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

12 In the Matter of the Petition to Revoke
13 Probation Against:

14 **BRENT BJORN SAETRUM, M.D.**
15 **3647 Mammoth Cave Circle**
Stockton, CA 95209

16 **Physician's and Surgeon's Certificate**
17 **No. G 64189**

18 Respondent.

Case No. 800-2020-067367

DEFAULT DECISION
AND ORDER

[Gov. Code, §11520]

19
20 **FINDINGS OF FACT**

21 1. On or about July 13, 2020, Complainant William Prasifka, in his official capacity as
22 the Executive Director of the Medical Board of California, Department of Consumer Affairs, filed
23 Petition to Revoke Probation No. 800-2020-067367 against Brent Bjorn Saetrum, M.D.
24 (Respondent) before the Medical Board of California.

25 2. On or about July 28, 2006, the Medical Board of California (Board) issued
26 Physician's and Surgeon's Certificate No. G 64189 to Respondent. The Physician's and
27 Surgeon's Certificate expired on April 30, 2020, and has not been renewed. A true and correct

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1 copy of Respondent's certified license history is attached as Exhibit 1 to the accompanying
2 Default Decision Evidence Packet.¹

3 3. On or about July 13, 2020, an employee of the Complainant Agency, served by U.S.
4 Postal Service Certified Mail a copy of the Petition to Revoke Probation No. 800-2020-067367,
5 Statement to Respondent, Request for Discovery, Government Code sections 11507.5, 11507.6,
6 and 11507.7, and Notice of defense forms to Respondent's address of record with the Board,
7 which was and is 3647 Mammoth Cave Circle, Stockton, CA 95209. A copy of the Petition to
8 Revoke Probation, the related documents, and Declaration of Service are attached as Exhibit 2,
9 and are incorporated herein by reference.²

10 4. Service of the Petition to Revoke Probation was effective as a matter of law under the
11 provisions of Government Code section 11505, subdivision (c). On or about July 16, 2020, the
12 aforementioned documents were delivered to Respondent via U.S. Postal Service Certified Mail.
13 Attached as Exhibit 3, and incorporated herein by reference, is a printout of the online U.S. Postal
14 Service website showing the mailing was delivered.

15 5. On or about July 31, 2020, the Attorney General's Office sent a Courtesy Notice of
16 Default to Respondent's address of record by U.S. Postal Service Certified Mail. A copy of the
17 Courtesy Notice of Default packet is attached as Exhibit 4, and is incorporated herein by
18 reference. On or about August 3, 2020, the Courtesy Notice of Default packet was delivered to
19 Respondent. Attached as Exhibit 5, and incorporated herein by reference, is a printout of the
20 online U.S. Postal Service website showing that the mailing was delivered.

21 6. Government Code section 11506 states, in pertinent part:

22 "(c) The respondent shall be entitled to a hearing on the merits if the respondent files a
23 notice of defense, and the notice shall be deemed a specific denial of all parts of the accusation
24 not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's
25

26 ¹ All exhibits are true and correct copies of the originals, and are attached to the
27 accompanying Default Decision Evidence Packet. The Default Decision Evidence Packet is
28 hereby incorporated by reference, in its entirety, as if fully set forth herein.

² The Board also served the same documents via U.S. Postal Service Certified Mail on
Chester A. Rogaski, Jr., Esq., who represented Respondent in the matter entitled *In the Matter of
the Accusation Against Brent Bjorn Saetrum, M.D.*, MBC Case No. 12-2009-202761.

1 right to a hearing, but the agency in its discretion may nevertheless grant a hearing.”

2 7. Respondent failed to file a Notice of Defense within 15 days after service upon him
3 of the Petition to Revoke Probation, and therefore waived his right to a hearing on the merits of
4 Petition to Revoke Probation No. 800-2020-067367.

5 8. California Government Code section 11520 states, in pertinent part:

6 “(a) If the respondent either fails to file a notice of defense or to appear at the
7 hearing, the agency may take action based upon the respondent’s express admissions
8 or upon other evidence and affidavits may be used as evidence without any notice to
9 respondent.”

10 9. Pursuant to its authority under Government Code section 11520, the Board finds
11 Respondent is in default. The Board will take action without further hearing and, based on
12 Respondent’s express admissions by way of default and the evidence before it, as contained in the
13 separate accompanying “Default Decision Evidence Packet,” finds that the allegations in Petition
14 to Revoke Probation No. 800-2020-067367 are true.

15 **JURISDICTION**

16 10. Section 2227 of the Code states:

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

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

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

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

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

1 board.

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

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

10 11. Section 118, subdivision (b), of the Code provides that the
11 suspension/expiration/surrender/cancellation of a license shall not deprive the
12 Board/Registrar/Director of jurisdiction to proceed with a disciplinary action during the period
13 within which the license may be renewed, restored, reissued or reinstated.

14 **PROBATION VIOLATIONS**

15 **Non-Practice While on Probation**

16 12. At all times after the effective date of Respondent’s probation, Condition 14
17 stated:

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

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

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

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

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

12 "Periods of non-practice will relieve Respondent of the responsibility to comply
13 with the probationary terms and conditions with the exception of this condition and
14 the following terms and conditions of probation: 'Obey All Laws' and 'General
15 Probation Requirements.'"

16 13. Respondent's probation is subject to revocation because he failed to comply with
17 Probation Condition 14, referenced above. The facts and circumstances regarding this violation
18 are as follows:

19 A. On or about November 8, 2017, Respondent sent an email to the Board stating that
20 currently he was not working and was medically retired. On or about the same day, the Board
21 responded by email to inform Respondent that he would be considered in non-practice status.

22 B. On or about June 28, 2018, the Board sent Respondent a letter stating that his non-
23 practice would exceed 18 months on May 7, 2019, and his period of non-practice would exceed
24 two years on November 7, 2019. The letter further informed Respondent that, if his non-practice
25 exceeded 18 months, he would have to successfully complete a clinical training program to
26 resume the practice of medicine in California. It also informed Respondent that, if his non-
27 practice exceeded two years, it would be considered a violation of probation and the Board would
28 seek further disciplinary action against his license.

1 C. On or about March 1, 2019, Respondent called his probation monitor, stating that he
2 had been released to go back to work and would notify the Board once he secured employment.

3 D. On or about March 19, 2019, Respondent called his probation monitor, stating that he
4 would start work on May 6, 2019, and that he would send verification of employment.

5 E. On or about April 10, 2019, the Board received Respondent's quarterly declaration
6 for the first quarter of 2019, which did not list any employment, but instead stated that
7 Respondent was retiring as of April 8, 2019. He attached his wallet license to the quarterly
8 declaration.

9 F. On or about April 10, 2019, the Board sent Respondent a letter informing him that his
10 quarterly declaration—which stated that he was retired at that point—had been received. The
11 letter further informed Respondent that in order to be released from his probation obligation, he
12 would need to submit the attached form titled Request for Surrender of License While on
13 Probation.

14 G. On or about July 2, 2019, the Board sent Respondent a letter stating that his period of
15 non-practice had exceeded 18 months, and that he would need to successfully complete a clinical
16 training program before resuming the practice of medicine in California. The letter once again
17 notified Respondent that, if his period of non-practice exceeded two years (on November 7,
18 2019), it would be considered a violation of probation and that the Board would seek further
19 disciplinary action against his license. The letter once again reminded Respondent that he would
20 need to complete the Request for Surrender of License While on Probation form to be released
21 from his probation obligations.

22 H. On or about March 26, 2020, the Board sent Respondent a letter stating that the Board
23 had not received quarterly declarations for the second, third, or fourth quarter of 2019. The letter
24 (a) reminded Respondent that he had exceeded two years of non-practice in violation of his
25 probation, (b) provided the Request for Surrender of License While on Probation form, and (c)
26 asked that he return the form by April 10, 2020, before the Board would seek further disciplinary
27 action.

28 ///

1 I. On or about April 16, 2020, the Board sent Respondent a letter with the same
2 information as the March 26, 2020 letter. The letter was sent via United States Postal Service
3 Certified Mail to Respondent's mailing address of record in California as well as an address in
4 Virginia listed as his current private address. The Board asked that Respondent return his
5 quarterly declarations and Request for Surrender While on Probation form by April 27, 2020.

6 J. On or about April 29, 2020, the Board received the April 16, 2020 letter that was
7 originally sent to Respondent's address in Virginia with a sticker stating, "Return to Sender,
8 Attempted – Not Known, Unable to Forward."

9 K. On or about May 4, 2020, the Board received the certified return receipt showing that
10 the April 16, 2020 letter had been delivered to Respondent's mailing address of record in
11 California. The return receipt indicated that it was received by an agent but did not contain the
12 agent's name or signature.

13 **Failure to Submit Quarterly Declarations**

14 14. At all times after the effective date of Respondent's probation, Probation Condition
15 11 stated:

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

19 "Respondent shall submit quarterly declarations not later than 10 calendar days
20 after the end of the preceding quarter."

21 15. Respondent's probation is subject to revocation because he failed to comply with
22 Probation Condition 11, referenced above, in that he failed to submit quarterly declarations during
23 the second, third, and fourth quarter of 2019, as more particularly alleged in paragraph 13 above,
24 which is hereby incorporated by reference as if fully set forth herein.

25 **General Probation Requirements**

26 16. At all times after the effective date of Respondent's probation, Probation Condition
27 12 stated:

28 "Compliance with Probation Unit

1 “Respondent shall comply with the Board’s probation unit and with all terms
2 and conditions of this Decision.

3 “Address Changes

4 “Respondent shall, at all times, keep the Board informed of Respondent’s
5 business and residence addresses, email address (if available), and telephone number.
6 Changes of such addresses shall be immediately communicated in writing to the
7 Board or its designee. Under no circumstances shall a post office box serve as an
8 address of record, except as allowed by Business and Professions Code section
9 2021(b).

10 “Place of Practice

11 “Respondent shall not engage in the practice of medicine in Respondent’s
12 residence.

13 “License Renewal

14 “Respondent shall maintain a current and renewed California Physician’s and
15 Surgeon’s certificate.

16 “Travel or Residence Outside California

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

20 “In the event Respondent should leave California to reside or to practice,
21 Respondent shall notify the Board or its designee in writing 30 calendar days prior to
22 the dates of departure and return.”

23 17. Respondent’s probation is subject to revocation because he failed to comply with
24 Probation Condition 12, referenced above, in that he failed to keep the Board informed of his
25 business and personal addresses, failed to comply with the Board’s probation unit and conditions
26 of his probation, and failed to maintain a current and renewed Physician’s and Surgeon’s
27 certificate, as more particularly alleged in paragraphs 2, 13, and 15, which are hereby
28 incorporated by reference as if fully set forth herein.

1 **Violation of Probation**

2 18. At all times after the effective date of Respondent's probation, Probation
3 Condition 16 stated:

4 "VIOLATION OF PROBATION. Failure to fully comply with any term or condition of
5 probation is a violation of probation. If Respondent violates probation in any respect, the Board,
6 after giving Respondent notice and the opportunity to be heard, may revoke probation and carry
7 out the disciplinary order that was stayed. If an accusation or petition to revoke probation or an
8 interim suspension order is filed against Respondent during probation, the Board shall have
9 continuing jurisdiction until the matter is final, and the period of probation shall be extended until
10 the matter is final."

11 19. Respondent's probation is subject to revocation because he failed to comply with
12 Probation Condition 16, referenced above, in that he violated his probation terms and conditions,
13 as more particularly alleged in paragraphs 2 and 13 through 17, above, which are hereby
14 incorporated by reference as if fully set forth herein.

15 **DETERMINATION OF ISSUES**

16 1. Based on the foregoing findings of fact, Respondent Brent Bjorn Saetrum, M.D. has
17 subjected his Physician's and Surgeon's Certificate No. G 64189 to discipline.

18 2. The agency has jurisdiction to adjudicate this case by default.

19 3. Pursuant to its authority under California Government Code section 11520, and on
20 the evidence before it, the Medical Board of California hereby finds that the charges and
21 allegations contained in the Petition to Revoke Probation Case No. 800-2020-067367, and the
22 Findings of Fact contained in paragraphs 1 through 19, above, are true and correct.

23 4. Pursuant to its authority under California Government Code section 11520, and by
24 reason of the Findings of Fact contained in paragraphs 1 through 19, above, and the
25 Determination of Issues 1, 2, and 3 above, the Medical Board of California hereby finds that
26 Respondent Brent Bjorn Saetrum, M.D., has subjected his probation in Case No. 12-2009-202761
27 to revocation in that he has:

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1 (a) Failed to comply with Probation Condition No. 14 of the Decision and Order in Case
2 No. 12-2009-202761 in that he exceeded two years of non-practice;

3 (b) Failed to comply with Probation Condition No. 11 of the Decision and Order in Case
4 No. 12-2009-202761 in that he failed to submit quarterly declarations during the second, third,
5 and fourth quarter of 2019;

6 (c) Failed to comply with Probation Condition No. 12 of the Decision and Order in Case
7 No. 12-2009-202761 in that he failed to keep the Board informed of his business and personal
8 addresses, failed to comply with the Board's probation unit and conditions of his probation, and
9 failed to maintain a current and renewed Physician's and Surgeon's certificate; and

10 (d) Failed to comply with Probation Condition No. 16 of the Decision and Order in Case
11 No. 12-2009-202761 in that he violated his probation terms and conditions.

12 5. The Medical Board of California is authorized to revoke Respondent's Physician's
13 and Surgeon's Certificate based upon Findings of Fact 1 through 19 and Determinations of Issues
14 1 through 4.

15 6. Revocation is the appropriate discipline based on Determination of Issues 1 through
16 5.

17 **ORDER**

18 **IT IS SO ORDERED** that Physician's and Surgeon's Certificate No. G 64189, heretofore
19 issued to Respondent Brent Bjorn Saetrum, M.D., is revoked.

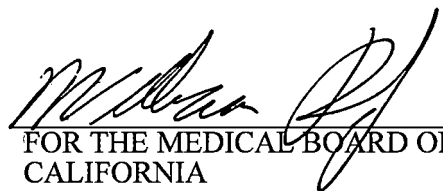
20 If Respondent ever files an application for relicensure or reinstatement in the State of
21 California, the Board shall treat it as a petition for reinstatement of a revoked license. Respondent
22 must comply with all laws, regulations, and procedures for reinstatement of a revoked license in
23 effect at the time the petition for reinstatement is filed.

24 Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a
25 written motion requesting that the Decision be vacated and stating the grounds relied on within
26 seven (7) days after service of the Decision on Respondent. The agency in its discretion may
27 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

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1 This Decision shall become effective on September 25, 2020, at 5:00p.m.

2
3 It is so ORDERED August 26, 2020.

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6 FOR THE MEDICAL BOARD OF
7 CALIFORNIA
8 DEPARTMENT OF CONSUMER AFFAIRS

9 Attachment: Default Decision Evidence Packet

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11 34345825.docx

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

12 In the Matter of the Petition to Revoke
13 Probation Against:

Case No. 800-2020-067367

14 **BRENT BJORN SAETRUM, M.D.**
15 **3647 Mammoth Cave Circle**
Stockton, CA 95209

PETITION TO REVOKE PROBATION

16 **Physician's and Surgeon's Certificate**
17 **No. G 64189**

18 Respondent.

19
20 Complainant alleges:

21 **PARTIES**

22 1. William Prasifka (Complainant) brings this Petition to Revoke Probation solely in his
23 official capacity as the Executive Director of the Medical Board of California ("Board"),
24 Department of Consumer Affairs.

25 2. On or about July 28, 2006, the Medical Board of California issued Physician's and
26 Surgeon's Certificate No. G 64189 to Brent Bjorn Saetrum, M.D. (Respondent). The Physician's
27 and Surgeon's Certificate expired on April 30, 2020, and has not been renewed.

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3. In a disciplinary action titled *In the Matter of the Accusation Against Brent Bjorn Saetrum, M.D.*, Case No. 12-2009-202761, the Medical Board of California, issued a decision, effective May 8, 2013, in which Respondent's Physician's and Surgeon's Certificate was revoked. However, the revocation was stayed and Respondent's Physician's and Surgeon's Certificate was placed on probation for a period of five (5) years with certain terms and conditions. A copy of that decision is attached as Exhibit A and is incorporated by reference.

JURISDICTION

4. This Petition to Revoke Probation is brought before the Medical Board of California, Department of Consumer Affairs, under the authority of the following laws and the Medical Board's Decision in the case titled *In the Matter of the Accusation Against Brent Bjorn Sætrum, M.D.*, Case No. 12-2009-202761. All section references are to the Business and Professions Code unless otherwise indicated.

5. Section 2227 of the Code states:

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

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

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

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

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

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

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

7 6. Section 118, subdivision (b), of the Code provides that the
8 suspension/expiration/surrender/cancellation of a license shall not deprive the
9 Board/Registrar/Director of jurisdiction to proceed with a disciplinary action during the period
10 within which the license may be renewed, restored, reissued or reinstated.

11 **FIRST CAUSE TO REVOKE PROBATION**

12 **(Non-Practice While on Probation)**

13 7. At all times after the effective date of Respondent’s probation, Condition 14 stated:

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

27 “In the event Respondent’s period of non-practice while on probation exceeds
28 18 calendar months, Respondent shall successfully complete a clinical training

1 program that meets the criteria of Condition 18 of the current version of the Board's
2 'Manual of Model Disciplinary Orders and Disciplinary Guidelines' prior to resuming
3 the practice of medicine.

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

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

8 "Periods of non-practice will relieve Respondent of the responsibility to comply
9 with the probationary terms and conditions with the exception of this condition and
10 the following terms and conditions of probation: 'Obey All Laws' and 'General
11 Probation Requirements.'"

12 8. Respondent's probation is subject to revocation because he failed to comply with
13 Probation Condition 14, referenced above. The facts and circumstances regarding this violation
14 are as follows:

15 A. On or about November 8, 2017, Respondent sent an email to the Board stating that
16 currently he was not working and was medically retired. On or about the same day, the Board
17 responded by email to inform Respondent that he would be considered in non-practice status.

18 B. On or about June 28, 2018, the Board sent Respondent a letter stating that his non-
19 practice would exceed 18 months on May 7, 2019, and his period of non-practice would exceed
20 two years on November 7, 2019. The letter further informed Respondent that, if his non-practice
21 exceeded 18 months, he would have to successfully complete a clinical training program to
22 resume the practice of medicine in California. It also informed Respondent that, if his non-
23 practice exceeded two years, it would be considered a violation of probation and the Board would
24 seek further disciplinary action against his license.

25 C. On or about March 1, 2019, Respondent called his probation monitor, stating that he
26 had been released to go back to work and would notify the Board once he secured employment.

27 D. On or about March 19, 2019, Respondent called his probation monitor, stating that he
28 would start work on May 6, 2019, and that he would send verification of employment.

1 E. On or about April 10, 2019, the Board received Respondent's quarterly declaration
2 for the first quarter of 2019, which did not list any employment, but instead stated that
3 Respondent was retiring as of April 8, 2019. He attached his wallet license to the quarterly
4 declaration.

5 F. On or about April 10, 2019, the Board sent Respondent a letter informing him that his
6 quarterly declaration—which stated that he was retired at that point—had been received. The
7 letter further informed Respondent that in order to be released from his probation obligation, he
8 would need to submit the attached form titled Request for Surrender of License While on
9 Probation.

10 G. On or about July 2, 2019, the Board sent Respondent a letter stating that his period of
11 non-practice had exceeded 18 months, and that he would need to successfully complete a clinical
12 training program before resuming the practice of medicine in California. The letter once again
13 notified Respondent that, if his period of non-practice exceeded two years (on November 7,
14 2019), it would be considered a violation of probation and that the Board would seek further
15 disciplinary action against his license. The letter once again reminded Respondent that he would
16 need to complete the Request for Surrender of License While on Probation form to be released
17 from his probation obligations.

18 H. On or about March 26, 2020, the Board sent Respondent a letter stating that the Board
19 had not received quarterly declarations for the second, third, or fourth quarter of 2019. The letter
20 (a) reminded Respondent that he had exceeded two years of non-practice in violation of his
21 probation, (b) provided the Request for Surrender of License While on Probation form, and (c)
22 asked that he return the form by April 10, 2020, before the Board would seek further disciplinary
23 action.

24 I. On or about April 16, 2020, the Board sent Respondent a letter with the same
25 information as the March 26, 2020 letter. The letter was sent via United States Postal Service
26 Certified Mail to Respondent's mailing address of record in California as well as an address in
27 Virginia listed as his current private address. The Board asked that Respondent return his
28 quarterly declarations and Request for Surrender While on Probation form by April 27, 2020.

1 J. On or about April 29, 2020, the Board received the April 16, 2020 letter that was
2 originally sent to Respondent's address in Virginia with a sticker stating, "Return to Sender,
3 Attempted – Not Known, Unable to Forward."

4 K. On or about May 4, 2020, the Board received the certified return receipt showing that
5 the April 16, 2020 letter had been delivered to Respondent's mailing address of record in
6 California. The return receipt indicated that it was received by an agent but did not contain the
7 agent's name or signature.

8 **SECOND CAUSE TO REVOKE PROBATION**

9 **(Failure to Submit Quarterly Declarations)**

10 9. At all times after the effective date of Respondent's probation, Probation Condition
11 11 stated:

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

15 "Respondent shall submit quarterly declarations not later than 10 calendar days
16 after the end of the preceding quarter."

17 10. Respondent's probation is subject to revocation because he failed to comply with
18 Probation Condition 11, referenced above, in that he failed to submit quarterly declarations during
19 the second, third, and fourth quarter of 2019, as more particularly alleged in paragraph 8 above,
20 which is hereby incorporated by reference as if fully set forth herein.

21 **THIRD CAUSE TO REVOKE PROBATION**

22 **(General Probation Requirements)**

23 11. At all times after the effective date of Respondent's probation, Probation Condition
24 12 stated:

25 "Compliance with Probation Unit

26 "Respondent shall comply with the Board's probation unit and with all terms
27 and conditions of this Decision.

28 ///

1 "Address Changes

2 "Respondent shall, at all times, keep the Board informed of Respondent's
3 business and residence addresses, email address (if available), and telephone number.
4 Changes of such addresses shall be immediately communicated in writing to the
5 Board or its designee. Under no circumstances shall a post office box serve as an
6 address of record, except as allowed by Business and Professions Code section
7 2021(b).

8 "Place of Practice

9 "Respondent shall not engage in the practice of medicine in Respondent's
10 residence.

11 "License Renewal

12 "Respondent shall maintain a current and renewed California Physician's and
13 Surgeon's certificate.

14 "Travel or Residence Outside California

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

18 "In the event Respondent should leave California to reside or to practice,
19 Respondent shall notify the Board or its designee in writing 30 calendar days prior to
20 the dates of departure and return."

21 12. Respondent's probation is subject to revocation because he failed to comply with
22 Probation Condition 12, referenced above, in that he failed to keep the Board informed of his
23 business and personal addresses, failed to comply with the Board's probation unit and conditions
24 of his probation, and failed to maintain a current and renewed Physician's and Surgeon's
25 certificate, as more particularly alleged in paragraphs 2, 8, and 10, which are hereby incorporated
26 by reference as if fully set forth herein.

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1 **FOURTH CAUSE TO REVOKE PROBATION**

2 **(Violation of Probation)**

3 13. At all times after the effective date of Respondent's probation, Probation Condition
4 16 stated:

5 "VIOLATION OF PROBATION. Failure to fully comply with any term or condition of
6 probation is a violation of probation. If Respondent violates probation in any respect, the Board,
7 after giving Respondent notice and the opportunity to be heard, may revoke probation and carry
8 out the disciplinary order that was stayed. If an accusation or petition to revoke probation or an
9 interim suspension order is filed against Respondent during probation, the Board shall have
10 continuing jurisdiction until the matter is final, and the period of probation shall be extended until
11 the matter is final."

12 14. Respondent's probation is subject to revocation because he failed to comply with
13 Probation Condition 16, referenced above, in that he violated his probation terms and conditions,
14 as more particularly alleged in paragraphs 2 and 8 through 11, above, which are hereby
15 incorporated by reference as if fully set forth herein.

16 **PRAYER**

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

19 1. Revoking the probation that was granted by the Medical Board of California in Case
20 No. 12-2009-202761 and imposing the disciplinary order that was stayed thereby revoking
21 Physician's and Surgeon's Certificate No. G 64189 issued to Brent Bjorn Saetrum, M.D.;

22 2. Revoking or suspending Physician's and Surgeon's Certificate No. G 64189, issued
23 to Brent Bjorn Saetrum, M.D.;

24 3. Revoking, suspending or denying approval of Brent Bjorn Saetrum, M.D.'s authority
25 to supervise physician's assistants, pursuant to section 3527 of the Code;

26 4. Ordering Brent Bjorn Saetrum, M.D. to pay the Medical Board of California, if
27 placed on probation, the costs of probation monitoring; and

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

DATED: JUL 13 2020



WILLIAM PRASINKA
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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