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

10 In the Matter of the Accusation Against:

Case No. 800-2016-023034

11 **Gregory Lamont Belcher, M.D.**

A C C U S A T I O N

12 555 Knowles Dr. Suite 200
13 Los Gatos, CA 95032-1549

14 **Physician's and Surgeon's Certificate**
15 **No. G 66631,**

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

- 20 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
21 capacity as the Executive Director of the Medical Board of California (Board).
22 2. On or about August 14, 1989, the Medical Board issued Physician's and Surgeon's
23 Certificate Number G 66631 to Gregory Lamont Belcher, M.D. (Respondent). The Physician's
24 and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
25 herein and will expire on November 30, 2018, unless renewed.

26 **JURISDICTION**

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

1 A. Section 2227 of the Code provides in part that the Board may revoke, suspend for a
2 period not to exceed one year, or place on probation, the license of any licensee who has been
3 found guilty under the Medical Practice Act, and may recover the costs of probation monitoring.

4 B. Section 2234 of the Code, states:

5 “The board shall take action against any licensee who is charged with unprofessional
6 conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not
7 limited to, the following:

8 “(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the
9 violation of, or conspiring to violate any provision of this chapter.

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

12 C. Section 2236 of the Code states:

13 “(a) The conviction of any offense substantially related to the qualifications, functions, or
14 duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this
15 chapter. The record of conviction shall be conclusive evidence only of the fact that the conviction
16 occurred.

17 “(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to
18 be a conviction within the meaning of this section and Section 2236.1. The record of conviction
19 shall be conclusive evidence of the fact that the conviction occurred.”

20 D. Section 2261 of the Code, states:

21 “Knowingly making or signing any certificate or other document directly or indirectly
22 related to the practice of medicine or podiatry which falsely represents the existence or
23 nonexistence of a state of facts, constitutes unprofessional conduct.”

24 E. California Code of Regulations, title 16, section 1360, states:

25 “For the purposes of denial, suspension or revocation of a license, certificate or permit
26 pursuant to Division 1.5 (commencing with Section 475) of the code, a crime or act shall be
27 considered to be substantially related to the qualifications, functions or duties of a person holding
28 a license, certificate or permit under the Medical Practice Act if to a substantial degree it

1 evidences present or potential unfitness of a person holding a license, certificate or permit to
2 perform the functions authorized by the license, certificate or permit in a manner consistent with
3 the public health, safety or welfare. Such crimes or acts shall include but not be limited to the
4 following: Violating or attempting to violate, directly or indirectly, or assisting in or abetting the
5 violation of, or conspiring to violate any provision of the Medical Practice Act.”

6 **CAUSE FOR DISCIPLINE**

7 **(Unprofessional Conduct: Criminal Conviction and Dishonest/Corrupt Acts/Creation of**
8 **False Documents)**

9 4. Respondent is subject to disciplinary action under sections, 2234, 2234, subdivisions
10 (a) and (e), 2236, 2261, and California Code of Regulations, title 16, section 1360 based on the
11 following circumstances.

12 5. Respondent was found guilty on December 14, 2017, pursuant to a federal jury
13 verdict in United States District Court, Northern District of California, of one felony count of
14 making False Statements Relating to Health Care Matters (Title 18, U.S. Code section 1035), and
15 sentenced to a custodial term of twelve (12) months and one (1) day, based on the following
16 investigation:

- 17 a. Beginning on or around July 2009 and continuing through at least September
18 2014, Respondent and another physician (VG) engaged in a scheme to defraud
19 Health Care Benefits Programs (HCBP), including Blue Cross, Blue Shield,
20 Aetna, Cigna, and UnitedHealthcare, by submitting false and fraudulent bills
21 through their medical practice, Campbell Medical Group, and Respondent’s
22 physical therapy practice.
- 23 b. Respondent and VG opened a bank account at Bank of America in or around
24 2011, each having signature authority over the account, which was used almost
25 exclusively to deposit the reimbursement checks received from HCBP as a
26 result of fraudulent billing;
- 27 c. On July 13, 2017, Respondent and VG were indicted by a federal grand jury
28 for numerous felony charges, including conspiracy to commit health care

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fraud, conspiracy to commit money laundering, numerous counts of health care fraud, and making false statements relating to health care matters.

6. Respondent's December 14, 2017 criminal conviction of making False Statements Relating to Health Care Matters is substantially related to the qualifications, functions and duties of a physician and surgeon in that his conviction is directly associated with his medical practice and demonstrates unprofessional conduct, dishonest and corrupt acts, and knowingly creating false health care documents. As such, his conviction and conduct constitute cause for discipline pursuant to Code sections 2336, California Code of Regulations, title 16, section 1360 (criminal conviction), 2234, 2234(a), 2234(e) (unprofessional conduct), and 2261 (false documents):

PRAYER

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

1. Revoking or suspending Physician's and Surgeon's Certificate Number G 66631, issued to Gregory Lamont Belcher, M.D.;
2. Revoking, suspending or denying approval of Gregory Lamont Belcher, M.D.'s authority to supervise physician assistants and advanced practice nurses;
3. Ordering Gregory Lamont Belcher, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and
4. Taking such other and further action as deemed necessary and proper.

DATED: April 17, 2018



KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
State of California
Complainant

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