

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

**In the Matter of the Accusation )  
Against: )**

**PETER JOHN BULLOCK, M.D. )**

**Case No. 03-2011-215872**

**Physician's and Surgeon's )  
Certificate No. A 31093 )**

**Respondent )**

**DECISION AND ORDER**

**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.**

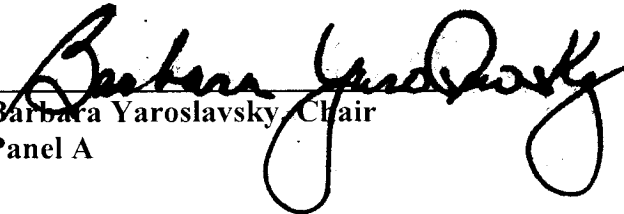
**This Decision shall become effective at 5:00 p.m. on November 14, 2014.**

**IT IS SO ORDERED: October 15, 2014.**

**MEDICAL BOARD OF CALIFORNIA**

**By:**

**Barbara Yaroslavsky, Chair  
Panel A**

A handwritten signature in black ink, appearing to read 'Barbara Yaroslavsky', is written over the printed name and title of the signatory.

1 KAMALA D. HARRIS  
Attorney General of California  
2 JOSE R. GUERRERO  
Supervising Deputy Attorney General  
3 ESTHER H. LA  
Deputy Attorney General  
4 State Bar No. 160706  
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*Attorneys for Complainant*

7  
8 **BEFORE THE**  
**MEDICAL BOARD OF CALIFORNIA**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 03-2011-215872

11 **PETER J. BULLOCK, M.D.**  
12 **Arch Street Medical Association Inc.**  
13 **143 Birch St.**  
**Redwood City, CA 94062**

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

14 **Physician and Surgeon's Certificate No.**  
15 **A31093**

16 Respondent.

17  
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
19 entitled proceedings that the following matters are true:

20 **PARTIES**

21 1. Kimberly Kirchmeyer ("Complainant") is the Executive Director of the Medical  
22 Board of California. She brought this action solely in her official capacity and is represented in  
23 this matter by Kamala D. Harris, Attorney General of the State of California, by Esther H. La,  
24 Deputy Attorney General.

25 2. Respondent Peter J. Bullock, M.D. ("Respondent") is represented in this proceeding  
26 by attorney Bradford Hinshaw, whose address is: 12901 Saratoga Avenue, Saratoga, CA 95070.

27 3. On or about June 1, 1977, the Medical Board of California issued Physician and  
28 Surgeon's Certificate No. A31093 to Peter J. Bullock, M.D. The Physician and Surgeon's

1 Certificate was in full force and effect at all times relevant to the charges brought in Accusation  
2 No. 03-2011-215872 and will expire on February 28, 2013, unless renewed.

3 JURISDICTION

4 4. Accusation No. 03-2011-215872 was filed before the Medical Board of California  
5 (Board) , Department of Consumer Affairs, and is currently pending against Respondent. The  
6 Accusation and all other statutorily required documents were properly served on Respondent on  
7 January 23, 2013. Respondent timely filed his Notice of Defense contesting the Accusation.

8 5. A copy of Accusation No. 03-2011-215872 is attached as Exhibit A and incorporated  
9 herein by reference.

10 ADVISEMENT AND WAIVERS

11 6. Respondent has carefully read, fully discussed with counsel, and understands the  
12 charges and allegations in Accusation No. 03-2011-215872. Respondent has also carefully read,  
13 fully discussed with counsel, and understands the effects of this Stipulated Settlement and  
14 Disciplinary Order.

15 7. Respondent is fully aware of his legal rights in this matter, including the right to a  
16 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at  
17 his own expense; the right to confront and cross-examine the witnesses against him; the right to  
18 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel  
19 the attendance of witnesses and the production of documents; the right to reconsideration and  
20 court review of an adverse decision; and all other rights accorded by the California  
21 Administrative Procedure Act and other applicable laws.

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

24 CULPABILITY

25 9. Respondent admits the truth of each and every charge and allegation in Accusation  
26 No. 03-2011-215872.

10. Respondent agrees that his Physician and Surgeon's Certificate is subject to discipline and he agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

## CONTINGENCY

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

12. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including Portable Document Format (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

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

## DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Physician and Surgeon's Certificate No. A31093 issued to Respondent Peter J. Bullock, M.D. (Respondent) is revoked. However, the revocation is stayed and Respondent is placed on probation for six (6) years on the following terms and conditions.

1. ACTUAL SUSPENSION. As part of probation, Respondent is suspended from the practice of medicine for 45 days beginning the sixteenth (16th) day after the effective date of this decision.

2. EDUCATION COURSE. Within 60 calendar days of the effective date of this

1 Decision, and on an annual basis thereafter, Respondent shall submit to the Board or its designee  
2 for its prior approval educational program(s) or course(s) which shall not be less than 40 hours  
3 per year, for each year of probation. The educational program(s) or course(s) shall be aimed at  
4 correcting any areas of deficient practice or knowledge and shall be Category I certified. The  
5 educational program(s) or course(s) shall be at Respondent's expense and shall be in addition to  
6 the Continuing Medical Education (CME) requirements for renewal of licensure. Following the  
7 completion of each course, the Board or its designee may administer an examination to test  
8 Respondent's knowledge of the course. Respondent shall provide proof of attendance for 65  
9 hours of CME of which 40 hours were in satisfaction of this condition.

10 3. PREScribing PRACTICES COURSE. Within 60 calendar days of the effective  
11 date of this Decision, Respondent shall enroll in a course in prescribing practices equivalent to the  
12 Prescribing Practices Course at the Physician Assessment and Clinical Education Program,  
13 University of California, San Diego School of Medicine (Program), approved in advance by the  
14 Board or its designee. Respondent shall provide the program with any information and documents  
15 that the Program may deem pertinent. Respondent shall participate in and successfully complete  
16 the classroom component of the course not later than six (6) months after Respondent's initial  
17 enrollment. Respondent shall successfully complete any other component of the course within  
18 one (1) year of enrollment. The prescribing practices course shall be at Respondent's expense  
19 and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of  
20 licensure.

21 A prescribing practices course taken after the acts that gave rise to the charges in the  
22 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board  
23 or its designee, be accepted towards the fulfillment of this condition if the course would have  
24 been approved by the Board or its designee had the course been taken after the effective date of  
25 this Decision.

26 Respondent shall submit a certification of successful completion to the Board or its  
27 designee not later than 15 calendar days after successfully completing the course, or not later than  
28 15 calendar days after the effective date of the Decision, whichever is later.

1           4.    MEDICAL RECORD KEEPING COURSE. Within 60 calendar days of the effective  
2 date of this Decision, Respondent shall enroll in a course in medical record keeping equivalent to  
3 the Medical Record Keeping Course offered by the Physician Assessment and Clinical Education  
4 Program, University of California, San Diego School of Medicine (Program), approved in  
5 advance by the Board or its designee. Respondent shall provide the program with any information  
6 and documents that the Program may deem pertinent. Respondent shall participate in and  
7 successfully complete the classroom component of the course not later than six (6) months after  
8 Respondent's initial enrollment. Respondent shall successfully complete any other component of  
9 the course within one (1) year of enrollment. The medical record keeping course shall be at  
10 Respondent's expense and shall be in addition to the Continuing Medical Education (CME)  
11 requirements for renewal of licensure.

12           A medical record keeping course taken after the acts that gave rise to the charges in the  
13 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board  
14 or its designee, be accepted towards the fulfillment of this condition if the course would have  
15 been approved by the Board or its designee had the course been taken after the effective date of  
16 this Decision.

17           Respondent shall submit a certification of successful completion to the Board or its  
18 designee not later than 15 calendar days after successfully completing the course, or not later than  
19 15 calendar days after the effective date of the Decision, whichever is later.

20           5.    PROFESSIONALISM PROGRAM (ETHICS COURSE). Within 60 calendar days of  
21 the effective date of this Decision, Respondent shall enroll in a professionalism program, that  
22 meets the requirements of Title 16, California Code of Regulations (CCR) section 1358.  
23 Respondent shall participate in and successfully complete that program. Respondent shall  
24 provide any information and documents that the program may deem pertinent. Respondent shall  
25 successfully complete the classroom component of the program not later than six (6) months after  
26 Respondent's initial enrollment, and the longitudinal component of the program not later than the  
27 time specified by the program, but no later than one (1) year after attending the classroom  
28 component. The professionalism program shall be at Respondent's expense and shall be in

1 addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

2 A professionalism program taken after the acts that gave rise to the charges in the  
3 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board  
4 or its designee, be accepted towards the fulfillment of this condition if the program would have  
5 been approved by the Board or its designee had the program been taken after the effective date of  
6 this Decision.

7 Respondent shall submit a certification of successful completion to the Board or its  
8 designee not later than 15 calendar days after successfully completing the program or not later  
9 than 15 calendar days after the effective date of the Decision, whichever is later.

10 6. PROFESSIONAL BOUNDARIES PROGRAM. Within 60 calendar days from the  
11 effective date of this Decision, Respondent shall enroll in a professional boundaries program  
12 equivalent to the Professional Boundaries Program offered by the Physician Assessment and  
13 Clinical Education Program at the University of California, San Diego School of Medicine  
14 (“Program”). Respondent, at the Program’s discretion, shall undergo and complete the Program’s  
15 assessment of Respondent’s competency, mental health and/or neuropsychological performance,  
16 and at minimum, a 24 hour program of interactive education and training in the area of  
17 boundaries, which takes into account data obtained from the assessment and from the Decision(s),  
18 Accusation(s) and any other information that the Board or its designee deems relevant. The  
19 Program shall evaluate Respondent at the end of the training and the Program shall provide any  
20 data from the assessment and training as well as the results of the evaluation to the Board or its  
21 designee.

22 Failure to complete the entire Program not later than six (6) months after Respondent’s  
23 initial enrollment shall constitute a violation of probation unless the Board or its designee agrees  
24 in writing to a later time for completion. Based on Respondent’s performance in and evaluations  
25 from the assessment, education, and training, the Program shall advise the Board or its designee  
26 of its recommendation(s) for additional education, training, psychotherapy and other measures  
27 necessary to ensure that Respondent can practice medicine safely. Respondent shall comply with  
28 Program recommendations. At the completion of the Program, Respondent shall submit to a final

1 evaluation. The Program shall provide the results of the evaluation to the Board or its designee.  
2 The professional boundaries program shall be at Respondent's expense and shall be in addition to  
3 the Continuing Medical Education (CME) requirements for renewal of licensure.

4 The Program has the authority to determine whether or not Respondent successfully  
5 completed the Program.

6 A professional boundaries course taken after the acts that gave rise to the charges in the  
7 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board  
8 or its designee, be accepted towards the fulfillment of this condition if the course would have  
9 been approved by the Board or its designee had the course been taken after the effective date of  
10 this Decision.

11 7. PSYCHIATRIC EVALUATION. Within 30 calendar days of the effective date of  
12 this Decision, and on whatever periodic basis thereafter may be required by the Board or its  
13 designee, Respondent shall undergo and complete a psychiatric evaluation (and psychological  
14 testing, if deemed necessary) by a Board-appointed board certified psychiatrist, who shall  
15 consider any information provided by the Board or designee and any other information the  
16 psychiatrist deems relevant, and shall furnish a written evaluation report to the Board or its  
17 designee. Psychiatric evaluations conducted prior to the effective date of the Decision shall not  
18 be accepted towards the fulfillment of this requirement. Respondent shall pay the cost of all  
19 psychiatric evaluations and psychological testing.

20 Respondent shall comply with all restrictions or conditions recommended by the evaluating  
21 psychiatrist within 15 calendar days after being notified by the Board or its designee.

22 8. THIRD PARTY CHAPERONE. During probation, Respondent shall have a third  
23 party chaperone present while consulting, examining or treating female patients. Respondent  
24 shall, within 30 calendar days of the effective date of the Decision, submit to the Board or its  
25 designee for prior approval name(s) of persons who will act as the third party chaperone.

26 If Respondent fails to obtain approval of a third party chaperone within 60 calendar days of  
27 the effective date of this Decision, Respondent shall receive a notification from the Board or its  
28 designee to cease the practice of medicine within three (3) calendar days after being so notified.



1 Respondent shall cease the practice of medicine until a chaperone is approved to provide  
2 monitoring responsibility.

3 Each third party chaperone shall sign (in ink or electronically) and date each patient  
4 medical record at the time the chaperone's services are provided. Each third party chaperone shall  
5 read the Decision(s) and the Accusation(s), and fully understand the role of the third party  
6 chaperone.

7 Respondent shall maintain a log of all patients seen for whom a third party chaperone is  
8 required. The log shall contain the: 1) patient initials, address and telephone number; 2) medical  
9 record number; and 3) date of service. Respondent shall keep this log in a separate file or ledger,  
10 in chronological order, shall make the log available for immediate inspection and copying on the  
11 premises at all times during business hours by the Board or its designee, and shall retain the log  
12 for the entire term of probation.

13 Respondent is prohibited from terminating employment of a Board-approved third party  
14 chaperone solely because that person provided information as required to the Board or its  
15 designee.

16 If the third party chaperone resigns or is no longer available, Respondent shall, within 5  
17 calendar days of such resignation or unavailability, submit to the Board or its designee, for prior  
18 approval, the name of the person(s) who will act as the third party chaperone. If Respondent fails  
19 to obtain approval of a replacement chaperone within 60 calendar days of the resignation or  
20 unavailability of the chaperone, Respondent shall receive a notification from the Board or its  
21 designee to cease the practice of medicine within three (3) calendar days after being so notified.  
22 Respondent shall cease the practice of medicine until a replacement chaperone is approved and  
23 assumes monitoring responsibility.

24 9. NOTIFICATION. Within seven (7) days of the effective date of this Decision, the  
25 Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the  
26 Chief Executive Officer at every hospital where privileges or membership are extended to  
27 Respondent, at any other facility where Respondent engages in the practice of medicine,  
28 including all physician and locum tenens registries or other similar agencies, and to the Chief

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

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

5 10. SUPERVISION OF PHYSICIAN ASSISTANTS. During probation, Respondent is  
6 prohibited from supervising physician assistants.

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

10 12. QUARTERLY DECLARATIONS. Respondent shall submit quarterly declarations  
11 under penalty of perjury on forms provided by the Board, stating whether there has been  
12 compliance with all the conditions of probation.

13 Respondent shall submit quarterly declarations not later than 10 calendar days after the end  
14 of the preceding quarter.

15 13. GENERAL PROBATION REQUIREMENTS.

16 Compliance with Probation Unit

17 Respondent shall comply with the Board's probation unit and all terms and conditions of  
18 this Decision.

19 Address Changes

20 Respondent shall, at all times, keep the Board informed of Respondent's business and  
21 residence addresses, email address (if available), and telephone number. Changes of such  
22 addresses shall be immediately communicated in writing to the Board or its designee. Under no  
23 circumstances shall a post office box serve as an address of record, except as allowed by Business  
24 and Professions Code section 2021(b).

25 Place of Practice

26 Respondent shall not engage in the practice of medicine in Respondent's or patient's place  
27 of residence, unless the patient resides in a skilled nursing facility or other similar licensed  
28 facility.

1        License Renewal

2        Respondent shall maintain a current and renewed California physician's and surgeon's  
3 license.

4        Travel or Residence Outside California

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

8        In the event Respondent should leave the State of California to reside or to practice  
9 Respondent shall notify the Board or its designee in writing 30 calendar days prior to the dates of  
10 departure and return.

11       14. INTERVIEW WITH THE BOARD OR ITS DESIGNEE. Respondent shall be  
12 available in person upon request for interviews either at Respondent's place of business or at the  
13 probation unit office, with or without prior notice throughout the term of probation.

14       15. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or  
15 its designee in writing within 15 calendar days of any periods of non-practice lasting more than  
16 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is  
17 defined as any period of time Respondent is not practicing medicine in California as defined in  
18 Business and Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month  
19 in direct patient care, clinical activity or teaching, or other activity as approved by the Board. All  
20 time spent in an intensive training program which has been approved by the Board or its designee  
21 shall not be considered non-practice. Practicing medicine in another state of the United States or  
22 Federal jurisdiction while on probation with the medical licensing authority of that state or  
23 jurisdiction shall not be considered non-practice. A Board-ordered suspension of practice shall  
24 not be considered as a period of non-practice.

25       In the event Respondent's period of non-practice while on probation exceeds 18 calendar  
26 months, Respondent shall successfully complete a clinical training program that meets the criteria  
27 of Condition 18 of the current version of the Board's "Manual of Model Disciplinary Orders and  
28 Disciplinary Guidelines" prior to resuming the practice of medicine.

Respondent's period of non-practice while on probation shall not exceed two (2) years.

Periods of non-practice will not apply to the reduction of the probationary term.

Periods of non-practice 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 General Probation Requirements.

16. COMPLETION OF PROBATION. Respondent shall comply with all financial obligations (e.g., restitution, 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.

17. 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, or 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.

18. LICENSE SURRENDER. Following the effective date of this Decision, if Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy the terms and conditions of probation, Respondent may request to surrender his or her license. The Board reserves the right to evaluate Respondent's request and to exercise its discretion in determining 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 certificate 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. If Respondent re-applies for a medical license, the application shall be treated as a petition for reinstatement of a revoked certificate.

19. PROBATION MONITORING COSTS. Respondent shall pay the costs associated with probation monitoring each and every year of probation, as designated by the Board, which

may be adjusted on an annual basis. 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.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Brad Hinshaw. I understand the stipulation and the effect it will have on my Physician and Surgeon's Certificate. 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.

DATED: 9/3/14

PETER J. BULLOCK, M.D.  
Respondent

I have read and fully discussed with Respondent Peter J. Bullock, 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: 9-4-14

BRADFORD HINSHAW  
Attorney for Respondent

ENDORSEMENT

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

1 Dated: *September 8, 2014*

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
JOSE R. GUERRERO  
Supervising Deputy Attorney General

*Esther H. La*  
ESTHER H. LA  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 03-2011-215872**

1 KAMALA D. HARRIS  
Attorney General of California  
2 JOSE R. GUERRERO  
Supervising Deputy Attorney General  
3 ESTHER H. LA  
Deputy Attorney General  
4 State Bar No. 160706  
455 Golden Gate Avenue, Suite 11000  
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*Attorneys for Complainant*

FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO January 23, 2013  
BY H. Park ANALYST

7  
8 **BEFORE THE**  
9 **MEDICAL BOARD OF CALIFORNIA**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 03-2011-215872

13 **PETER BULLOCK, M.D.**

14 143 Birch St.  
Redwood City, CA 94062

**A C C U S A T I O N**

15 Physician's and Surgeon's Certificate  
No. A31093

16 Respondent.

17 Complainant alleges:

18 **PARTIES**

19 1. Linda K. Whitney (Complainant) brings this Accusation solely in her official capacity  
20 as the Executive Director of the Medical Board of California (Board), <sup>1</sup> Department of Consumer  
21 Affairs.

22 2. On or about June 1, 1977, the Board issued Physician's and Surgeon's Certificate  
23 Number A31093 to Peter Bullock (Respondent). The Physician's and Surgeon's Certificate was in  
24 full force and effect at all times relevant to the charges brought herein and will expire on February  
25 28, 2015, unless renewed.

26  
27 <sup>1</sup> The term "Board" means the Medical Board of California; "Division of Medical  
28 Quality" shall also be deemed to refer to the Board.



## JURISDICTION

3. This Accusation is brought before the Board under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2004 of the Code states, in relevant part:

“The board shall have the responsibility for the following:

“(a) The enforcement of the disciplinary and criminal provisions of the Medical Practice Act.

“(b) The administration and hearing of disciplinary actions.

“(c) Carrying out disciplinary actions appropriate to findings made by a panel or an administrative law judge.

“(d) Suspending, revoking, or otherwise limiting certificates after the conclusion of disciplinary actions.

“(e) Reviewing the quality of medical practice carried out by physician and surgeon certificate holders under the jurisdiction of the board.”

5. 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 Division deems proper.

6. Section 2234 of the Code states, in relevant part:

“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.

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

4 “(1) An initial negligent diagnosis followed by an act or omission medically appropriate  
5 for that negligent diagnosis of the patient shall constitute a single negligent act.

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

11 “(d) Incompetence.”

12 7. Section 726 of the Code states in pertinent part:

13 “The commission of any act of sexual abuse, misconduct, or relations with a patient, client,  
14 or customer constitutes unprofessional conduct and grounds for disciplinary action for any person  
15 licensed under this division, under any initiative act referred to in this division and under Chapter  
16 17 (commencing with Section 9000) of Division 3.”

17 8. Section 729 of the Code provides, in pertinent part, that any physician and surgeon or  
18 psychotherapist, who engages in any act of sexual intercourse or sexual contact with a patient is  
19 guilty of sexual exploitation.

## 20 DRUGS

21 9. Adderall, a trade name for mixed salts of a single-entity amphetamine product  
22 (dextroamphetamine sulphate, dextroamphetamine saccharate, amphetamine sulfate,  
23 amphetamine aspartate), is a dangerous drug as defined in Code section 4022 and a schedule II  
24 controlled substance as defined by section 11055 of the Health and Safety Code. Adderall is  
25 indicated for Attention Deficit Disorder with Hyperactivity and Narcolepsy. It is contraindicated  
26 for patients with a history of drug abuse. Amphetamines have been extensively abused.  
27 Tolerance, extreme psychological dependence, and severe social disability have occurred.  
28

10. Lithium is in a class of medications called antimanic agents and is a dangerous drug as defined in Code section 4022. Lithium works by decreasing abnormal activity in the brain. It is indicated in the treatment of manic episodes of Bipolar Disorder.

11. Valium is a psychotropic drug for the management of anxiety disorders or for the short-term relief of the symptoms of anxiety. It is a dangerous drug as defined in section Code 4022 and a Schedule IV controlled substance as defined by section 11057 of the Health and Safety Code. Valium can produce psychological and physical dependence and it should be prescribed with caution particularly to addiction-prone individuals (such as drug addicts and alcoholics) because of the predisposition of such patients to habituation and dependence.

12. Vicodin is a trade name for a combination of hydrocodone bitartrate and acetaminophen. Hydrocodone bitartrate is a semisynthetic narcotic analgesic, a dangerous drug as defined in section 4022, a Schedule III controlled substance and narcotic as defined by section 11056, subdivision (e), of the Health and Safety Code. Alcohol and other CNS depressants may produce an additive CNS depression, when taken with this combination product, and should be avoided. Repeated administration of Vicodin over a course of several weeks may result in psychic and physical dependence. Patients should take the drug only for as long as it is prescribed, in the amounts prescribed, and no more frequently than prescribed.

13. Wellbutrin, a trade name for bupriopian hydrochloride, is an antidepressant of the aminoketone class, and it is a dangerous drug within the meaning of Business and Professions code section 4022.

## FACTS

14. According to Respondent, he and J.J.<sup>2</sup> initially met approximately 15 years ago, when their children were taking piano classes together.

15. In early 2008, Respondent and J.J. became reacquainted when J.J. became the organist at the church that Respondent attended.

<sup>2</sup> The patient's name is abbreviated to protect her privacy.

1           16. Respondent first saw J.J. as a patient on July 16, 2008 for complaints of hand pain.  
2 J.J. also reported a history of bipolar disorder and anxiety, and reported taking Wellbutrin,  
3 Lithium, Adderall, Valium, and Vicodin. J.J. authorized the release of her Kaiser medical records  
4 (with the exception of her psychiatric records) to Respondent.

5           17. Respondent saw J.J. for follow-up visits August 22, 2008 and November 3, 2008.

6           18. Between July 17, 2008 and November 18, 2008, Respondent prescribed the following  
7 medications for J.J.: Wellbutrin, Lithium, Adderall, Valium, and Vicodin. Respondent did not  
8 document the date, quantity, strength, and instructions for Valium prescribed. On February 9,  
9 2009, Respondent prescribed Vicodin, but he did not document the quantity prescribed.

10          19. Respondent obtained laboratory results of J.J.'s lithium levels on September 18, 2008  
11 and November 3, 2008. These results revealed undetectable lithium levels, indicating non-  
12 compliance.

13          20. Beginning in August or September 2008, Respondent began a sexual relationship  
14 with J.J. The sexual relationship began when Respondent invited J.J. to his house for dinner,  
15 provided her with alcohol, and then engaged in sexual intercourse with her. On numerous  
16 subsequent occasions, Respondent invited J.J. over to his house, provided her with alcohol, and  
17 engaged in sexual intercourse with her. Their sexual relationship continued through early 2009.

18          21. On or about December 15, 2008, J.J. called 911 after an attempted medication  
19 overdose. She was treated at a hospital in San Mateo, placed on a 5150 hold, and then transferred  
20 to Fremont Hospital, where she remained under observation for 72 hours.

21          22. On or about March 11, 2009, Respondent examined J.J. at his home after J.J.  
22 complained of knee pain resulting from a ski accident. Respondent's diagnosis included medial  
23 collateral ligament tear, and he recommended that J.J. undergo an MRI the following day.

24          23. Respondent did not treat J.J. after March 2009.

25          24. Respondent was interviewed by a Board senior investigator and Board medical  
26 consultant on May 22, 2012. Respondent admitted the following facts during his interview:

27               A. Respondent saw J.J. in his office on July 16, 2008 for complaints of hand pain.

28               During this office visit, Respondent conducted a history and physical

1 examination, and ordered x-rays and laboratory tests. Respondent documented  
2 that the patient had a history of bipolar disorder, and was on medication,  
3 including Adderall, Lithium, Valium and Vicodin.

4 B. Respondent stated that J.J. asked for refills of her medication, including  
5 Wellbutrin, Lithium, Adderall, Vicodin, and Valium, and Respondent admitted  
6 refilling these prescriptions. Respondent admitted that it was a mistake for him to  
7 refill these prescriptions and stated that he was not treating J.J. for her psychiatric  
8 conditions.

9 C. Respondent admitted that he engaged in a sexual relationship with J.J., including  
10 engaging in sexual intercourse, from about August or September 2008 until  
11 sometime in early 2009.

12 FIRST CAUSE FOR DISCIPLINE

13 (Sexual Misconduct and/or Sexual Exploitation and/or Gross Negligence)

14 25. Paragraphs 14 through 24 are incorporated herein by reference as if fully set forth.

15 26. Respondent's conduct in engaging in a sexual relationship with a patient, including  
16 having sexual intercourse with the patient, constitutes sexual misconduct and/or sexual  
17 exploitation and/or gross negligence, and is cause for discipline under Code sections 726 [sexual  
18 misconduct] and/or 729 [sexual exploitation] and/or 2234(b) [gross negligence].

19 SECOND CAUSE FOR DISCIPLINE

20 (Gross Negligence/Repeated Negligent Acts/Incompetence)

21 27. Paragraphs 14 through 24 are incorporated herein by reference as if fully set forth.

22 28. Respondent's conduct in prescribing psychoactive medications to J.J. to treat her  
23 complaints of depression, bipolar disorder, attention deficit disorder, and anxiety, without taking  
24 an adequate history, performing a mental examination, establishing a diagnosis, discussing the  
25 risks and benefits of the medications, and/or following up J.J.'s response to the medications,  
26 constitutes unprofessional conduct and is cause for discipline pursuant to Code section 2234(b)  
27 [gross negligence] and/or 2234(c) [repeated negligent acts] and or 2234(d) [incompetence].  
28

29. Respondent's conduct in providing alcohol to J.J. on numerous occasions while also prescribing psychoactive medications to J.J. constitutes unprofessional conduct and is cause for discipline pursuant to Code section 2234(b) [gross negligence] and/or 2234(c) [repeated negligent acts] and or 2234(d) [incompetence].

### THIRD CAUSE FOR DISCIPLINE

(Failure to Maintain Adequate and Accurate Records)

30. Paragraphs 14 through 24 are incorporated herein by reference as if fully set forth.

31. Respondent's failure to maintain adequate and accurate records relating to the medications he prescribed for J.J., including Valium and Vicodin, constitutes unprofessional conduct and is cause for discipline under Code section 2266 [failure to maintain adequate and accurate records].

PRA YER

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 Number A31093,  
issued to Peter Bullock, M.D.;

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

3. Ordering Peter Bullock, M.D., if placed on probation, to pay the Medical Board of California the costs of probation monitoring; and

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

DATED: January 23, 2013

LINDA K. WHITNEY  
Executive Director  
Medical Board of California  
Department of Consumer Affairs  
State of California  
*Complainant*

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