to the Medical Board of California and delivered to the Board 
or its designee no later than January 31 of each calendar year. Failure to pay costs within 30 
calendar days of the due date is a violation of probation.

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Mark A. Levin, Esq. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate No. G 41325. 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, Department of Consumer Affairs.

DATED: 12-5-08

FREDERIC HARRIS CORBIN, M.D.
Respondent

I have read and fully discussed with Respondent FREDERIC HARRIS CORBIN, 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: 12/5/08

MARK A. LEVIN, ESQ.
Attorney for Respondent

ENDORSEMENT

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

DATED: 12/19/08

EDMUND G. BROWN JR., Attorney General of the State of California

THOMAS S. LAZAR
Supervising Deputy Attorney General

ALEXANDRA M. ALVAREZ
Deputy Attorney General
Attorneys for Complainant
Exhibit A
First Amended Accusation No. 04-2006-173690
EDMUND G. BROWN JR., Attorney General
of the State of California
THOMAS S. LAZAR
Supervising Deputy Attorney General
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Facsimile: (619) 645-2061
Attorneys for Complainant

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

In the Matter of the First Amended Accusation
Against:

FREDERIC H. CORBIN, M.D.
400 W. Central Avenue, Suite 101
Brea, CA 92621

Physician's and Surgeon's Certificate No.
G41325

Respondent.

Complainant alleges:

PARTIES

1. Barbara Johnston (Complainant) brings this First Amended Accusation
   solely in her official capacity as the Executive Director of the Medical Board of California, State
   of California.

2. On or about December 11, 1979, the Medical Board of California issued
   Physician's and Surgeon's Certificate No. G41325 to FREDERIC H. CORBIN, M.D.
   (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times
   relevant to the charges brought herein and will expire on November 30, 2009, unless renewed.

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JURISDICTION

3. This First Amended Accusation, which supersedes the Accusation filed on
June 19, 2008 in the above-entitled matter, is brought before the Medical Board of California
(Medical Board) for the Department of Consumer Affairs, State of California, under the authority
of the following laws. All section references are to the Business and Professions 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 Medical Board deems proper.

5. Section 2234 of the Code states:

"The Division 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.

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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) 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.

"(d) Incompetence.

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

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

"...."

6. Section 2236 of the Code states:

"(a) The conviction of any offense substantially related to the qualifications, functions, or duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this chapter [Chapter 5, the Medical Practice Act]. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred.

"...."

"(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to be a conviction within the meaning of this section and Section 2236.1. The record of conviction shall be conclusive evidence of the fact that the conviction occurred."
CAUSE FOR DISCIPLINE
(Conviction of a Crime)

7. Respondent is subject to disciplinary action under sections 2227 and 2234, as defined by 2236, subsection (a), of the Code, in that he was convicted of a crime substantially related to the qualifications, functions or duties of a physician and surgeon. The circumstances are as follows:

a. On or about September 25, 2007, in the case entitled United State of America v. Frederic H. Corbin, M.D., United States District Court Case No. SACR06-0022, a supplemental complaint was filed by the United States Attorney's Office, charging respondent with the following:

(1) On or about May 29, 1996, respondent introduced into the interstate commerce a device, namely a pair of French-made silicone gel-filled breast implants, by implanting such device into patient D.B., knowing that such device was adulterated, that is, not approved for use in the United States by Food and Drug Administration.

(2) On or about September 4, 1996, respondent introduced into the interstate commerce a device, namely a pair of French-made silicone gel-filled breast implants, by implanting such device into patient J.S., knowing that such device was adulterated, that is, not approved for use in the United States by Food and Drug Administration.

(3) On or about September 19, 1996, respondent introduced into the interstate commerce a device, namely a pair of French-made silicone gel-filled breast implants, by implanting such device into patient M.S., knowing that such device was adulterated, that is, not approved for use in the United States by Food and Drug Administration.

(4) On or about December 19, 1996, respondent introduced into the interstate commerce a device, namely a pair of French-made silicone gel-filled breast implants, by implanting such device into patient #192, knowing that such
device was adulterated, that is, not approved for use in the United States by Food
and Drug Administration.²

b. On or about February 4, 2008, in the case entitled United State of America

v. Frederic H. Corbin, M.D., United States District Court Case No. SACR06-0022,
respondent pled guilty to four counts of violating 21 U.S.C. Section 331(e) for the
introduction into interstate commerce of an adulterated device that were enumerated in
the September 25, 2007 supplemental complaint. Respondent was sentenced to one year
probation, and ordered to pay a special assessment of $100.00 and a fine of $4,000.00.
Additionally, respondent was ordered to perform six (6) cleft palate or other similar
plastic surgeries upon under-privileged children in the United States or abroad, on a pro
bono basis, as community service.

DISCIPLINE CONSIDERATIONS

8. To determine the degree of discipline, if any, to be imposed on respondent,
Complainant allege:

a. On or about June 23, 1995, in a prior disciplinary action entitled “In the
Matter of the Accusation Against Frederic H. Corbin, M.D.”, before the Medical Board of
California, in Case Number 04-91-12071, respondent's Physician's and Surgeon's Certificate No.
G41325 was revoked, the revocation was stayed and he was placed on probation for two years on
various terms and conditions for unprofessional conduct. On November 14, 1995, respondent
completed the terms and conditions of probation and his certificate was fully restored to clear
status.

b. On or about December 29, 1999, in a prior disciplinary action entitled, “In
the Matter of the Accusation Against Frederic H. Corbin, M.D.”, before the Medical Board of
California, respondent was issued a Public Letter of Reprimand for failing to disclose pertinent

2. Statements regarding respondent's care and treatment of patients D.B., J.S., M.S. and
#192 are provided to establish that the crimes of which he has been convicted are substantially
related to the qualifications, functions or duties of a physician and surgeon and not as
independent and separate grounds for disciplinary action.
information on various hospital applications.

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:

1. Revoking or suspending Physician's and Surgeon's Certificate No. G41325, issued to Frederic H. Corbin, M.D.;

2. Revoking, suspending or denying approval of Frederic H. Corbin, M.D.'s authority to supervise physician's assistants, pursuant to section 3527 of the Code;

3. Ordering Frederic H. Corbin, M.D. to pay 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: July 30, 2008

BARBARA JOHNSTON
Executive Director
Medical Board of California
State of California
Complainant