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

**In the Matter of the Accusation** )  
**Against:** )  
 )  
**ALBERT RAY CENDANA, M.D.** ) **No: 16-97-77118**  
**Certificate #G-82235** )  
 )  
 )  
**Respondent.** )  
\_\_\_\_\_ )

**DECISION AND ORDER**

The attached Stipulation for Settlement is hereby adopted as the Decision and Order of the Division of Medical Quality of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective on February 27, 1999.

DATED January 27, 1999.

**MEDICAL BOARD OF CALIFORNIA**

*Klea Bertakis MD*

**Klea Bertakis, M.D., Panel A  
Division of Medical Quality**

1 DANIEL E. LUNGREN, Attorney General  
of the State of California  
2 JANE ZACK SIMON, State Bar No. 116564  
Deputy Attorney General  
3 California Department of Justice  
50 Fremont Street, Suite 300  
4 San Francisco, California 94105-2239  
Telephone: (415) 356-6286  
5 Facsimile: (415) 356-6257

6 Attorneys for Complainant

7  
8 **BEFORE THE**  
**DIVISION OF MEDICAL QUALITY**  
**MEDICAL BOARD OF CALIFORNIA**  
9 **STATE OF CALIFORNIA**

10  
11 In the Matter of the Accusation Against: ) **Case No. 16-97-77118**  
12 ALBERT RAY CENDANA, M.D. ) **STIPULATION FOR**  
400 Spear Street, #211 ) **SETTLEMENT**  
13 San Francisco, CA 94105 )  
14 Physician's and Surgeon's Certificate No. G-82235 )  
15 Respondent. )

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17  
18 IT IS HEREBY STIPULATED by and between Albert Ray Cendana, M.D.  
19 (hereinafter "respondent") and complainant Ron Joseph, in his official capacity as Executive  
20 Director of the Medical Board of California ("Board"), by and through its attorney, Daniel  
21 E. Lungren, Attorney General, by Jane Zack Simon, Deputy Attorney General, as follows:

22 1. Accusation No. 16-97-77118 is presently pending against Albert Ray  
23 Cendana, M.D., physician and surgeon's certificate number G-82235, before the Division of  
24 Medical Quality of the Medical Board of California (hereinafter referred to as the  
25 "Division").

26 2. The complainant in said Accusation, Ron Joseph is the Executive Director  
27 of the Board and brought said Accusation in his official capacity only.

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1                   3. Respondent hereby freely and voluntarily waives his right to a hearing on  
2 the charges and allegations contained in the Accusation, and further, respondent agrees to  
3 waive his right to reconsideration, judicial review and any and all other rights which may be  
4 accorded him by the Administrative Procedure Act and other laws of the State of California,  
5 excepting his right to petition for reinstatement of his certificate or modification or  
6 termination of probation pursuant to Business and Professions Code section 2307. Respondent  
7 has knowingly and freely elected to proceed without the representation and advise of counsel  
8 in this matter.

9                   4. All admissions of fact and conclusions of law contained in this stipulation  
10 are made exclusively for this proceeding and any future proceedings between the Division  
11 and respondent and shall not be deemed to be admissions for any purpose in any other  
12 administrative, civil, or criminal action, forum or proceeding.

13                   5. Respondent's license history and status as set forth in paragraph 2 of the  
14 Accusation is true and correct and respondent's address of record is as set forth in the  
15 caption of this Stipulation. (A copy of the Accusation is attached as Exhibit A and  
16 incorporated by reference in this stipulation.)

17                   6. For purposes of the settlement of the action pending against respondent in  
18 case No. 16-97-77118 and to avoid a lengthy administrative hearing, respondent admits that  
19 the Board has jurisdiction under section 2234 of the Business and Professions Code to adopt  
20 this stipulation for settlement as its decision and final resolution of this matter.  
21 In mitigation, respondent has accepted full responsibility for his conduct and has cooperated  
22 fully with the Board in its investigation.

23                   7. BASED UPON THE FOREGOING RECITALS, IT IS FURTHER  
24 STIPULATED AND AGREED that the Medical Board of California, upon its adoption of  
25 the Stipulation herein set forth, may, without further notice, prepare a decision and enter the  
26 following order:

27                   Physician and Surgeon Certificate No. G-82235 heretofore issued to Albert  
28 Ray Cendana, M.D., respondent, by the Medical Board of California, is hereby revoked;

1 PROVIDED HOWEVER, that execution of this order of revocation is stayed, and respondent  
2 is placed on probation for a period of (3) three years, upon the following terms and  
3 conditions:

4           Within 15 days after the effective date of this decision the respondent shall  
5 provide the Division, or its designee, proof of service that respondent has served a true copy  
6 of this decision on the Chief of Staff or the Chief Executive Officer at every hospital where  
7 privileges or membership are extended or where respondent is employed to practice medicine  
8 and on the Chief Executive Officer at every insurance carrier where malpractice insurance  
9 coverage is extended.

10 **SPECIAL CONDITIONS**

11           (A) **PSYCHIATRIC EVALUATION** Within thirty (30) days of the  
12 effective date of this decision, and on a periodic basis thereafter as may be required by the  
13 Division or its designee, respondent shall undergo a psychiatric evaluation (and psychological  
14 testing, if deemed necessary) by a Division-appointed psychiatrist, who shall furnish an  
15 evaluation report to the Division or its designee. The respondent shall pay the cost of the  
16 psychiatric evaluation.

17           If the evaluator determines that respondent is not mentally fit to practice medicine  
18 safely, then respondent shall be suspended from the practice of medicine until a repeat  
19 evaluation establishes that he can practice safely, as evidenced by written notice to  
20 respondent from the Division or its designee.

21           (B) **PSYCHOTHERAPY** Within sixty (60) days of the effective date of this  
22 decision, respondent shall submit to the Division or its designee for its prior approval the  
23 name and qualifications of a psychotherapist of respondent's choice. Upon approval,  
24 respondent shall undergo and continue treatment until the Division or its designee deems that  
25 no further psychotherapy is necessary. Respondent shall have the treating psychotherapist  
26 submit quarterly status reports to the Division or its designee. The Division or its designee  
27 may require respondent to undergo psychiatric evaluations by a Division-appointed  
28 psychiatrist. The respondent shall pay the cost of the therapy and evaluations.

1 (C) **ETHICS COURSE** Within sixty (60) days of the effective date of this  
2 decision, respondent shall enroll in a course in Ethics approved in advance by the Division or  
3 its designee, and shall successfully complete the course during the first year of probation.

4 (D) **EDUCATION COURSE** Within ninety (90) days of the effective date  
5 of this decision, and on an annual basis thereafter, respondent shall submit to the Division or  
6 its designee for its prior approval an educational program(s) or course(s) given in the state of  
7 California to be designated by the Division, which shall not be less than 25 hours per year,  
8 for each year of probation. This program(s) shall be in addition to the Continuing Medical  
9 Education requirements for re-licensure. The educational program(s) or course(s) shall  
10 include the subjects of physician-patient relationships and boundaries. Following the  
11 completion of each course, the Division or its designee may administer an examination to test  
12 respondent's knowledge of the course. Respondent shall provide proof of attendance for 50  
13 hours of continuing medical education of which 25 hours were in satisfaction of this  
14 condition and were approved in advance by the Division or its designee. Respondent shall  
15 pay all costs of the educational program.

16 (E) **COST RECOVERY** The respondent is hereby ordered to reimburse the  
17 Division the amount of \$1,000 (one thousand dollars) within ninety (90) days of the effective  
18 date of this decision for a portion of its investigative and prosecution costs. Failure to  
19 reimburse the Division's cost of investigation and prosecution shall constitute a violation of  
20 the probation order, unless the Division agrees in writing to payment by an installment plan  
21 because of financial hardship. The filing of bankruptcy by the respondent shall not relieve  
22 the respondent of his responsibility to reimburse the Division for its investigative and  
23 prosecution costs.

24 (F) **PROBATION COSTS** Respondent shall pay the costs associated with  
25 probation monitoring each and every year of probation in the amount of \$600.00 (six  
26 hundred dollars) per year. Such costs shall be payable to the Division of Medical Quality

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1 and delivered to the designated probation surveillance monitor at the beginning of each  
2 calendar year. Failure to pay costs within 30 days of the due date shall constitute a violation  
3 of probation.

4 **STANDARD CONDITIONS**

5 (G) **SUPERVISION OF PHYSICIAN ASSISTANTS** Respondent shall not  
6 supervise any physician assistants.

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

10 (I) **QUARTERLY REPORTS** Respondent shall submit quarterly  
11 declarations under penalty of perjury on forms provided by the Division stating whether there  
12 has been compliance with all the conditions of probation.

13 (J) **PROBATION SURVEILLANCE PROGRAM COMPLIANCE**  
14 Respondent shall comply with the Division's probation surveillance program. Respondent  
15 shall, at all times, keep the Division informed of his addresses of business and residence  
16 which shall both serve as addresses of record. Changes of such addresses shall be  
17 immediately communicated in writing to the Division. Under no circumstances shall a post  
18 office box serve as an address of record.

19 Respondent shall also immediately inform the Division, in writing, of any  
20 travel to any areas outside the jurisdiction of California which lasts, or is contemplated to  
21 last, more than thirty (30) days.

22 (K) **INTERVIEW WITH THE DIVISION, ITS DESIGNEE, OR ITS**  
23 **DESIGNATED PHYSICIAN** Respondent shall appear in person for interviews with the  
24 Division, its designee or its designated physician(s) upon request at various intervals and with  
25 reasonable notice.

26 (L) **TOLLING OF PROBATION** In the event respondent should leave  
27 California to reside or to practice outside the State or for any reason should respondent stop  
28 practicing medicine in California, respondent shall notify the Division or its designee in

1 writing within ten days of the dates of departure and return or the dates of non-practice  
2 within California. Non-practice is defined as any period of time exceeding thirty days in  
3 which respondent is not engaging in any activities defined in Sections 2051 and 2052 of the  
4 Business and Professions Code. All time spent in an intensive training program approved by  
5 the Division or its designee shall be considered as time spent in the practice of medicine.  
6 Periods of temporary or permanent residence or practice outside California or of non-practice  
7 within California, as defined in this condition, will not apply to the reduction of the  
8 probationary period.

9 (M) **COMPLETION OF PROBATION** Upon successful completion of  
10 probation, respondent's certificate shall be fully restored.

11 (N) **VIOLATION OF PROBATION** If respondent violates probation in any  
12 respect, the Division, after giving respondent notice and the opportunity to be heard, may  
13 revoke probation and carry out the disciplinary order that was stayed. If an accusation or  
14 petition to revoke probation is filed against respondent during probation, the Board shall have  
15 continuing jurisdiction until the matter is final, and the period of probation shall be extended  
16 until the matter is final.

17 (O) **LICENSE SURRENDER** Following the effective date of this probation,  
18 if respondent ceases practicing due to retirement, health reasons or is otherwise unable to  
19 satisfy the terms and conditions of probation, respondent may voluntarily tender his  
20 certificate to the Division. The Division reserves the right to evaluate the respondent's  
21 request and to exercise its discretion whether to grant the request, or to take any other action  
22 deemed appropriate and reasonable under the circumstances. Upon formal acceptance of the  
23 tendered license, respondent will no longer be subject to the terms and conditions of  
24 probation.

25 8. **IT IS FURTHER STIPULATED AND AGREED** that the terms set forth  
26 herein shall be null and void, and in no way binding upon the parties hereto, unless and until  
27 accepted by the Medical Board of California. Respondent further agrees that in addition to  
28 submitting this stipulation to the Board for acceptance and adoption, counsel for complainant

1 may also submit to the Board a memorandum recommending the stipulation's adoption.  
2 Respondent agrees that the memorandum recommending adoption shall not, under any  
3 circumstances, be discoverable or disclosed to respondent.

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**ACCEPTANCE**

I HEREBY CERTIFY that I have read this Stipulation for settlement in its entirety, that I fully understand the terms of this Stipulation, and I voluntarily agree to them. I further acknowledge that I have elected to proceed without the advise and assistance of an attorney. I agree that a FAX copy of my signature shall be binding upon me.

IN WITNESS THEREOF, I affix my signature this 18 day of November, 1998 at Palo Alto, California.

  
ALBERT RAY CENDANA, M.D.  
Respondent

**ENDORSEMENT**

The foregoing Stipulated Settlement and Decision is hereby respectfully submitted for consideration of the Division of Medical Quality, Medical Board of California, Department of Consumer Affairs.

DATED: 12/8/98

DANIEL E. LUNGREN, Attorney General  
of the State of California


  
Jane Zack Simon  
Deputy Attorney General

EXHIBIT A

1 DANIEL E. LUNGREN, Attorney General  
of the State of California  
2 JANE ZACK SIMON  
Deputy Attorney General (SB #116564)  
3 California Department of Justice  
50 Fremont Street, Suite 300  
4 San Francisco, California 94105  
Telephone: (415) 356-6286  
5 Fax: (415) 356-6257

FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO July 21 1998  
BY Nattie Johnson ANALYST

6 Attorneys for Complainant

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

11 In the Matter of the Accusation Against: ) Case No. 16-97-77118  
12 ALBERT RAY CENDANA, M.D. )  
401 Quarry Road )  
13 Stanford, CA 94305 )  
14 Physician's and Surgeon's Certificate No. G-82235, )  
Respondent. )

A C C U S A T I O N

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18 The Complainant alleges:

19 PARTIES

20 1. Complainant, Ron Joseph, is the Executive Director of the Medical  
21 Board of California (hereinafter the "Board") and brings this accusation solely in his official  
22 capacity.

23 2. On or about April 3, 1996, Physician's and Surgeon's Certificate No.  
24 G-82235 was issued by the Board to Albert Ray Cendana, M.D., (hereinafter "respondent"),  
25 and at all times relevant to the charges brought herein, this license has been in full force and  
26 effect. Unless renewed, it will expire on August 31, 1999.

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1 **JURISDICTION**

2 3. This accusation is brought before the Division of Medical Quality of  
3 the Medical Board of California, Department of Consumer Affairs (hereinafter the  
4 "Division"), under the authority of the following sections of the California Business and  
5 Professions Code (hereinafter "Code"):

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

10 B. Section 2234 of the Code provides that the Board may take  
11 action against any licensee who is charged with unprofessional conduct. Unprofessional  
12 conduct includes, but is not limited to, the following:

- 13 (a) Violating or attempting to violate, directly or indirectly, or assisting in  
14 or abetting the violation of, or conspiring to violate, any provision of  
15 this chapter.
- 16 (b) Gross negligence.
- 17 (c) Repeated negligent acts.
- 18 (d) Incompetence.
- 19 (e) The commission of any act involving dishonesty or corruption which is  
20 substantially related to the qualifications, functions or duties of a  
21 physician and surgeon.

22 C. Section 2305 of the Code provides in part, that the revocation,  
23 suspension or other discipline, restriction, or limitation imposed by another state upon a  
24 license or certificate to practice medicine by that state, or the revocation, suspension, or  
25 restriction of the authority to practice medicine by any agency of the federal government,  
26 that would have been grounds for discipline in California of a licensee under this chapter,  
27 shall constitute grounds for disciplinary action for unprofessional conduct against the licensee  
28 in this state.

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D. Section 141 of the Code provides:

(a) For any licensee holding a license issued by a board under the jurisdiction of the department, a disciplinary action taken by another state, by any agency of the federal government, or by another country for any act substantially related to the practice regulated by the California license, may be a ground for disciplinary action by the respective state licensing board. A certified copy of the record of the disciplinary action taken against the licensee by another state, an agency of the federal government, or another country shall be conclusive evidence of the events related therein.

(b) Nothing in this section shall preclude a board from applying a specific statutory provision in the licensing act administered by that board that provides for discipline based upon a disciplinary action taken against the licensee by another state, an agency of the federal government, or another country.

E. Section 125.3 of the Code provides, in part, that the Board may request the administrative law judge to direct any licentiate found to have committed a violation or violations of the licensing act, to pay the Board a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

F. Section 16.01 of the 1997-98 California Budget Act provides as follows:

- "(a) No funds appropriated by this act may be expended to pay any Medi-Cal claim for any service performed by a physician while that physician's license is under suspension or revocation due to a disciplinary action of the Medical Board of California.
- "(b) No funds appropriated by this act may be expended to pay any Medi-Cal claim for any surgical service or other invasive procedure performed on any Medi-Cal beneficiary by a physician if that physician has been placed on probation due to a disciplinary action of the Medical Board of California related to the performance of that specific service or procedure on any patient, except in any case where the board makes a determination during its disciplinary process that there exist

1                   compelling circumstances that warrant continued Medi-Cal  
2 reimbursement during the probationary period.

3                   "(c) The State Department of Health Services shall ensure that no Medi-Cal  
4 claim is paid in violation of subdivision (a) or (b)

5                   "(d) The Medical Board of California shall work with the State Department  
6 of Health Services to provide all information necessary to accomplish  
7 the purposes of this section. The board and the department shall report  
8 to the Legislature, upon the conclusion of each calendar quarter of the  
9 1996-97 fiscal year, the number of physicians on probation who are not  
10 receiving Medi-Cal reimbursement as a result of this section, and the  
11 number of physicians on probation who continue to be eligible for  
12 Medi-Cal reimbursement as a result of a determination of the board.

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**FIRST CAUSE FOR DISCIPLINE**

(Discipline Imposed by Another State)

4. Respondent is subject to disciplinary action under sections 2305 and 141  
of the Code in that on or about May 2, 1997, the Commonwealth of Virginia, Department of  
Health Professions, Board of Medicine placed respondent's license to practice medicine in  
that state on indefinite probation. Respondent's Virginia license to practice medicine was  
disciplined after respondent, during his psychiatric residency, entered into a sexual  
relationship with a patient. Attached hereto as Exhibit A and incorporated herein by  
reference is a true and correct certified copy of the Order imposing discipline on  
respondent's license and the findings of fact surrounding the Virginia disciplinary action.

**PRAYER**

WHEREFORE, the complainant requests that a hearing be held on the matters  
herein alleged, and that following the hearing, the Administrative Law Judge issue a  
decision:

1. Revoking or suspending physician's and surgeon's certificate number  
G-82235;
2. Revoking, suspending or denying approval of the respondent's authority  
to supervise physician's assistants, pursuant to Business and Professions Code section 3527;

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3. Ordering respondent to pay the Board the actual and reasonable costs of the investigation and enforcement of this case; and, if placed on probation, the costs of probation monitoring;

4. Taking such other and further action as is deemed just and proper to protect the public health, safety and welfare.

DATED: July 21, 1998



*Douglas Lane*  
Douglas LANE  
Deputy Director  
for

RON JOSEPH  
Executive Director  
Medical Board of California  
State of California

Complainant

Accusation Against: Candana

**EXHIBIT A**





# COMMONWEALTH of VIRGINIA

*Department of Health Professions  
Board of Medicine*

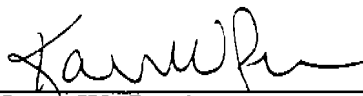
John W. Hasty  
Director of the Department

Warren W. Koontz, M.D.  
Executive Director of the Board


6606 West Broad Street  
4th Floor  
Richmond, Virginia 23230-1717  
(804) 662-9908  
FAX (804) 662-9517

## CERTIFICATION OF DUPLICATE OF OFFICIAL BOARD RECORDS SECTION 54.1-112, CODE OF VIRGINIA, 1950, AS AMENDED

I, Karen W. Perrine, Deputy Executive Director, Discipline, Virginia Board of Medicine, hereby certify that I have custody of the file regarding Dr. Albert R. Cendana and that said file is an official record of the Virginia Board of Medicine. I also certify that the attached documents consisting of five pages is a true copy of this record.

 Date 3/27/98  
Karen W. Perrine

I, Warren W. Koontz, M.D., Executive Director, Virginia Board of Medicine, hereby certify that I am the supervisor of Karen W. Perrine and that the attached documents consisting of five pages is a true copy of the records of the Virginia Board of Medicine.

 Date 3/30/98  
Warren W. Koontz, M.D.

KWP/cert.jdb 98.c

(SEAL)

**VIRGINIA:**

**BEFORE THE BOARD OF MEDICINE**

**IN RE: ALBERT RAYMOND CENDANA, M.D.  
License No.: 0101-051022**

**ORDER**

In accordance with Sections 54.1-2919 and 9-6.14:11 of the Code of Virginia (1950), as amended ("Code"), an informal conference was held with Albert Raymond Cendana, M.D., on April 17, 1997, in Henrico County, Virginia. Members of the Virginia Board of Medicine ("Board") serving on the Informal Conference Committee ("Committee") were: Cheryl Jordan, M.D., Chairman; Paul M. Spector, D.O.; and Anthony Moore. Dr. Cendana appeared personally and was represented by legal counsel, Ronald D. Hodges, Esquire. The Board was represented by Frank L. Pedrotty, Assistant Attorney General. The purpose of the informal conference was to inquire into allegations that Dr. Cendana may have violated certain laws governing the practice of medicine in the Commonwealth of Virginia, as set forth in a Notice of Informal Conference dated November 21, 1996.

**FINDINGS OF FACT**

Now, having considered the evidence and statements presented, the Committee makes the following Findings of Fact:

1. Albert Raymond Cendana, M.D., holds License No. 0101-051022 issued by the Board to practice medicine in the Commonwealth of Virginia.
2. During the course of Dr. Cendana's employment as a Resident in Psychiatry at Blue Ridge Hospital through University of Virginia Medical Center ("UVA"), Charlottesville, Virginia, from on or about January 20, 1995, to February 2, 1995, and from February 22, 1995, through March 1, 1995, Dr. Cendana provided individual therapy and medication monitoring to Patient A, who was diagnosed with Major

**Dr. Cendana**

Depression, recurrent, with psychotic features, Post Traumatic Stress Disorder and Panic Disorder with Agoraphobia. Patient A had been admitted to Blue Ridge Hospital during the referenced time periods as a result of a suicide attempt and suicidal ideation. Dr. Cendana acted unprofessionally and in a manner which endangered the mental health and welfare of Patient A, in that:

- a. He failed to maintain appropriate therapeutic boundaries and entered into a dual relationship with Patient A in that, during Patient A's hospitalization from January 20, 1995, to February 2, 1995, Dr. Cendana initiated a personal relationship with him. Dr. Cendana continued his relationship with Patient A after his discharge on February 2, 1995, in that, Dr. Cendana pursued an intimate relationship with him to include sexual relations.
- b. Dr. Cendana failed to appropriately monitor transference/counter-transference issues, and failed to terminate the therapeutic relationship with Patient A or refer him to another therapist when Dr. Cendana became aware that Patient A's feelings for him were romantic in nature, or when his feelings for Patient A became romantic in nature.
- c. Dr. Cendana failed to establish appropriate therapeutic boundaries with Patient A in that, upon Patient A's discharge on February 2, 1995, Dr. Cendana subsequently allowed Patient A to reside at his home, drinking alcohol and smoking marijuana, and allowed Patient A to sleep there. Further, by Dr. Cendana's own admission, he took a pleasure trip with this patient to Washington, D.C.
- d. Dr. Cendana failed to maintain appropriate therapeutic boundaries in that, he disclosed to Patient A personal issues of his own including relationship and family issues.
- e. By his own admission, Dr. Cendana failed to seek professional consultation and guidance from a supervisor when he became aware that he was not adequately trained or prepared to deal with Patient A.

**Dr. Cendana**

f. Patient A was re-admitted to Blue Ridge Hospital from on or about February 22, 1995, to March 1, 1995, due to suicidal ideation. Dr. Cendana continued to provide treatment to Patient A during this time. Subsequently, Dr. Cendana continued a dual relationship with this patient, and in fact, in June 1995, Dr. Cendana went to Patient A's home in an attempt to contact him.

3. From on or about September 21, 1995, to June 1996, Dr. Cendana received psychiatric treatment with C. Knight Aldrich, M.D., Charlottesville, Virginia.

4. On or about July 1, 1996, Dr. Cendana began a two (2) year fellowship at Stanford University School of Medicine, Division of Child Psychiatry and Child Development, Stanford, California, under the supervision of Hans Steiner, M.D. On or about December 12, 1996, Dr. Cendana entered a probationary/remedial program at Stanford.

5. In December 1996, Dr. Cendana entered into weekly individual psychotherapy with J. B. Sampsell, M.D., Menio Park, California.

6. During this informal conference, Dr. Cendana acknowledged that he had previously lied to the Board's investigator, Dr. Aldrich, and to his supervisor at UVA about his sexual relationship with Patient A.

**CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Committee concludes that Albert Raymond Cendana, M.D., is in violation of Section 54.1-2915(A)(3), as further defined in Sections 54.1-2914(A)(9), (10) and (16) of the Code.

**ORDER**

WHEREFORE, it is hereby ORDERED that the license of Albert Raymond Cendana, M.D., to practice medicine be and hereby is placed on INDEFINITE PROBATION subject to the following terms and conditions:

**Dr. Cendana**

1. Dr. Cendana shall practice medicine only in a residency program approved by the Board. Dr. Cendana shall not engage in the practice of medicine until the setting is approved by the Board's Executive Director and Dr. Cendana receives authorization from the Board to practice. Dr. Cendana's residency program at Stanford University is an acceptable setting.

2. Dr. Cendana must provide his supervisor in the residency program with a copy of this Order and authorize the supervisor to communicate with the Board's representatives concerning his practice. Dr. Cendana's supervisor shall provide reports to the Board on a quarterly basis concerning Dr. Cendana's practice.

3. Should Dr. Cendana leave the residency program at Stanford University for any reason, he must notify the Board within ten (10) days of leaving.

4. At such time as Dr. Cendana decides to return to practice in Virginia, he must appear before an informal conference committee of the Board prior to beginning practice for possible modification of the terms and conditions of probation.

5. Prior to appearing before an informal conference committee of the Board for modification of this Order, Dr. Cendana must be evaluated by a Board certified psychiatrist approved by the Board, and shall authorize the psychiatrist to submit a detailed report of findings to the Board. The Board will provide the psychiatrist with a copy of this Order, the Report of Investigation and other pertinent materials prior to the evaluation.

6. Dr. Cendana shall sign an authorization providing for unrestricted communication between and among the Board, Dr. Cendana's current or evaluating practitioners, and Dr. Cendana's supervisor and residency training program.

7. In not less than one (1) year from the date of entry of this Order, Dr. Cendana may petition the Board for modification of this Order at which time he shall be noticed to appear before an informal

Dr. Cendana

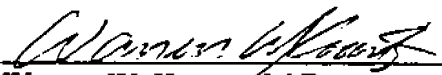
conference committee of the Board. Said committee shall provide the ongoing monitoring of Dr. Cendana's order, determine the frequency of further appearance by Dr. Cendana before it, and shall serve as the instrument of the Board responsible for reviewing and approving all information relative to the terms and conditions of this Order, except as noted above.

Violation of this Order shall constitute grounds for the revocation of the license of Dr. Cendana. In the event Dr. Cendana violates any of the terms and conditions of this Order, an administrative proceeding may be convened to determine further disciplinary action.

Pursuant to Section 54.1-2919 of the Code of Virginia, 1950, as amended, any request for a hearing before the Board must be filed within 30 days upon receipt of this Order.


Pursuant to Section 9-6.14:14 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public inspection and copying upon request.

FOR THE BOARD:

  
Warren W. Koontz, M.D.  
Executive Director  
Virginia Board of Medicine

ENTERED: May 2, 1997

MBS/ARC39ORD.

  
**A TRUE COPY TESTE:**  
KAREN W. PERRINE, DEPUTY EXECUTIVE DIRECTOR  
VIRGINIA BOARD OF MEDICINE