

August 5, 2021

Cassie Jones
Medical Board of California
Enforcement Program
2005 Evergreen Street, Suite 1200
Sacramento, CA 95815

Re: Dr. Calvin Hirsch

Dear Ms. Jones:

I am writing in response to your May 25, 2021 letter (the “May Letter”).

1) I know that the 1974 incident is out of time. I have never claimed differently. It creates the necessary context for the 2014 incident I do complain about.

In the May Letter, you again state that the sexual misconduct incident that occurred in 1974 is out of time. Respectfully, this is something I have acknowledged previously, in particular in my February 2, 2021 letter to you (which I have attached for your reference). As I have explained before, the 1974 incident is important context for Hirsch’s more recent sanctionable behavior, which occurred in 2014 and is thus timely.

2) Dr Hirsch’s diagnosis of me in 2014 was not “a mere comment.” The Board has disciplined other doctors for abusing their powers of diagnosis for personal gain.

In the May Letter, you downplay Hirsch’s 2014 improper diagnosis of me as a mere comment during our conversation, rather than recognize it as sanctionable. This analysis is wrong. The Board itself has severely disciplined doctors for advancing their own self-interest by abusing their authority as physicians to diagnose:

- In December 2017, the Board put Dr. Robert T. Perez on probation for 35 months and required him to complete an education course, a prescribing practices course, an ethics course, a professional boundaries program, and a psychiatric evaluation after he sexually harassed his patient and then attempted to diagnose her with paranoid schizophrenia to discredit her when she complained about him. The Board stated that if Dr. Perez violated his probation, his license would be revoked.
- In May 2018, the Board forced Dr. Leon Fajerman to surrender his license after he sexually assaulted his patient and, when she tried to confront him about his abuse, used his expertise to manipulate and gaslight her.

- In September 2019, the Board forced Dr. George Tyndall to surrender his license after he sexually assaulted his patient and diagnosed her without a proper examination.

3) The Board has disciplined doctors for making self-interested diagnoses of people who are not their patients, which is my circumstance also.

You also suggest that the lack of a physician-patient relationship between Hirsch and me prevents you from investigating my complaint. This too is in error based on your precedents. The Board sanctioned Dr. Perez (mentioned above) additionally for accusing his ex-girlfriend (never his patient) of being mentally ill and suffering from bipolar disorder in an attempt to discredit her and gain custody of their 10-year-old daughter. The Board wrote that Perez “used his power, position and money to threaten [his ex-girlfriend], showing that he had no regard for others.” The Board also wrote that Perez “made false, threatening, and harmful statements regarding [his ex-girlfriend], thereby exhibiting an unprofessional demeanor, which was unbecoming to a member in good standing of the medical profession.” Hirsch’s treatment of me – using his authority as a medical professional to gaslight and intimidate me by improperly diagnosing me with a cognitive issue after I complained about his previous behavior – is directly comparable to Perez’s misconduct, which the Board sanctioned.

4) Action against Hirsch is not time-barred.

You wrote in the May Letter that, “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” and suggested that, because of this requirement, the Board is unable to pursue my complaint. The Board’s own website states that it takes, on average, one to one and a half years for the Board to perform an investigation and get an accusation filed. It is simply indisputable that my complaint was filed in time for the Board to spend an “average” amount of time investigating my allegations and filing an accusation. Beyond this, my complaint should not be much of a burden on the Board’s investigative team, as Hirsch’s sanctionable behavior all occurred via email. It is the time of complaint that must govern any statute of limitations, otherwise the Board’s own inefficiency would be an excuse to deny otherwise proper and timely claims.

I would be grateful if you and your team could investigate my complaint and treat it with the same attention that the Board has given to similar complaints in the past. As I have said previously, I am happy to answer any questions you may have.

Separately, in the future, could you kindly send any correspondence related to this matter to my email address (aolivarius@mcclaw.com) rather than just to my office’s physical address? Also, I would be grateful if you could confirm receipt of this letter. Thank you.

Sincerely,



Dr. Ann Olivarius
Chair of the Executive Committee