

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. )  
)  
Physician's and Surgeon's )  
Certificate No. G41325 )  
)  
Respondent. )  
\_\_\_\_\_ )

File No. 04-2006-173690

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

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 THOMAS S. LAZAR  
Supervising Deputy Attorney General  
3 ALEXANDRA M. ALVAREZ, State Bar No. 187442  
Deputy Attorney General  
4 110 West "A" Street, Suite 1100  
San Diego, CA 92101

5  
6 P.O. Box 85266  
San Diego, CA 92186-5266  
Telephone: (619) 645-3141  
7 Facsimile: (619) 645-2061

8 Attorneys for Complainant

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

12 In the Matter of the First Amended Accusation  
Against:

13  
14 FREDERIC HARRIS CORBIN, M.D.  
400 W. Central Avenue, Suite 101  
15 Brea, CA 92621

16 Physician's and Surgeon's Certificate No.  
G41325

17 Respondent.

Case No. 04-2006-173690

OAH No. L-2008070700

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

18  
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the  
20 above-entitled proceedings that the following matters are true:

21 PARTIES

22 1. Barbara Johnston (Complainant) is the Executive Director of the Medical  
23 Board of California. She brought this action solely in her official capacity and is represented in  
24 this matter by Edmund G. Brown Jr., Attorney General of the State of California, by Alexandra  
25 M. Alvarez, Deputy Attorney General.

26 2. Respondent Frederic Harris Corbin, M.D. (Respondent) is represented in  
27 this proceeding by attorney Mark A. Levin, Esq., whose address is 11377 West Olympic  
28 Boulevard, Fifth Floor, Los Angeles, CA 90064-1683.



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

3   CULPABILITY

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

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

9   CONTINGENCY

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

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

24   OTHER MATTERS

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

28 ///

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

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

7    **DISCIPLINARY ORDER**

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

12            1. ETHICS COURSE Within 60 calendar days of the effective date of this  
13 Decision, respondent shall enroll in a course in ethics, at respondent's expense, approved in  
14 advance by the Board or its designee. Failure to successfully complete the course prior to the end  
15 of probation is a violation of probation.

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

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

24            2. NOTIFICATION Prior to engaging in the practice of medicine, the  
25 respondent shall provide a true copy of the Decision and First Amended Accusation to the Chief  
26 of Staff or the Chief Executive Officer at every hospital where privileges or membership are  
27 extended to respondent, at any other facility where respondent engages in the practice of  
28 medicine, including all physician and locum tenens registries or other similar agencies, and to the

1 Chief Executive Officer at every insurance carrier which extends malpractice insurance coverage  
2 to respondent. Respondent shall submit proof of compliance to the Board or its designee within  
3 15 calendar days.

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

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

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

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

15 6. PROBATION UNIT COMPLIANCE Respondent shall comply with the  
16 Board's probation unit. Respondent shall, at all times, keep the Board informed of respondent's  
17 business and residence addresses. Changes of such addresses shall be immediately  
18 communicated in writing to the Board or its designee. Under no circumstances shall a post office  
19 box serve as an address of record, except as allowed by Business and Professions Code section  
20 2021(b).

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

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

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

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

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

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

25                   9.     FAILURE TO PRACTICE MEDICINE - CALIFORNIA RESIDENT

26                   In the event respondent resides in the State of California and for any reason  
27 respondent stops practicing medicine in California, respondent shall notify the Board or its  
28 designee in writing within 30 calendar days prior to the dates of non-practice and return to

1 practice. Any period of non-practice within California, as defined in this condition, will not  
2 apply to the reduction of the probationary term and does not relieve respondent of the  
3 responsibility to comply with the terms and conditions of probation. Non-practice is defined as  
4 any period of time exceeding 30 calendar days in which respondent is not engaging in any  
5 activities defined in sections 2051 and 2052 of the Business and Professions Code.

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

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

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

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

24 12. LICENSE SURRENDER Following the effective date of this Decision, if  
25 respondent ceases practicing due to retirement, health reasons or is otherwise unable to satisfy  
26 the terms and conditions of probation, respondent may request the voluntary surrender of  
27 respondent's license. The Board reserves the right to evaluate respondent's request and to  
28 exercise its discretion whether or not to grant the request, or to take any other action deemed



1 appropriate and reasonable under the circumstances. Upon formal acceptance of the surrender,  
2 respondent shall within 15 calendar days deliver respondent's wallet and wall certificates to the  
3 Board or its designee and respondent shall no longer practice medicine. Respondent will no  
4 longer be subject to the terms and conditions of probation and the surrender of respondent's  
5 license shall be deemed disciplinary action. If respondent re-applies for a medical license, the  
6 application shall be treated as a petition for reinstatement of a revoked certificate.

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

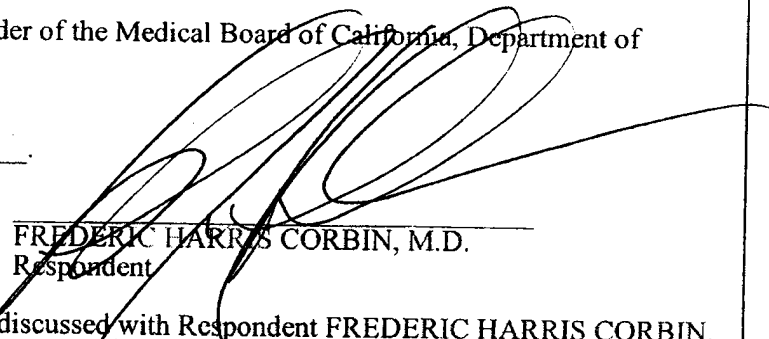
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ACCEPTANCE

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**

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 THOMAS S. LAZAR  
Supervising Deputy Attorney General  
3 ALEXANDRA M. ALVAREZ, State Bar No. 187442  
Deputy Attorney General  
4 110 West "A" Street, Suite 1100  
San Diego, CA 92101  
5 P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 645-3141  
7 Facsimile: (619) 645-2061

8 Attorneys for Complainant

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

12 In the Matter of the First Amended Accusation  
Against:

13 FREDERIC H. CORBIN, M.D.  
14 400 W. Central Avenue, Suite 101  
Brea, CA 92621

15 Physician's and Surgeon's Certificate No.  
16 G41325

17 Respondent.

FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO July 30, 2008  
BY Valerie Mon ANALYST

Case No. 04-2006-173690.

**FIRST AMENDED ACCUSATION**

18  
19 Complainant alleges:

20 PARTIES

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

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

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JURISDICTION

1  
2           3.     This First Amended Accusation, which supercedes the Accusation filed on  
3 June 19, 2008 in the above-entitled matter, is brought before the Medical Board of California  
4 (Medical Board) for the Department of Consumer Affairs, State of California, under the authority  
5 of the following laws. All section references are to the Business and Professions Code unless  
6 otherwise indicated.

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

11           5.     Section 2234 of the Code states:

12                 "The Division of Medical Quality<sup>1</sup> shall take action against any licensee who is  
13 charged with unprofessional conduct. In addition to other provisions of this article,  
14 unprofessional conduct includes, but is not limited to, the following:

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

18                 "(b) Gross negligence.

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

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25 \_\_\_\_\_  
26 1. California Business and Professions Code section 2002, as amended and effective  
27 January 1, 2008, provides that, unless otherwise expressly provided, the term "board" as used in  
28 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           "(1) An initial negligent diagnosis followed by an act or omission medically  
2 appropriate for that negligent diagnosis of the patient shall constitute a single negligent  
3 act.

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

9           "(d) Incompetence.

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

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

13           "..."

14           6.       Section 2236 of the Code states:

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

19           "..."

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

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1 CAUSE FOR DISCIPLINE

2 (Conviction of a Crime)

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

7 a. On or about September 25, 2007, in the case entitled *United State of*  
8 *America v. Frederic H. Corbin, M.D.*, United States District Court Case No. SACR06-  
9 0022, a supplemental complaint was filed by the United States Attorney's Office,  
10 charging respondent with the following:

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

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

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

26 (4) On or about December 19, 1996, respondent introduced into the  
27 interstate commerce a device, namely a pair of French-made silicone gel-filled  
28 breast implants, by implanting such device into patient #192, knowing that such

1 device was adulterated, that is, not approved for use in the United States by Food  
2 and Drug Administration.<sup>2</sup>

3 b. On or about February 4, 2008, in the case entitled *United State of America*  
4 *v. Frederic H. Corbin, M.D.*, United States District Court Case No. SACR06-0022,  
5 respondent pled guilty to four counts of violating 21 U.S.C. Section 331(e) for the  
6 introduction into interstate commerce of an adulterated device that were enumerated in  
7 the September 25, 2007 supplemental complaint. Respondent was sentenced to one year  
8 probation, and ordered to pay a special assessment of \$100.00 and a fine of \$4,000.00.  
9 Additionally, respondent was ordered to perform six (6) cleft palate or other similar  
10 plastic surgeries upon under-privileged children in the United States or abroad, on a pro  
11 bono basis, as community service.

12 **DISCIPLINE CONSIDERATIONS**

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

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

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

25 \_\_\_\_\_  
26 2. Statements regarding respondent's care and treatment of patients D.B., J.S., M.S. and  
27 #192 are provided to establish that the crimes of which he has been convicted are substantially  
28 related to the qualifications, functions or duties of a physician and surgeon and not as  
independent and separate grounds for disciplinary action.



1 information on various hospital applications.

2 PRAYER

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

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

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

9 3. Ordering Frederic H. Corbin, M.D. to pay the Board, if placed on  
10 probation, the costs of probation monitoring; and

11 4. Taking such other and further action as deemed necessary and proper.

12 DATED: July 30, 2008

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