

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

In the Matter of the First Amended
Accusation Against

Bill Mastrodimos, M.D.

Physician's and Surgeon's
License No. G76386

Respondent.

Case No. 800-2017-030519

DECISION

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 August 27, 2020.

IT IS SO ORDERED: July 28, 2020.

MEDICAL BOARD OF CALIFORNIA



Kristina D. Lawson, J.D., Chair
Panel B

1 XAVIER BECERRA
Attorney General of California
2 MATTHEW M. DAVIS
Supervising Deputy Attorney General
3 LEANNA E. SHIELDS
Deputy Attorney General
4 State Bar No. 239872
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8 *Attorneys for Complainant*

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

13 In the Matter of the First Amended Accusation
Against:
14 **BILL MASTRODIMOS, M.D.**
15 **P.O. Box 3071**
16 **Rancho Santa Fe, CA 92067**
17 **Physician's and Surgeon's Certificate No.**
G 76386,
18 Respondent.

Case No. 800-2017-030519
OAH No. 2020020235
**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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 LeAnna E. Shields, Deputy Attorney General.

27 ///
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1 2. Respondent Bill Mastrodimos, M.D. (Respondent) is represented in this proceeding
2 by attorney Steven H. Zeigen, Esq., with Rosenberg, Shpall, & Zeigen, APLC, whose address is
3 10815 Rancho Bernardo Road, Suite 310, San Diego, CA 92127.

4 3. On or about April 26, 1993, the Board issued Physician's and Surgeon's Certificate
5 No. G 76386 to Respondent. The Physician's and Surgeon's Certificate was in full force and
6 effect at all times relevant to the charges brought in the First Amended Accusation No. 800-2017-
7 030519, and will expire on July 31, 2020, unless renewed.

8 **JURISDICTION**

9 4. On January 13, 2020, the First Amended Accusation No. 800-2017-030519 was filed
10 before the Board, and is currently pending against Respondent. On January 13, 2020, a true and
11 correct copy of the First Amended Accusation No. 800-2017-030519 and all other statutorily
12 required documents were properly served on Respondent. Respondent timely filed his Notice of
13 Defense contesting the Accusation.

14 5. A true and correct copy of the First Amended Accusation No. 800-2017-030519 is
15 attached as Exhibit A and incorporated by reference as if fully set forth herein.

16 **ADVISEMENT AND WAIVERS**

17 6. Respondent has carefully read, fully discussed with counsel, and fully understands the
18 charges and allegations in the First Amended Accusation No. 800-2017-030519. Respondent has
19 also carefully read, fully discussed with counsel, and fully understands the effects of this
20 Stipulated Settlement and Disciplinary Order.

21 7. Respondent is fully aware of his legal rights in this matter, including the right to a
22 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
23 the witnesses against him; the right to present evidence and to testify on his own behalf; the right
24 to the issuance of subpoenas to compel the attendance of witnesses and the production of
25 documents; the right to reconsideration and court review of an adverse decision; and all other
26 rights accorded by the California Administrative Procedure Act and other applicable laws.

27 8. Having the benefit of counsel, Respondent voluntarily, knowingly, and intelligently
28 waives and gives up each and every right set forth above.

1 **CULPABILITY**

2 9. Respondent admits the truth of each and every charge and allegation in the First
3 Amended Accusation No. 800-2017-030519 and that he has thereby subjected his Physician's and
4 Surgeon's Certificate No. G 76386 to disciplinary action.

5 10. Respondent agrees that his Physician's and Surgeon's Certificate No. G 76386 is
6 subject to discipline and he agrees to be bound by the Board's probationary terms as set forth in
7 the Disciplinary Order below.

8 **CONTINGENCY**

9 11. The parties agree that this Stipulated Settlement and Disciplinary Order shall be null
10 and void and not binding upon the parties unless approved and adopted by the Board, except for
11 this paragraph, which shall remain in full force and effect. Respondent fully understands and
12 agrees that in deciding whether or not to approve and adopt this Stipulated Settlement and
13 Disciplinary Order, the Board may receive oral and written communications from its staff and/or
14 the Attorney General's Office. Communications pursuant to this paragraph shall not disqualify
15 the Board, any member thereof, and/or any other person from future participation in this or any
16 other matter affecting or involving Respondent. In the event that the Board does not, in its
17 discretion, approve and adopt this Stipulated Settlement and Disciplinary Order, with the
18 exception of this paragraph, it shall not become effective, shall be of no evidentiary value
19 whatsoever, and shall not be relied upon or introduced in any disciplinary action by either party
20 hereto. Respondent further agrees that should this Stipulated Settlement and Disciplinary Order
21 be rejected for any reason by the Board, Respondent will assert no claim that the Board, or any
22 member thereof, was prejudiced by its/his/her review, discussion and/or consideration of this
23 Stipulated Settlement and Disciplinary Order or of any matter or matters related hereto.

24 **ADDITIONAL PROVISIONS**

25 12. This Stipulated Settlement and Disciplinary Order is intended by the parties herein to
26 be an integrated writing representing the complete, final and exclusive embodiment of the
27 agreements of the parties in the above-entitled matter.

28 ///

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

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

7 **DISCIPLINARY ORDER**

8 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 76386 issued
9 to Respondent Bill Mastrodimos, M.D., is hereby revoked. However, the revocation is stayed and
10 Respondent is placed on probation for two (2) years on the following terms and conditions.

11 1. **CONTROLLED SUBSTANCES - ABSTAIN FROM USE**. Respondent shall abstain
12 completely from the personal use or possession of controlled substances as defined in the
13 California Uniform Controlled Substances Act, dangerous drugs as defined by Business and
14 Professions Code section 4022, and any drugs requiring a prescription. This prohibition does not
15 apply to medications lawfully prescribed to Respondent by another practitioner for a bona fide
16 illness or condition.

17 Within 15 calendar days of receiving any lawfully prescribed medications, Respondent
18 shall notify the Board or its designee of the: issuing practitioner's name, address, and telephone
19 number; medication name, strength, and quantity; and issuing pharmacy name, address, and
20 telephone number.

21 If Respondent has a confirmed positive biological fluid test for any substance (whether or
22 not legally prescribed) and has not reported the use to the Board or its designee, Respondent shall
23 receive a notification from the Board or its designee to immediately cease the practice of
24 medicine. The Respondent shall not resume the practice of medicine until the final decision on an
25 accusation and/or a petition to revoke probation is effective. An accusation and/or petition to
26 revoke probation shall be filed by the Board within 30 days of the notification to cease practice.
27 If the Respondent requests a hearing on the accusation and/or petition to revoke probation, the
28 Board shall provide the Respondent with a hearing within 30 days of the request, unless the

1 Respondent stipulates to a later hearing. If the case is heard by an Administrative Law Judge
2 alone, he or she shall forward a Proposed Decision to the Board within 15 days of submission of
3 the matter. Within 15 days of receipt by the Board of the Administrative Law Judge's proposed
4 decision, the Board shall issue its Decision, unless good cause can be shown for the delay. If the
5 case is heard by the Board, the Board shall issue its decision within 15 days of submission of the
6 case, unless good cause can be shown for the delay. Good cause includes, but is not limited to,
7 non-adoption of the proposed decision, requests for reconsideration, remands and other
8 interlocutory orders issued by the Board. The cessation of practice shall not apply to the
9 reduction of the probationary time period.

10 If the Board does not file an accusation or petition to revoke probation within 30 days of the
11 issuance of the notification to cease practice or does not provide Respondent with a hearing
12 within 30 days of such a request, the notification of cease practice shall be dissolved.

13 2. ALCOHOL - ABSTAIN FROM USE. Respondent shall abstain completely from the
14 use of products or beverages containing alcohol.

15 If Respondent has a confirmed positive biological fluid test for alcohol, Respondent shall
16 receive a notification from the Board or its designee to immediately cease the practice of
17 medicine. The Respondent shall not resume the practice of medicine until the final decision on an
18 accusation and/or a petition to revoke probation is effective. An accusation and/or petition to
19 revoke probation shall be filed by the Board within 30 days of the notification to cease practice.
20 If the Respondent requests a hearing on the accusation and/or petition to revoke probation, the
21 Board shall provide the Respondent with a hearing within 30 days of the request, unless the
22 Respondent stipulates to a later hearing. If the case is heard by an Administrative Law Judge
23 alone, he or she shall forward a Proposed Decision to the Board within 15 days of submission of
24 the matter. Within 15 days of receipt by the Board of the Administrative Law Judge's proposed
25 decision, the Board shall issues its Decision, unless good cause can be shown for the delay. If the
26 case is heard by the Board, the Board shall issue its decision within 15 days of submission of the
27 case, unless good cause can be shown for the delay. Good cause includes, but is not limited to,
28 non-adoption of the proposed decision, requests for reconsideration, remands and other

1 interlocutory orders issued by the Board. The cessation of practice shall not apply to the
2 reduction of the probationary time period.

3 If the Board does not file an accusation or petition to revoke probation within 30 days of the
4 issuance of the notification to cease practice or does not provide Respondent with a hearing
5 within 30 days of such a request, the notification of cease practice shall be dissolved.

6 3. BIOLOGICAL FLUID TESTING. Respondent shall immediately submit to
7 biological fluid testing (24 tests per year), at Respondent's expense, upon request of the Board or
8 its designee. "Biological fluid testing" may include, but is not limited to, urine, blood,
9 breathalyzer, hair follicle testing, or similar drug screening approved by the Board or its designee.
10 Prior to practicing medicine, Respondent shall contract with a laboratory or service approved in
11 advance by the Board or its designee that will conduct random, unannounced, observed,
12 biological fluid testing. The contract shall require results of the tests to be transmitted by the
13 laboratory or service directly to the Board or its designee within four hours of the results
14 becoming available. Respondent shall maintain this laboratory or service contract during the
15 period of probation.

16 A certified copy of any laboratory test result may be received in evidence in any
17 proceedings between the Board and Respondent.

18 If Respondent fails to cooperate in a random biological fluid testing program within the
19 specified time frame, Respondent shall receive a notification from the Board or its designee to
20 immediately cease the practice of medicine. The Respondent shall not resume the practice of
21 medicine until the final decision on an accusation and/or a petition to revoke probation is
22 effective. An accusation and/or petition to revoke probation shall be filed by the Board within 30
23 days of the notification to cease practice. If the Respondent requests a hearing on the accusation
24 and/or petition to revoke probation, the Board shall provide the Respondent with a hearing within
25 30 days of the request, unless the Respondent stipulates to a later hearing. If the case is heard by
26 an Administrative Law Judge alone, he or she shall forward a Proposed Decision to the Board
27 within 15 days of submission of the matter. Within 15 days of receipt by the Board of the
28 Administrative Law Judge's proposed decision, the Board shall issue its Decision, unless good

1 cause can be shown for the delay. If the case is heard by the Board, the Board shall issue its
2 decision within 15 days of submission of the case, unless good cause can be shown for the delay.
3 Good cause includes, but is not limited to, non-adoption of the proposed decision, requests for
4 reconsideration, remands and other interlocutory orders issued by the Board. The cessation of
5 practice shall not apply to the reduction of the probationary time period.

6 If the Board does not file an accusation or petition to revoke probation within 15 days of the
7 issuance of the notification to cease practice or does not provide Respondent with a hearing
8 within 30 days of such a request, the notification of cease practice shall be dissolved.

9 4. PROFESSIONALISM PROGRAM (ETHICS COURSE). Within 60 calendar days of
10 the effective date of this Decision, Respondent shall enroll in a professionalism program, that
11 meets the requirements of Title 16, California Code of Regulations (CCR) section 1358.1.
12 Respondent shall participate in and successfully complete that program. Respondent shall
13 provide any information and documents that the program may deem pertinent. Respondent shall
14 successfully complete the classroom component of the program not later than six (6) months after
15 Respondent's initial enrollment, and the longitudinal component of the program not later than the
16 time specified by the program, but no later than one (1) year after attending the classroom
17 component. The professionalism program shall be at Respondent's expense and shall be in
18 addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

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

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

27 5. NOTIFICATION. Within seven (7) days of the effective date of this Decision, the
28 Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the

1 Chief Executive Officer at every hospital where privileges or membership are extended to
2 Respondent, at any other facility where Respondent engages in the practice of medicine,
3 including all physician and locum tenens registries or other similar agencies, and to the Chief
4 Executive Officer at every insurance carrier which extends malpractice insurance coverage to
5 Respondent. Respondent shall submit proof of compliance to the Board or its designee within 15
6 calendar days.

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

8 6. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE
9 NURSES. During probation, Respondent is prohibited from supervising physician assistants and
10 advanced practice nurses.

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

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

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

19 9. GENERAL PROBATION REQUIREMENTS.

20 Compliance with Probation Unit

21 Respondent shall comply with the Board's probation unit.

22 Address Changes

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

28 Place of Practice

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

4 License Renewal

5 Respondent shall maintain a current and renewed California physician's and surgeon's
6 license.

7 Travel or Residence Outside California

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

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

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

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

1 considered non-practice. A Board-ordered suspension of practice shall not be considered as a
2 period of non-practice.

3 In the event Respondent's period of non-practice while on probation exceeds 18 calendar
4 months, Respondent shall successfully complete the Federation of State Medical Board's Special
5 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program
6 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model
7 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

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

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

10 Periods of non-practice for a Respondent residing outside of California will relieve
11 Respondent of the responsibility to comply with the probationary terms and conditions with the
12 exception of this condition and the following terms and conditions of probation: Obey All Laws;
13 General Probation Requirements; Quarterly Declarations; Abstain from the Use of Alcohol and/or
14 Controlled Substances; and Biological Fluid Testing..

15 12. COMPLETION OF PROBATION. Respondent shall comply with all financial
16 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the
17 completion of probation. Upon successful completion of probation, Respondent's certificate shall
18 be fully restored.

19 13. VIOLATION OF PROBATION. Failure to fully comply with any term or condition
20 of probation is a violation of probation. If Respondent violates probation in any respect, the
21 Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and
22 carry out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke Probation,
23 or an Interim Suspension Order is filed against Respondent during probation, the Board shall have
24 continuing jurisdiction until the matter is final, and the period of probation shall be extended until
25 the matter is final.

26 14. LICENSE SURRENDER. Following the effective date of this Decision, if
27 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy
28 the terms and conditions of probation, Respondent may request to surrender his or her license.

1 The Board reserves the right to evaluate Respondent's request and to exercise its discretion in
2 determining whether or not to grant the request, or to take any other action deemed appropriate
3 and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent
4 shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its
5 designee and Respondent shall no longer practice medicine. Respondent will no longer be subject
6 to the terms and conditions of probation. If Respondent re-applies for a medical license, the
7 application shall be treated as a petition for reinstatement of a revoked certificate.

8 15. PROBATION MONITORING COSTS. Respondent shall pay the costs associated
9 with probation monitoring each and every year of probation, as designated by the Board, which
10 may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of
11 California and delivered to the Board or its designee no later than January 31 of each calendar
12 year.

13 ACCEPTANCE

14 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
15 discussed it with my attorney, Steven H. Zeigen, Esq. I fully understand the stipulation and the
16 effect it will have on my Physician's and Surgeon's Certificate No. G 76386. I enter into this
17 Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree
18 to be bound by the Decision and Order of the Medical Board of California.

19
20 DATED: May 7, 2020 Bill Mastrodimos
21 BILL MASTRODIMOS, M.D.
Respondent

22 I have read and fully discussed with Respondent Bill Mastrodimos, M.D. the terms and
23 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
24 I approve its form and content.

25
26 DATED: 5/7/20 Steven H. Zeigen *for*
27 STEVEN H. ZEIGEN, ESQ.
Attorney for Respondent

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ENDORSEMENT

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

DATED: 5/8/20

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
MATTHEW M. DAVIS
Supervising Deputy Attorney General



LEANNA E. SHIELDS
Deputy Attorney General
Attorneys for Complainant

SD2019702785

Exhibit A

First Amended Accusation No. 800-2017-030519

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Attorney General of California
2 MATTHEW M. DAVIS
Supervising Deputy Attorney General
3 LEANNA E. SHIELDS
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7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO
BY: *Anna Pagan* ANALYST
January 13, 2020

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

13 In the Matter of the First Amended Accusation
Against:

14 **BILL MASTRODIMOS, M.D.**
15 P.O. Box 3071
16 Rancho Santa Fe, CA 92067

17 **Physician's and Surgeon's Certificate**
18 **No. G 76386,**

Respondent.

Case No. 800-2017-030519

FIRST AMENDED ACCUSATION

[Gov. Code. § 11507]

19
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 April 26, 1993, the Medical Board issued Physician's and Surgeon's
26 Certificate No. G 76386 to Bill Mastrodimos, 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 July 31, 2020, unless renewed.

1 JURISDICTION

2 3. This First Amended Accusation, which supersedes the Accusation filed on December
3 9, 2019, is brought before the Board, under the authority of the following laws. All section
4 references are to the Business and Professions Code (Code) unless otherwise indicated.

5 4. Section 2227 of the Code states:

6 (a) A licensee whose matter has been heard by an administrative law judge of
7 the Medical Quality Hearing Panel as designated in Section 11371 of the Government
8 Code, or whose default has been entered, and who is found guilty, or who has entered
9 into a stipulation for disciplinary action with the board, may, in accordance with the
10 provisions of this chapter:

11 (1) Have his or her license revoked upon order of the board.

12 (2) Have his or her right to practice suspended for a period not to exceed one
13 year upon order of the board.

14 (3) Be placed on probation and be required to pay the costs of probation
15 monitoring upon order of the board.

16 (4) Be publicly reprimanded by the board. The public reprimand may include a
17 requirement that the licensee complete relevant educational courses approved by the
18 board.

19 (5) Have any other action taken in relation to discipline as part of an order of
20 probation, as the board or an administrative law judge may deem proper.

21 (b) Any matter heard pursuant to subdivision (a), except for warning letters,
22 medical review or advisory conferences, professional competency examinations,
23 continuing education activities, and cost reimbursement associated therewith that are
24 agreed to with the board and successfully completed by the licensee, or other matters
25 made confidential or privileged by existing law, is deemed public, and shall be made
26 available to the public by the board pursuant to Section 803.1.

27 5. Section 2234 of the Code, states, in pertinent part:

28 The board 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.

...

6. Section 2236 of the Code states:

(a) The conviction of any offense substantially related to the qualifications,
functions, or duties of a physician and surgeon constitutes unprofessional conduct

///

1 within the meaning of this chapter [Chapter 5, the Medical Practice Act]. The record
2 of conviction shall be conclusive evidence only of the fact that the conviction
occurred.

3 (b) The district attorney, city attorney, or other prosecuting agency shall notify
4 the Division of Medical Quality of the pendency of an action against a licensee
5 charging a felony or misdemeanor immediately upon obtaining information that the
6 defendant is a licensee. The notice shall identify the licensee and describe the crimes
7 charged and the facts alleged. The prosecuting agency shall also notify the clerk of
the court in which the action is pending that the defendant is a licensee, and the clerk
shall record prominently in the file that the defendant holds a license as a physician
and surgeon.

8 (c) The clerk of the court in which a licensee is convicted of a crime shall,
9 within 48 hours after the conviction, transmit a certified copy of the record of
10 conviction to the board. The division may inquire into the circumstances surrounding
the commission of a crime in order to fix the degree of discipline or to determine if
the conviction is of an offense substantially related to the qualifications, functions, or
duties of a physician and surgeon.

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

14 7. Section 490 of the Code states, in pertinent part:

15 (a) In addition to any other action that a board is permitted to take against a
16 licensee, a board may suspend or revoke a license on the ground that the licensee has
been convicted of a crime, if the crime is substantially related to the qualifications,
functions, or duties of the business or profession for which the license was issued.

17 (b) Notwithstanding any other provision of law, a board may exercise any
18 authority to discipline a licensee for conviction of a crime that is independent of the
19 authority granted under subdivision (a) only if the crime is substantially related to the
qualifications, functions, or duties of the business or profession for which the
licensee's license was issued.

20 (c) A conviction within the meaning of this section means a plea or verdict of
21 guilty or a conviction following a plea of nolo contendere. An action that a board is
22 permitted to take following the establishment of a conviction may be taken when the
time for appeal has elapsed, or the judgment of conviction has been affirmed on
appeal, or when an order granting probation is made suspending the imposition of
sentence, irrespective of a subsequent order under Section 1203.4 of the Penal Code.

23 ...

24
25 8. Unprofessional conduct under section 2234 of the Code is conduct which breaches
26 the rules or ethical code of the medical profession, or conduct which is unbecoming a member in
27 good standing of the medical profession, and which demonstrates an unfitness to practice
28 medicine. (*Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564, 575.)

1 FIRST CAUSE FOR DISCIPLINE

2 (Conviction of a Crime Substantially Related to the Qualifications, Functions
3 or Duties of a Physician and Surgeon)

4 9. Respondent has subjected his Physician's and Surgeon's Certificate No. G 76386 to
5 disciplinary action under sections 490, 2227 and 2234, as defined by 2236, of the Code, in that he
6 has been convicted of a crime substantially related to the qualifications, functions, or duties of a
7 physician and surgeon, as more particularly alleged herein after:

8 10. On or about October 16, 2016, at approximately 8:40 P.M., deputies with the San
9 Diego County Sheriff's Department were dispatched to Respondent's residence upon a report of
10 domestic violence. An Emergency Protective Order was requested and issued against Respondent
11 and Respondent was placed under arrest and taken into custody.

12 11. On or about November 3, 2016, a criminal complaint was filed against Respondent in
13 the matter entitled, *The People of the State of California v. Bill Mastrodimos*, Superior Court of
14 California, County of San Diego, Central Division, Case No. M224960DV (criminal complaint).
15 Count one of the criminal complaint charged Respondent with corporal injury to a spouse, in
16 violation of Penal Code section 273.5, subdivision (a), charged as a misdemeanor pursuant to
17 Penal Code section 17, subdivision (b)(4). Count two of the criminal complaint charged
18 Respondent with cruelty to a child by inflicting injury, in violation of Penal Code section 273a,
19 subdivision (b), a misdemeanor.

20 12. On or about December 5, 2016, Respondent signed a change of plea form wherein
21 Respondent pled guilty to battery against a spouse, in violation of Penal Code section 243,
22 subdivision (e)(1), a misdemeanor, as a lesser included offense of Count One of the criminal
23 complaint.

24 13. On or about December 5, 2016, Respondent was sentenced on his guilty plea to three
25 years' summary probation, with terms and conditions imposed, including, but not limited to, fifty-
26 two (52) weeks' individual counseling and a stay away order.

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SECOND CAUSE FOR DISCIPLINE

(Violation of a Provision or Provisions of the Medical Practice Act)

14. Respondent has further subjected his Physician's and Surgeon's Certificate No. G 76386 to disciplinary action under sections 2227 and 2234, as defined by 2234, subdivision (a), of the Code, in that he has violated a provision or provisions of the Medical Practice Act, as more particularly alleged in paragraphs 9 through 13, above, which are hereby incorporated by reference and realleged as if fully set forth herein.

THIRD CAUSE FOR DISCIPLINE

(General Unprofessional Conduct)

15. Respondent has further subjected his Physician's and Surgeon's Certificate No. G 76386 to disciplinary action under sections 2227 and 2234, of the Code, in that he has engaged in conduct which breaches the rules or ethical code of the medical profession, or conduct which is unbecoming to a member in good standing of the medical profession, and which demonstrates an unfitness to practice medicine, as more particularly alleged hereinafter.

16. Paragraphs 9 through 14, above, are hereby incorporated by reference and realleged as if fully set forth herein.

17. On or about February 7, 2017, while attending a tour of a new medical facility, Respondent reportedly smelled of alcohol. Respondent was asked to submit a urine and blood sample for testing. Respondent provided the requested samples, but then took possession of the samples and refused to turn them over for testing.

18. Due to Respondent's failure to provide a sample for testing, Respondent's privileges at Kaiser Hospital were suspended and Respondent was prohibited from seeing patients.

PRAYER

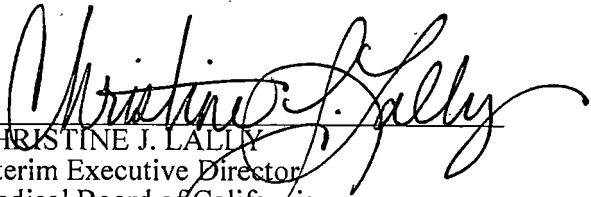
WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:

1. Revoking or suspending Physician's and Surgeon's Certificate No. G 76386, issued to Respondent Bill Mastrodimos, M.D.;

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- 1 2. Revoking, suspending or denying approval of Respondent Bill Mastrodimos, M.D.'s
2 authority to supervise physician assistants and advanced practice nurses;
3 3. Ordering Respondent Bill Mastrodimos, M.D., if placed on probation, to pay the
4 Board the costs of probation monitoring; and
5 4. Taking such other and further action as deemed necessary and proper.

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7 DATED: JAN 13 2020


CHRISTINE J. LALLY
Interim Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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