



MEDICAL BOARD OF CALIFORNIA

Protecting consumers by advancing high quality, safe medical care.

Enforcement Program

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Gavin Newsom, Governor, State of California | Business, Consumer Services and Housing Agency | Department of Consumer Affairs

May 25, 2021

Ann Olivares
200 Park Avenue, Suite 1700
New York, NY 10166

Re: Calvin Hirsch, M.D.
Control #: 800-2020-073226

Dear Ann Olivares:

This is to advise you the Medical Board of California (Board) has completed its review of your recent correspondence regarding Calvin Hirsch, M.D.

Pursuant to Business & Professions Code section 2230.5, any accusation (formal charges against a physician's license) filed against a licensee shall be filed within seven years after the act or omission/incident. In your complaint, you indicated the incident of rape/sexual misconduct occurred in 1974 and again in 1984/1985. In your complaint you indicated you confronted Dr. Hirsch regarding the sexual misconduct in December of 2014 in which Dr. Hirsch denied the allegations and diagnosed you with cognitive issues. It is alleged Dr. Hirsch specifically stated that as an "objective clinician", he believed you were suffering from a mental illness or cognitive disorder.

Based on the information provided in your complaint, the incident of sexual misconduct occurred in 1974 and again in 1984/1985, over 10 years ago. In December of 2014, you indicated you confronted Dr. Hirsch about the incident of sexual misconduct which occurred over 10 years ago. As the incident of sexual misconduct occurred over 10 years ago, the incident of sexual misconduct is past the statute of limitations. Regarding the allegations that Dr. Hirsch diagnosed you with a mental illness or cognitive disorder, it does not appear that there was a physician/patient relationship, and it appears Dr. Hirsch made a comment in response to your allegations of sexual misconduct regarding the incident which occurred over 10 years. Pursuant to the Business and Professions Code section 2230.5, the incident of sexual misconduct is past the statute of limitations. Unfortunately, confronting Dr. Hirsch regarding the incident which occurred over 10 years ago does not extend the statute of limitations. The Board's investigation must be concluded, the case transmitted to the Attorney General's Office and the accusation filed by the Attorney General's Office before the seven year time limit expires. If a complaint is filed with our agency just before the seven year time limit, the Board may not pursue the case because there was not enough time to obtain all necessary documents and have them reviewed before the seven year statute of limitations expires. Based on this requirement, given the age of the incident cited in your complaint, the Board is unable to pursue further action and the complaint has been closed.

Thank you for contacting the Medical Board of California. We regret we are unable to be of further assistance at this time.

Sincerely,



Cassie Jones
Consumer Services Analyst
(916) 263-2679



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