

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

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

**Mark Glen Henderson, M.D.)
Physician's and Surgeon's)
Certificate No. A48248)
Respondent)**

Case No. 800-2017-030240

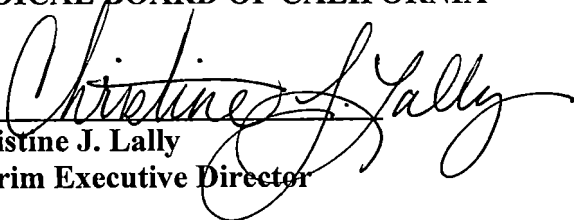
DECISION

The attached Stipulated Surrender of License 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 March 16, 2020.

IT IS SO ORDERED March 9, 2020.

MEDICAL BOARD OF CALIFORNIA

By: 
**Christine J. Lally
Interim Executive Director**

1 XAVIER BECERRA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 VERONICA VO
Deputy Attorney General
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8 *Attorneys for Complainant*

9
10 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
11 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA
12

13 In the Matter of the First Amended Accusation
Against:

Case No. 800-2017-030240

14 **MARK GLEN HENDERSON, M.D.**
15 **2551 N. Rampart Blvd., #399**
16 **Las Vegas, NV 89128-7640**

**STIPULATED SURRENDER OF
LICENSE AND DISCIPLINARY ORDER**

17 **Physician's and Surgeon's Certificate**
18 **No. A 48248**

19 Respondent.

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

22 **PARTIES**

23 1. Christine J. Lally (Complainant) is the Interim Executive Director of the Medical
24 Board of California (Board). She brought this action solely in her official capacity and is
25 represented in this matter by Xavier Becerra, Attorney General of the State of California, by
26 Veronica Vo, Deputy Attorney General.

27 2. Mark Glen Henderson, M.D. (Respondent) is representing himself in this proceeding
28 and has chosen not to exercise his right to be represented by counsel.

1 3. On or about May 14, 1990, the Board issued Physician's and Surgeon's Certificate
2 No. A 48248 to Mark Glen Henderson, M.D. (Respondent). The Physician's and Surgeon's
3 Certificate was in full force and effect at all times relevant to the charges brought in the First
4 Amended Accusation No. 800-2017-030240 and will expire on March 31, 2020, unless renewed.

5 **JURISDICTION**

6 4. First Amended Accusation No. 800-2017-030240 was filed before the Board, and is
7 currently pending against Respondent. The First Amended Accusation and all other statutorily
8 required documents were properly served on Respondent on December 10, 2019. Respondent
9 timely filed his Notice of Defense contesting the First Amended Accusation. A copy of the First
10 Amended Accusation No. 800-2017-030240 is attached as Exhibit A and incorporated by
11 reference.

12 **ADVISEMENT AND WAIVERS**

13 5. Respondent has carefully read, and understands the charges and allegations in the
14 First Amended Accusation No. 800-2017-030240. Respondent also has carefully read, and
15 understands the effects of this Stipulated Surrender of License and Disciplinary Order.

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

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

25 **CULPABILITY**

26 8. Respondent understands that the charges and allegations in the First Amended
27 Accusation No. 800-2017-030240, if proven at a hearing, constitute cause for imposing discipline
28 upon his Physician's and Surgeon's Certificate No. A 48248.

9. For the purpose of resolving the First Amended Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a *prima facie* basis for the charges in the First Amended Accusation, and that Respondent hereby gives up his right to contest those charges.

10. Respondent understands that by signing this stipulation he enables the Executive Director, on behalf of the Board, to issue an order accepting the surrender of his Physician's and Surgeon's Certificate No. A 48248 without further notice to or opportunity to be heard by Respondent.

CONTINGENCY

11. Business and Professions Code section 2224, subdivision (b), provides, in pertinent part, that the Medical Board “shall delegate to its executive director the authority to adopt a stipulation for surrender of a license.”

12. This Stipulated Surrender of License and Disciplinary Order shall be subject to approval by the Executive Director on behalf of the Medical Board. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be submitted to the Executive Director for her consideration in the above-entitled matter and, further, that the Executive Director shall have a reasonable period of time in which to consider and act on this Stipulated Surrender of License and Disciplinary Order after receiving it. By signing this stipulation, Respondent fully understands and agrees that he may not withdraw his agreement or seek to rescind this stipulation prior to the time the Executive Director, on behalf of the Medical Board, considers and acts upon it.

13. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be submitted to the Executive Director for her consideration in the above-entitled matter and, further, that the Executive Director shall have a reasonable period of time in which to consider and act on this Stipulated Surrender of License and Disciplinary Order after receiving it. By signing this stipulation, Respondent fully understands and agrees that he may not withdraw his agreement or seek to rescind this stipulation prior to the time the Executive Director, on behalf of the Medical Board, considers and acts upon it.

ADDITIONAL PROVISIONS

14. This Stipulated Surrender of License and Disciplinary Order is intended by the parties herein to be an integrated writing representing the complete, final and exclusive embodiment of the agreements of the parties in the above-entitled matter.

15. The parties agree that copies of this Stipulated Surrender of License and Disciplinary Order, including copies of the signatures of the parties, may be used in lieu of original documents and signatures and, further, that such copies and signatures shall have the same force and effect as originals.

16. In consideration of the foregoing admissions and stipulations, the parties agree the Executive Director of the Medical Board may, without further notice to or opportunity to be heard by Respondent, issue and enter the following Disciplinary Order on behalf of the Board:

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ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 48248, issued to Respondent Mark Glen Henderson, M.D., is surrendered and accepted by the Board.

1. The surrender of Respondent's Physician's and Surgeon's Certificate and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.

2. Respondent shall lose all rights and privileges as a Physician and Surgeon in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board his pocket license and, if one was issued, his wall certificate on or before the effective date of the Decision and Order.

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked or surrendered license in effect at the time the petition is filed, and all of the charges and allegations contained in the First Amended Accusation No. 800-2017-030240 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

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2 ACCEPTANCE

3 I have carefully read the Stipulated Surrender of License and Disciplinary Order. I
4 understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate.
5 I enter into this Stipulated Surrender of License and Disciplinary Order voluntarily, knowingly,
6 and intelligently, and agree to be bound by the Decision and Order of the Medical Board of
7 California.

8
9 DATED: 2-7-20


10 MARK GLEN HENDERSON, M.D.
11 Respondent

12 ENDORSEMENT

13 The foregoing Stipulated Surrender of License and Disciplinary Order is hereby
14 respectfully submitted for consideration by the Medical Board of California of the Department of
15 Consumer Affairs.

16 DATED: 2/19/2020

Respectfully submitted,

17 XAVIER BECERRA
18 Attorney General of California
19 ALEXANDRA M. ALVAREZ
20 Supervising Deputy Attorney General



21 VERONICA VO
22 Deputy Attorney General
23 Attorneys for Complainant

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Exhibit A

First Amended Accusation No. 800-2017-030240

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10 **BEFORE THE**
11 **MEDICAL BOARD OF CALIFORNIA**
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13 **STATE OF CALIFORNIA**

13 In the Matter of the First Amended
14 Accusation Against:

15 **Mark Glen Henderson, M.D.**
16 **2251 N. Rampart Blvd., #399**
Las Vegas, NV 89128-7640

17 **Physician's and Surgeon's Certificate**
No. A 48248,

18 Respondent.

Case No. 800-2017-030240

FIRST AMENDED ACCUSATION

20 Complainant alleges:

21 **PARTIES**

22 1. Christine J. Lally (Complainant) brings this First Amended Accusation solely in her
23 official capacity as the Interim Executive Director of the Medical Board of California,
24 Department of Consumer Affairs (Board).

25 2. On or about May 14, 1990, the Medical Board issued Physician's and Surgeon's
26 Certificate No. A 48248 to Mark Glen Henderson, M.D. (Respondent). The Physician's and
27 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
28 herein and will expire on March 31, 2020, unless renewed.

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO DEC 9 20 19
BY A. BECERRA ANALYST

1 **JURISDICTION**

2 3. This First Amended Accusation is brought before the Board, under the authority of
3 the following laws. All section references are to the Business and Professions Code (Code)
4 unless otherwise indicated.

5 4. Section 822 of the Code states:

6 If a licensing agency determines that its licensee's ability to practice his or
7 her profession safely is impaired because the licensee is mentally ill, or physically ill
8 affecting competency, the licensing agency may take action by any one of the
9 following methods:

10 (a) Revoking the licensee's certificate or license.

11 (b) Suspending the licensee's right to practice.

12 (c) Placing the licensee on probation.

13 (d) Taking such other action in relation to the licensee as the licensing
14 agency in its discretion deems proper.

15 The licensing section shall not reinstate a revoked or suspended certificate or
16 license until it has received competent evidence of the absence or control of the
17 condition which caused its action and until it is satisfied that with due regard for the
18 public health and safety the person's right to practice his or her profession may be
19 safely reinstated.

20 **CAUSE FOR ACTION**

21 **(Mental Illness and/or Physical Illness Affecting Competency)**

22 5. Respondent's Physician's and Surgeon's Certificate No. A 48248 is subject to action
23 under section 822 of the Code in that his ability to practice medicine safely is impaired because
24 he is mentally ill, or physically ill affecting competency, as more particularly alleged hereinafter:

25 6. In or around February 2017, Respondent held medical licenses in both Nevada and
26 California.

27 7. On or about February 2, 2017, Respondent submitted a letter to the California
28 Medical Board explaining his hospital privileges at Summerlin Hospital, in Nevada, were
summarily suspended until he could complete the Physician Assessment and Clinical Education
("PACE") program. The letter further stated he had medical issues that affected his ability to
perform his medical duties.

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8. On or about May 15, 2019, Respondent submitted another letter stating he had let his California medical license expire¹ due to his deteriorating health. In support, Respondent submitted his medical records. Specifically, on or about November 29, 2018, Respondent's treating physician diagnosed Respondent with carpal tunnel syndrome on both the right and left upper limbs; osteoarthritis of the first carpometacarpal joint on the right and left hands; and cervical spondylosis. Combined, the treating physician supported the notion that Respondent was disabled.

PRAYER

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 No. A 48248, issued to Mark Glen Henderson, M.D.;
2. Revoking, suspending or denying approval of Mark Glen Henderson, M.D.'s authority to supervise physician assistants and advanced practice nurses;
3. Ordering Mark Glen Henderson, M.D., if placed on probation, to pay the Medical Board the costs of probation monitoring;
4. Taking action as authorized by section 822 of the Code as the Medical Board, in its discretion, deems necessary and proper; and
5. Taking such other and further action as deemed necessary and proper.

DATED: December 9, 2019


Christine J. Lally
Interim Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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¹ Respondent's Physician's and Surgeon's license actually expires on March 31, 2020.