

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

In the Matter of the Accusation Against:

Maureen Fulchiero Gordon, M.D.

**Physician's & Surgeon's
Certificate No. A 24979**

Respondent.

Case No. 800-2018-045767

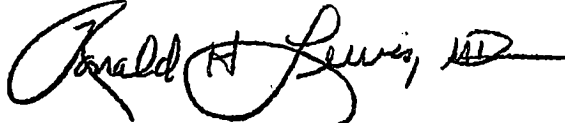
DECISION

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 December 31, 2020.

IT IS SO ORDERED December 3, 2020.

MEDICAL BOARD OF CALIFORNIA



**Ronald H. Lewis, M.D., Chair
Panel A**

1 XAVIER BECERRA
Attorney General of California
2 JUDITH T. ALVARADO
Supervising Deputy Attorney General
3 PEGGIE BRADFORD TARWATER
Deputy Attorney General
4 State Bar No. 169127
California Department of Justice
5 300 South Spring Street, Suite 1702
Los Angeles, CA 90013
6 Telephone: (213) 269-6448
Facsimile: (916) 731-2117
7 E-mail: Peggie.Tarwater@doj.ca.gov
Attorneys for Complainant
8

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

13 In the Matter of the Accusation Against:

Case No. 800-2018-045767

14 MAUREEN FULCHIERO GORDON, M.D.
11980 San Vicente Blvd. Suite 704
15 Los Angeles, CA 90049

OAH No. 2020050855

16 Physician's and Surgeon's Certificate
No. A 24979

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

17
18 Respondent.

19
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. William Prasifka (Complainant) is the Executive Director of the Medical Board of
24 California (Board). He brought this action solely in his official capacity and is represented in this
25 matter by Xavier Becerra, Attorney General of the State of California, by Peggie Bradford
26 Tarwater, Deputy Attorney General.

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10. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a *prima facie* case with respect to the charges and allegations contained in Accusation No. 800-2018-045767, and that Respondent hereby gives up her right to contest those charges.

CONTINGENCY

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

14. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or opportunity to be heard by the Respondent, issue and enter the following Disciplinary Order:

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1 provider with any information and documents that the approved course provider may deem
2 pertinent. Respondent shall participate in and successfully complete the classroom component of
3 the course not later than six months after Respondent's initial enrollment. Respondent shall
4 successfully complete any other component of the course within one year of enrollment. The
5 medical record keeping course shall be at Respondent's expense and shall be in addition to the
6 CME requirements for renewal of licensure.

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

12 Respondent shall submit a certification of successful completion to the Board or its
13 designee not later than 15 calendar days after successfully completing the course, or not later than
14 15 calendar days after the effective date of the Decision, whichever is later.

15 4. FAILURE TO COMPLY.

16 Any failure to Respondent to comply with the terms and conditions of the Disciplinary
17 Order set forth above shall constitute unprofessional conduct and grounds for further disciplinary
18 action.

19 5. FUTURE ADMISSIONS CLAUSE.

20 If Respondent should ever apply or reapply for a new license or certification, or petition for
21 reinstatement of a license, by any other health care licensing action agency in the State of
22 California, all of the charges and allegations contained in Accusation No. 800-2018-045767 shall
23 be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
24 Issues or any other proceeding seeking to deny or restrict license.

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1 ACCEPTANCE

2 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
3 discussed it with my attorney, Raymond J. McMahon. I understand the stipulation and the effect
4 it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement
5 and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
6 Decision and Order of the Medical Board of California.

7
8 DATED: 10/05/2020

Maureen Fulchiero Gordon, M.D.
9 MAUREEN FULCHIERO GORDON, M.D.
Respondent

10 I have read and fully discussed with Respondent Maureen Fulchiero Gordon, M.D. the
11 terms and conditions and other matters contained in the above Stipulated Settlement and
12 Disciplinary Order. I approve its form and content.

13 DATED: Oct 8, 2020

Raymond J. McMahon
14 RAYMOND J. MCMAHON
Attorney for Respondent

15
16 ENDORSEMENT

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

19
20 DATED: _____

Respectfully submitted,

21 XAVIER BECERRA
Attorney General of California
22 JUDITH T. ALVARADO
Supervising Deputy Attorney General

23 Peggie B. Tarwater
24 Peggie B. Tarwater
25 PEGGIE BRADFORD TARWATER
26 Deputy Attorney General
Attorneys for Complainant

Digitally signed by Peggie B.
Tarwater
Date: 2020.10.13 10:52:58
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Exhibit A

Accusation No. 800-2018-045767

1 XAVIER BECERRA
Attorney General of California
2 ROBERT MCKIM BELL
Supervising Deputy Attorney General
3 PEGGIE BRADFORD TARWATER
Deputy Attorney General
4 State Bar No. 169127
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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 ACCUSATION
AGAINST:

Case No. 800-2018-045767

14 MAUREEN FULCHIERO GORDON, M.D.

ACCUSATION

15 11980 San Vicente Boulevard, Suite 704
16 Los Angeles, California 90049

17 Physician's and Surgeon's Certificate
No. A 24979,

18 Respondent.
19

20 PARTIES

21 1. Christine J. Lally (Complainant) brings this Accusation solely in her official capacity
22 as the Interim Executive Director of the Medical Board of California (Board).

23 2. On September 13, 1972, the Board issued Physician's and Surgeon's Certificate
24 Number A 24979 to Maureen Fulchiero Gordon, M.D. (Respondent). That license was in full
25 force and effect at all times relevant to the charges brought herein and will expire on March 31,
26 2021, unless renewed.

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9. Clonazepam (aka Klonopin) is an anti-seizure medication that is also used to treat panic attacks. It is classified as a Schedule IV controlled substance.

10. Amoxicillin clavulanate (aka Augmentin) is an antibiotic used to treat a variety of bacterial infections.

11. Azithromycin (aka Z-Pak) is an antibiotic used to treat a variety of bacterial infections.

12. Oseltamivir (aka Tamiflu) is an antiviral medication that blocks the influenza virus.

13. The drugs defined in Paragraphs 7 through 12 are dangerous drugs, pursuant to section 4022 of the Code.

FIRST CAUSE FOR DISCIPLINE

(Gross Negligence)

14. Respondent Maureen Fulchiero Gordon, M.D. is subject to disciplinary action under section 2234, subdivision (b), of the Code in that she was grossly negligent in her care and treatment of Patient 1.

15. Respondent practices medicine as a psychiatrist.

16. Respondent is married to Patient 1, who is also a licensed physician.

17. Respondent prescribed the following drugs to Patient 1:

DATE	DRUG	DOSE	PILLS/REFILLS
7/29/2015	Klonopin	.5 mg, one pill twice per day	40/0
11/6/2016	Augmentin	500/125 mg., one pill twice per day for 10 days	20/0
11/10/2016	Ambien	5 mg., 1 to 2 pills at bedtime	30/0
11/11/16	Tamiflu	75 mg., one pill twice per day	10/1
1/9/2017	Ambien	10 mg., as needed for sleep	30/0
1/9/2017	Z-Pak	250 mg, two pills on day one, then one pill per day	6/0
1/9/2017	Tylenol #4	300/60 mg., 1 pill every 12 hours	60/0
3/7/2017	Ambien	5 mg., one to two pills at bedtime	30/0
4/14/2017	Tylenol #4	300/60 mg., 1 pill every 12 hours as needed	60/1
5/2/2017	Ambien	5 mg., one to two pills at bedtime	30/5
6/23/2017	Tylenol #4	300/60 mg., one pill every 8 hours as needed	60/1
9/12/2017	Tylenol #4	300/60 mg., one pill every 8	60/0

		hours as needed	
1	9/16/2017	Z-Pak	250 mg., 2 pills on day one, then one pill per day
2	11/28/2017	Ambien	5 mg., one to two pills at bedtime
3	12/8/2017	Tylenol #4	300/60 mg., one pill every 8 hours as needed
4	12/21/2017	Ambien	10 mg., one pill at bedtime
5	5/25/2018	Ambien	10 mg., one pill at bedtime
6	7/11/2018	Ambien	10 mg., one pill at bedtime

18. The standard of care requires that a physician keep legible, timely, and accurate medical records for all medical care rendered. Prescribing medications constitutes medical care.

19. The standard of care requires that a physician generally refrain from prescribing medications to oneself or one's own family members, except in limited situations, such as providing care limited in scope and duration to a family member needing minor care or in a true emergency situation.

20. From at least July 2015 through July 2018, Respondent prescribed dangerous drugs, including controlled substances to Patient 1.

21. Respondent failed to prepare or maintain medical records detailing her clinical observations and providing her rationale for prescribing antibiotics, controlled substances, and antiviral medication that she prescribed to Patient 1.

22. Respondent prescribed dangerous drugs, including controlled substances, to Patient 1, a family member, over an extended period of time.

23. The pattern of prescribing demonstrates that Respondent prescribed dangerous drugs in a manner that was neither limited in scope nor consisting of minor care or an emergency situation.

24. Respondent was grossly negligent in the care and treatment of Patient 1 as follows:

a. Respondent prescribed dangerous drugs, including controlled substances, to Patient 1 without documenting an appropriate medical examination;

b. Respondent regularly prescribed medications, including controlled substance to Patient 1, her husband, under circumstances that did not warrant such prescribing.

1 25. Respondent's acts and omissions as set forth above whether proven individually,
2 jointly or in some combination thereof constitute gross negligence in violation of section 2234,
3 subdivision (b), of the Code, and Respondent's license is subject to discipline.

4 **SECOND CAUSE FOR DISCIPLINE**

5 (Repeated Negligent Acts)

6 26. Respondent's acts and omissions, as set forth in the First Cause for Discipline,
7 constitute repeated negligent acts in violation of section 2234, subdivision (c), of the Code, and
8 Respondent's license is subject to discipline.

9 **THIRD CAUSE FOR DISCIPLINE**

10 (Failure to Maintain Adequate and Accurate Records)

11 27. Respondent's acts and omissions, as set forth in the First Cause for Discipline
12 demonstrate a failure to maintain adequate and accurate records, in violation of section 2266 of
13 the Code, and Respondent's license is subject to discipline.

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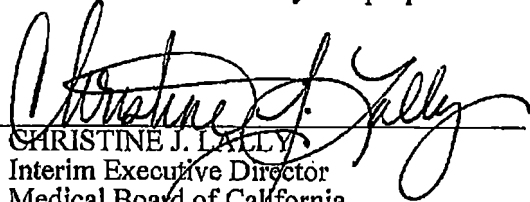
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1 **PRAYER**

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

- 4 1. Revoking or suspending Physician's and Surgeon's Certificate Number A 24979, .
5 issued to Respondent Maureen Fulchiero Gordon, M.D.;
- 6 2. Revoking, suspending or denying approval of Respondent's authority to supervise
7 physician assistants and advanced practice nurses;
- 8 3. If placed on probation, ordering Respondent to pay the Board the costs of probation
9 monitoring; and
- 10 4. Taking such other and further action as deemed necessary and proper.

11
12 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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Maureen Gordon Accusation.docx