

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

In the Matter of the Petition to Revoke  
Probation Against:

George Lawrence Wilkinson, M.D.

Physician's and Surgeon's  
Certificate No. G 21294

Respondent.

Case No. 800-2021-080832

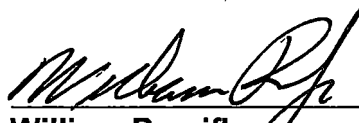
DECISION

The attached Stipulated Surrender of License and 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, 2021.

IT IS SO ORDERED December 24, 2021.

MEDICAL BOARD OF CALIFORNIA



\_\_\_\_\_  
William Prasifka  
Executive Director

1 ROB BONTA  
Attorney General of California  
2 JANE ZACK SIMON  
Supervising Deputy Attorney General  
3 ANA GONZALEZ  
Deputy Attorney General  
4 State Bar No. 190263  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
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6 Facsimile: (415) 703-5480  
E-mail: Ana.Gonzalez@doj.ca.gov  
7 *Attorneys for Complainant*

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  
Probation Against:

13 **GEORGE LAWRENCE WILKINSON,**  
14 **M.D.**

15 **702 Marshall St., Ste. 410**  
16 **Redwood City, CA 94063-1825**

17 **Physician's and Surgeon's Certificate No. G**  
18 **21294**

19 Respondent.

Case No. 800-2021-080832

**STIPULATED SURRENDER OF**  
**LICENSE AND 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. 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 Rob Bonta, Attorney General of the State of California, by Ana Gonzalez, Deputy  
26 Attorney General.  
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1           2.     George Lawrence Wilkinson, M.D. (Respondent) is represented in this proceeding by  
2 attorney Marvin Firestone, MD, JD, whose address is: Marvin Firestone, MD, JD & Assoc.,  
3 LLP, 1700 South El Camino Real, Ste. 408, San Mateo, CA 94402.

4           3.     On September 1, 1971, the Board issued Physician's and Surgeon's Certificate No. G  
5 21294 to George Lawrence Wilkinson, M.D. (Respondent). The Physician's and Surgeon's  
6 Certificate was in full force and effect at all times relevant to the charges brought in Petition to  
7 Revoke Probation No. 800-2021-080832 and will expire on January 31, 2022, unless renewed.

### 8   JURISDICTION

9           4.     Petition to Revoke Probation No. 800-2021-080832 was filed before the Board, and is  
10 currently pending against Respondent. The Petition to Revoke Probation and all other statutorily  
11 required documents were properly served on Respondent on September 29, 2021. Respondent  
12 timely filed his Notice of Defense contesting the Petition to Revoke Probation. A copy of  
13 Petition to Revoke Probation No. 800-2021-080832 is attached as Exhibit A and incorporated by  
14 reference.

### 15    ADVISEMENT AND WAIVERS

16           5.     Respondent has carefully read, fully discussed with counsel, and understands the  
17 charges and allegations in Petition to Revoke Probation No. 800-2021-080832. Respondent also  
18 has carefully read, fully discussed with counsel, and understands the effects of this Stipulated  
19 Surrender of License and Order.

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

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

1 **CULPABILITY**

2 8. Respondent understands that the charges and allegations in Petition to Revoke  
3 Probation No. 800-2021-080832, if proven at a hearing, constitute cause for imposing discipline  
4 upon his Physician's and Surgeon's Certificate.

5 9. For the purpose of resolving the Petition to Revoke Probation without the expense  
6 and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could  
7 establish a factual basis for the charges in the Petition to Revoke Probation and that those charges  
8 constitute cause for discipline. Respondent hereby gives up his right to contest that cause for  
9 discipline exists based on those charges.

10 10. Respondent understands that by signing this stipulation he enables the Board to issue  
11 an order accepting the surrender of his Physician's and Surgeon's Certificate without further  
12 process.

13 **RESERVATION**

14 11. The admissions made by Respondent herein are only for the purposes of this  
15 proceeding, or any other proceedings in which the Medical Board of California or other  
16 professional licensing agency is involved, and shall not be admissible in any other criminal or  
17 civil proceeding.

18 **CONTINGENCY**

19 12. This stipulation shall be subject to approval by the Board. Respondent understands  
20 and agrees that counsel for Complainant and the staff of the Board may communicate directly  
21 with the Board regarding this stipulation and surrender, without notice to or participation by  
22 Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he  
23 may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board  
24 considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order,  
25 the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this  
26 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not  
27 be disqualified from further action by having considered this matter.

28

1 13. The parties understand and agree that Portable Document Format (PDF) and facsimile  
2 copies of this Stipulated Surrender of License and Order, including PDF and facsimile signatures  
3 thereto, shall have the same force and effect as the 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 Order:

6 **ORDER**

7 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 21294, issued  
8 to Respondent George Lawrence Wilkinson, M.D., is surrendered and accepted by the Board.

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

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

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


17 4. If Respondent ever files an application for licensure or a petition for reinstatement in  
18 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must  
19 comply with all the laws, regulations and procedures for reinstatement of a revoked or  
20 surrendered license in effect at the time the petition is filed, and all of the charges and allegations  
21 contained in Petition to Revoke Probation No. 800-2021-080832 shall be deemed to be true,  
22 correct and admitted by Respondent when the Board determines whether to grant or deny the  
23 petition.

24 5. If Respondent should ever apply or reapply for a new license or certification, or  
25 petition for reinstatement of a license, by any other health care licensing agency in the State of  
26 California, all of the charges and allegations contained in Petition to Revoke Probation, No. 800-  
27 2021-080832 shall be deemed to be true, correct, and admitted by Respondent for the purpose of  
28 any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney Marvin Firestone, MD, JD. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.


DATED: 11/10/2021   
GEORGE LAWRENCE WILKINSON, M.D.  
*Respondent*

I have read and fully discussed with Respondent George Lawrence Wilkinson, M.D. the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: 11/11/2021   
MARVIN FIRESTONE, MD, JD  
*Attorney for Respondent*

ENDORSEMENT

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

DATED: ~~11/11/2021~~ 11/12/2021 Respectfully submitted,  
ROB BONTA  
Attorney General of California  
JANE ZACK SIMON  
Supervising Deputy Attorney General  
  
ANA GONZALEZ  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Petition to Revoke Probation No. 800-2021-080832**

1 ROB BONTA  
Attorney General of California  
2 JANE ZACK SIMON  
Supervising Deputy Attorney General  
3 ANA GONZALEZ  
Deputy Attorney General  
4 State Bar No. 190263  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
Telephone: (415) 510-3608  
6 Facsimile: (415) 703-5480  
E-mail: Ana.Gonzalez@doj.ca.gov  
7 *Attorneys for Complainant*

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

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

14 **GEORGE LAWRENCE WILKINSON, M.D.**  
15 **702 Marshall St., Ste. 410**  
**Redwood City, CA 94063-1825**  
16 **Physician's and Surgeon's Certificate No. G**  
**21294**

17 Respondent.

Case No. 800-2021-080832

PETITION TO REVOKE PROBATION

19 Complainant alleges:

20  
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, Department of  
24 Consumer Affairs.

25 2. On September 1, 1971, the Medical Board of California issued Physician's and  
26 Surgeon's Certificate Number G 21294 to George Lawrence Wilkinson, M.D. (Respondent). The  
27 Physician's and Surgeon's Certificate was in effect at all times relevant to the charges brought  
28



1 herein and will expire on January 31, 2022, unless renewed. On August 12, 2021, a Cease  
2 Practice Order was issued.

3 3. On August 23, 2018, Accusation No. 800-2018-041332 was filed against  
4 Respondent, alleging cause for discipline based on Respondent's dangerous use of alcohol and  
5 conviction for driving under the influence of alcohol. In a Decision effective May 3, 2019,  
6 Respondent's Physician's and Surgeon's Certificate was revoked. However, the revocation was  
7 stayed and Respondent's Physician's and Surgeon's Certificate was placed on probation for a  
8 period of three (3) years with terms and conditions addressing Respondent's substance abuse. A  
9 copy of that decision is attached as Exhibit A and is incorporated by reference.

#### 10 JURISDICTION

11 4. This Petition to Revoke Probation is brought before the Board under the authority of  
12 Business and Professions Code Section 2227:

13 "(a) A licensee ... who has entered into a stipulation for disciplinary action with the board,  
14 may, in accordance with the provisions of this chapter:

15 "(1) Have his or her license-revoked upon order of the board.

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

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

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

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

24 "(b) Any matter heard pursuant to subdivision (a), except for warning letters, medical  
25 review or advisory conferences, professional competency examinations, continuing education  
26 activities, and cost reimbursement associated therewith that are agreed to with the board and  
27 successfully completed by the licensee, or other matters made confidential or privileged by  
28

1 existing law, is deemed public, and shall be made available to the public by the board pursuant to  
2 Section 803.1.”

3 5. Section 2228.1 of the Code states:

4 (a) On and after July 1, 2019, except as otherwise provided in subdivision (c),  
5 the board shall require a licensee to provide a separate disclosure that includes the  
6 licensee’s probation status, the length of the probation, the probation end date, all  
7 practice restrictions placed on the licensee by the board, the board’s telephone  
8 number, and an explanation of how the patient can find further information on the  
9 licensee’s probation on the licensee’s profile page on the board’s online license  
10 information Internet Web site, to a patient or the patient’s guardian or health care  
11 surrogate before the patient’s first visit following the probationary order while the  
12 licensee is on probation pursuant to a probationary order made on and after July 1,  
13 2019, in any of the following circumstances:

14 (1) A final adjudication by the board following an administrative hearing or  
15 admitted findings or prima facie showing in a stipulated settlement establishing any  
16 of the following:

17 ...

18 (B) Drug or alcohol abuse directly resulting in harm to patients or the extent  
19 that such use impairs the ability of the licensee to practice safely.

20 ...

21 (2) An accusation or statement of issues alleged that the licensee committed any  
22 of the acts described in subparagraphs (A) to (D), inclusive, of paragraph (1), and a  
23 stipulated settlement based upon a nolo contendere or other similar compromise that  
24 does not include any prima facie showing or admission of guilt or fact but does  
25 include an express acknowledgment that the disclosure requirements of this section  
26 would serve to protect the public interest.

27 (b) A licensee required to provide a disclosure pursuant to subdivision (a) shall  
28 obtain from the patient, or the patient’s guardian or health care surrogate, a separate,  
signed copy of that disclosure.

(c) A licensee shall not be required to provide a disclosure pursuant to  
subdivision (a) if any of the following applies:

(1) The patient is unconscious or otherwise unable to comprehend the  
disclosure and sign the copy of the disclosure pursuant to subdivision (b) and a  
guardian or health care surrogate is unavailable to comprehend the disclosure and  
sign the copy.

(2) The visit occurs in an emergency room or an urgent care facility or the visit  
is unscheduled, including consultations in inpatient facilities.

(3) The licensee who will be treating the patient during the visit is not known to  
the patient until immediately prior to the start of the visit.

(4) The licensee does not have a direct treatment relationship with the patient.

1 (d) On and after July 1, 2019, the board shall provide the following  
2 information, with respect to licensees on probation and licensees practicing under  
3 probationary licenses, in plain view on the licensee's profile page on the board's  
4 online license information Internet Web site.

5 (1) For probation imposed pursuant to a stipulated settlement, the causes  
6 alleged in the operative accusation along with a designation identifying those causes  
7 by which the licensee has expressly admitted guilt and a statement that acceptance of  
8 the settlement is not an admission of guilt.

9 (2) For probation imposed by an adjudicated decision of the board, the causes  
10 for probation stated in the final probationary order.

11 (3) For a licensee granted a probationary license, the causes by which the  
12 probationary license was imposed.

13 (4) The length of the probation and end date.

14 (5) All practice restrictions placed on the license by the board.

15 (e) Section 2314 shall not apply to this section.

16 **CAUSE TO REVOKE PROBATION**

17 **(Alcohol – Abstain From Use Condition)**

18 6. At all times after the effective date of Respondent's probation, Condition 2 stated:  
19 "Respondent shall abstain completely from the use of products or beverages containing alcohol."  
20 The Decision and Order further provides that Respondent's failure to comply with the conditions  
21 of his probation constitutes a violation of that probation, for which the Board may revoke  
22 Respondent's probation and carry out the order of license revocation that was stayed.

23 7. Respondent's probation is subject to revocation because he failed to comply with  
24 Probation Condition 2, referenced above. The facts and circumstances regarding this violation  
25 are as follows: Probationer submitted a biological fluid sample on July 23, 2021, this sample  
26 tested positive for Phosphatidyl Ethanol, results consistent with the ingestion of a beverage  
27 containing alcohol. Respondent admitted to having ingested an alcoholic beverage within a week  
28 of submitting the sample.

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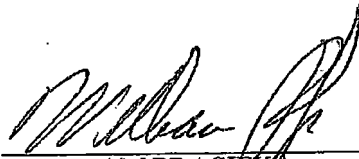
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PRAYER

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 the probation that was granted by the Medical Board of California in Case No. 800-2018-041332 and imposing the disciplinary order that was stayed, thereby revoking Physician's and Surgeon's Certificate No. G 21294 issued to Respondent George Lawrence Wilkinson, M.D.;
2. Revoking or suspending Physician's and Surgeon's Certificate No. G 21294, issued to Respondent George Lawrence Wilkinson, M.D.;
3. Revoking, suspending or denying approval of Respondent George Lawrence Wilkinson, M.D.'s authority to supervise physician's assistants and advanced practice nurses
4. Ordering Respondent George Lawrence Wilkinson, M.D., if placed on further probation, to pay the Board the costs of probation monitoring;
5. Ordering Respondent, if placed on further probation, to provide patient notification in accordance with Business and Professions Code sections 2228.1; and
6. Taking such other and further action as deemed necessary and proper.

DATED: Sept. 29, 2021

  
\_\_\_\_\_  
WILLIAM PRASIPKA  
Executive Director  
Medical Board of California  
Department of Consumer Affairs  
State of California  
*Complainant*

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# **Exhibit A**

**Decision and Order**

**Medical Board of California Case No. 800-2018-041332**

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

In the Matter of the Accusation Against: )

GEORGE LAWRENCE WILKINSON, M.D. )

Case No. 800-2018-041332

Physician's and Surgeon's )  
Certificate No. G 21294 )

Respondent )

DECISION AND ORDER

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 May 3, 2019.

IT IS SO ORDERED: April 4, 2019.

MEDICAL BOARD OF CALIFORNIA



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

1 XAVIER BECERRA  
Attorney General of California  
2 MARY CAIN-SIMON  
Supervising Deputy Attorney General  
3 JOSHUA M. TEMPLET  
Deputy Attorney General  
4 State Bar No. 267098  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
Telephone: (415) 510-3533  
6 Facsimile: (415) 703-5480  
*Attorneys for Complainant*  
7

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

12 In the Matter of the Accusation Against  
13 **GEORGE LAWRENCE WILKINSON,**  
14 **M.D.**  
15 702 Marshall St., Ste. 410  
Redwood City, CA 94063-1825  
16 Physician's and Surgeon's Certificate  
17 No. G 21294  
18 Respondent.

Case No. 800-2018-041332  
OAH No. 2018090963  
**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

19  
20  
21 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
22 entitled proceedings that the following matters are true:

23 **PARTIES**

24 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board  
25 of California (Board). She brought this action solely in her official capacity and is represented in  
26 this matter by Xavier Becerra, Attorney General of the State of California, via Joshua M.  
27 Templet, Deputy Attorney General.

28 ///





1 CULPABILITY

2 9. Respondent understands and agrees that the charges and allegations in the  
3 Accusation, if proven at a hearing, constitute cause for imposing discipline upon his Physician's  
4 and Surgeon's Certificate.

5 10. For the purpose of resolving the Accusation without the expense and uncertainty of  
6 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual  
7 basis for the charges in the Accusation, and that Respondent hereby gives up his right to contest  
8 those charges.

9 11. Respondent agrees that his Physician's and Surgeon's Certificate is subject to  
10 discipline and he agrees to be bound by the Board's probationary terms as set forth in the  
11 Disciplinary Order below.

12 CONTINGENCY

13 12. This stipulation shall be subject to approval by the Board. Respondent understands  
14 and agrees that counsel for Complainant and the staff of the Board may communicate directly  
15 with the Board regarding this stipulation and settlement, without notice to or participation by  
16 Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he  
17 may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board  
18 considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order,  
19 the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this  
20 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not  
21 be disqualified from further action by having considered this matter.

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

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

28 ///

1 DISCIPLINARY ORDER

2 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 21294 issued  
3 to Respondent George Lawrence Wilkinson, M.D. is revoked. However, the revocation is stayed  
4 and Respondent is placed on probation for three (3) years, with the following terms and  
5 conditions:

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

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

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

18 3. PROFESSIONALISM PROGRAM (ETHICS COURSE). Within 60 calendar days of  
19 the effective date of this Decision, Respondent shall enroll in a professionalism program that  
20 meets the requirements of title 16, California Code of Regulations (CCR) section 1358.1.  
21 Respondent shall participate in and successfully complete that program. Respondent shall provide  
22 any information and documents that the program may deem pertinent. Respondent shall  
23 successfully complete the classroom component of the program not later than six (6) months after  
24 Respondent's initial enrollment, and the longitudinal component of the program not later than the  
25 time specified by the program, but no later than one (1) year after attending the classroom  
26 component. The professionalism program shall be at Respondent's expense and shall be in  
27 addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

28 A professionalism program taken after the acts that gave rise to the charges in the

1 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board  
2 or its designee, be accepted towards the fulfillment of this condition if the program would have  
3 been approved by the Board or its designee had the program been taken after the effective date of  
4 this Decision.

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

8 4. PSYCHIATRIC EVALUATION. Within 30 calendar days of the effective date of  
9 this Decision, and on whatever periodic basis thereafter may be required by the Board or its  
10 designee, Respondent shall undergo and complete a psychiatric evaluation (and psychological  
11 testing, if deemed necessary) by a Board-appointed board certified psychiatrist, who shall  
12 consider any information provided by the Board or designee and any other information the  
13 psychiatrist deems relevant, and shall furnish a written evaluation report to the Board or its  
14 designee. Psychiatric evaluations conducted prior to the effective date of the Decision shall not be  
15 accepted towards the fulfillment of this requirement. Respondent shall pay the cost of all  
16 psychiatric evaluations and psychological testing.

17 Respondent shall comply with all restrictions or conditions recommended by the evaluating  
18 psychiatrist within 15 calendar days after being notified by the Board or its designee.

19 5. PSYCHOTHERAPY. Within 60 calendar days of the effective date of this Decision,  
20 Respondent shall submit to the Board or its designee for prior approval the name and  
21 qualifications of a California-licensed board certified psychiatrist or a licensed psychologist who  
22 has a doctoral degree in psychology and at least five years of postgraduate experience in the  
23 diagnosis and treatment of emotional and mental disorders. Upon approval, Respondent shall  
24 undergo and continue psychotherapy treatment, including any modifications to the frequency of  
25 psychotherapy, until the Board or its designee deems that no further psychotherapy is necessary.

26 The psychotherapist shall consider any information provided by the Board or its designee  
27 and any other information the psychotherapist deems relevant and shall furnish a written  
28 evaluation report to the Board or its designee. Respondent shall cooperate in providing the

1 psychotherapist with any information and documents that the psychotherapist may deem  
2 pertinent.

3 Respondent shall have the treating psychotherapist submit quarterly status reports to the  
4 Board or its designee. The Board or its designee may require Respondent to undergo psychiatric  
5 evaluations by a Board-appointed board certified psychiatrist. If, prior to the completion of  
6 probation, Respondent is found to be mentally unfit to resume the practice of medicine without  
7 restrictions, the Board shall retain continuing jurisdiction over Respondent's license and the  
8 period of probation shall be extended until the Board determines that Respondent is mentally fit  
9 to resume the practice of medicine without restrictions.

10 Respondent shall pay the cost of all psychotherapy and psychiatric evaluations.

11 6. NOTICE OF EMPLOYER OR SUPERVISOR INFORMATION. Within seven (7)  
12 days of the effective date of this Decision, Respondent shall provide to the Board the names,  
13 physical addresses, mailing addresses, and telephone numbers of any and all employers and  
14 supervisors. Respondent shall also provide specific, written consent for the Board and  
15 Respondent's employers and supervisors to communicate regarding Respondent's work status,  
16 performance, and monitoring.

17 For purposes of this section, "supervisors" shall include the Chief of Staff and Health or  
18 Well Being Committee Chair, or equivalent, if applicable, when the Respondent has medical staff  
19 privileges.

20 7. BIOLOGICAL FLUID TESTING. Respondent shall immediately submit to  
21 biological fluid testing, at Respondent's expense, upon request of the Board or its designee.  
22 "Biological fluid testing" may include, but is not limited to, urine, blood, breathalyzer, hair  
23 follicle testing, or similar drug screening approved by the Board or its designee. Respondent shall  
24 make daily contact with the Board or its designee to determine whether biological fluid testing is  
25 required. Respondent shall be tested on the date of the notification as directed by the Board or its  
26 designee. The Board may order a Respondent to undergo a biological fluid test on any day, at any  
27 time, including weekends and holidays. Except when testing on a specific date as ordered by the  
28 Board or its designee, the scheduling of biological fluid testing shall be done on a random basis.

1 The cost of biological fluid testing shall be borne by the Respondent.

2 During the first year of probation, and for the duration of the probationary term, up to five  
3 (5) years, Respondent shall be subject to 36 to 104 random tests per year. Only if there have been  
4 no positive biological fluid tests in the previous five (5) consecutive years of probation, may  
5 testing be reduced to one (1) time per month. Nothing precludes the Board from increasing the  
6 number of random tests to the first-year level of frequency for any reason.

7 Prior to practicing medicine, Respondent shall contract with a laboratory or service,  
8 approved in advance by the Board or its designee, that will conduct random, unannounced,  
9 observed, biological fluid testing and meets all of the following standards:

10 (a) Its specimen collectors are either certified by the Drug and Alcohol Testing Industry  
11 Association or have completed the training required to serve as a collector for the United  
12 States Department of Transportation.

13 (b) Its specimen collectors conform to the current United States Department of  
14 Transportation Specimen Collection Guidelines.

15 (c) Its testing locations comply with the Urine Specimen Collection Guidelines published  
16 by the United States Department of Transportation without regard to the type of test  
17 administered.

18 (d) Its specimen collectors observe the collection of testing specimens.

19 (e) Its laboratories are certified and accredited by the United States Department of Health  
20 and Human Services.

21 (f) Its testing locations shall submit a specimen to a laboratory within one (1) business day  
22 of receipt and all specimens collected shall be handled pursuant to chain of custody  
23 procedures. The laboratory shall process and analyze the specimens and provide legally  
24 defensible test results to the Board within seven (7) business days of receipt of the  
25 specimen. The Board will be notified of non-negative results within one (1) business day  
26 and will be notified of negative test results within seven (7) business days.

27 (g) Its testing locations possess all the materials, equipment, and technical expertise  
28 necessary in order to test Respondent on any day of the week.

1 (h) Its testing locations are able to scientifically test for urine, blood, and hair specimens  
2 for the detection of alcohol and illegal and controlled substances.

3 (i) It maintains testing sites located throughout California.

4 (j) It maintains an automated 24-hour toll-free telephone system and/or a secure on-line  
5 computer database that allows the Respondent to check in daily for testing.

6 (k) It maintains a secure, HIPAA-compliant website or computer system that allows staff  
7 access to drug test results and compliance reporting information that is available 24 hours a  
8 day.

9 (l) It employs or contracts with toxicologists that are licensed physicians and have  
10 knowledge of substance abuse disorders and the appropriate medical training to interpret  
11 and evaluate laboratory biological fluid test results, medical histories, and any other  
12 information relevant to biomedical information.

13 (m) It will not consider a toxicology screen to be negative if a positive result is obtained  
14 while practicing, even if the Respondent holds a valid prescription for the substance.

15 Prior to changing testing locations for any reason, including during vacation or other travel,  
16 alternative testing locations must be approved by the Board and meet the requirements above.

17 The contract shall require that the laboratory directly notify the Board or its designee of  
18 non-negative results within one (1) business day and negative test results within seven (7)  
19 business days of the results becoming available. Respondent shall maintain this laboratory or  
20 service contract during the period of probation.

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

23 If a biological fluid test result indicates Respondent has used, consumed, ingested, or  
24 administered to himself or herself a prohibited substance, the Board shall order Respondent to  
25 cease practice and instruct Respondent to leave any place of work where Respondent is practicing  
26 medicine or providing medical services. The Board shall immediately notify all of Respondent's  
27 employers, supervisors and work monitors, if any, that Respondent may not practice medicine or  
28 provide medical services while the cease-practice order is in effect.

1 A biological fluid test will not be considered negative if a positive result is obtained while  
2 practicing, even if the practitioner holds a valid prescription for the substance. If no prohibited  
3 substance use exists, the Board shall lift the cease-practice order within one (1) business day.

4 After the issuance of a cease-practice order, the Board shall determine whether the positive  
5 biological fluid test is in fact evidence of prohibited substance use by consulting with the  
6 specimen collector and the laboratory, communicating with the licensee, his or her treating  
7 physician(s), other health care provider, or group facilitator, as applicable.

8 For purposes of this condition, the terms "biological fluid testing" and "testing" mean the  
9 acquisition and chemical analysis of a Respondent's urine, blood, breath, or hair.

10 For purposes of this condition, the term "prohibited substance" means an illegal drug, a  
11 lawful drug not prescribed or ordered by an appropriately licensed health care provider for use by  
12 Respondent and approved by the Board, alcohol, or any other substance the Respondent has been  
13 instructed by the Board not to use, consume, ingest, or administer to himself or herself.

14 If the Board confirms that a positive biological fluid test is evidence of use of a prohibited  
15 substance, Respondent has committed a major violation, as defined in section 1361.52(a), and the  
16 Board shall impose any or all of the consequences set forth in section 1361.52(b), in addition to  
17 any other terms or conditions the Board determines are necessary for public protection or to  
18 enhance Respondent's rehabilitation.

19 **8. VIOLATION OF PROBATION CONDITION FOR SUBSTANCE ABUSING**  
20 **LICENSEES.** Failure to fully comply with any term or condition of probation is a violation of  
21 probation.

22 A. If Respondent commits a major violation of probation as defined by section  
23 1361.52, subdivision (a), of Title 16 of the California Code of Regulations, the Board shall take  
24 one or more of the following actions:

25 (1) Issue an immediate cease-practice order and order Respondent to undergo a clinical  
26 diagnostic evaluation to be conducted in accordance with section 1361.5, subdivision (c)(1), of  
27 Title 16 of the California Code of Regulations, at Respondent's expense. The cease-practice order  
28 issued by the Board or its designee shall state that Respondent must test negative for at least a

1 month of continuous biological fluid testing before being allowed to resume practice. For  
2 purposes of determining the length of time a Respondent must test negative while undergoing  
3 continuous biological fluid testing following issuance of a cease-practice order, a month is  
4 defined as thirty calendar (30) days. Respondent may not resume the practice of medicine until  
5 notified in writing by the Board or its designee that he or she may do so.

6 (2) Increase the frequency of biological fluid testing.

7 (3) Refer Respondent for further disciplinary action, such as suspension, revocation, or  
8 other action as determined by the Board or its designee.

9 B. If Respondent commits a minor violation of probation as defined by section  
10 1361.52, subdivision (c), of Title 16 of the California Code of Regulations, the Board shall take  
11 one or more of the following actions:

12 (1) Issue a cease-practice order;

13 (2) Order practice limitations;

14 (3) Order or increase supervision of Respondent;

15 (4) Order increased documentation;

16 (5) Issue a citation and fine, or a warning letter;

17 (6) Order Respondent to undergo a clinical diagnostic evaluation to be conducted in  
18 accordance with section 1361.5, subdivision (c)(1), of Title 16 of the California Code of  
19 Regulations, at Respondent's expense;

20 (7) Take any other action as determined by the Board or its designee.

21 C. Nothing in this Decision shall be considered a limitation on the Board's authority  
22 to revoke Respondent's probation if he or she has violated any term or condition of probation. If  
23 Respondent violates probation in any respect, the Board, after giving Respondent notice and the  
24 opportunity to be heard, may revoke probation and carry out the disciplinary order that was  
25 stayed. If an Accusation, or Petition to Revoke Probation, or an Interim Suspension Order is filed  
26 against Respondent during probation, the Board shall have continuing jurisdiction until the matter  
27 is final, and the period of probation shall be extended until the matter is final.

28 ///



1           9.    NOTIFICATION. Within seven (7) days of the effective date of this Decision, the  
2 Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the  
3 Chief Executive Officer at every hospital where privileges or membership are extended to  
4 Respondent, at any other facility where Respondent engages in the practice of medicine,  
5 including all physician and locum tenens registries or other similar agencies, and to the Chief  
6 Executive Officer at every insurance carrier which extends malpractice insurance coverage to  
7 Respondent. Respondent shall submit proof of compliance to the Board or its designee within 15  
8 calendar days.

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

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

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

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

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

21          13.   GENERAL PROBATION REQUIREMENTS.

22               Compliance with Probation Unit

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

24               Address Changes

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

1 and Professions Code section 2021(b).

2 Place of Practice

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

6 License Renewal

7 Respondent shall maintain a current and renewed California physician's and surgeon's  
8 license.

9 Travel or Residence Outside California

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

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

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

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

1 Practicing medicine in another state of the United States or Federal jurisdiction while on  
2 probation with the medical licensing authority of that state or jurisdiction shall not be considered  
3 non-practice. A Board-ordered suspension of practice shall not be considered as a period of non-  
4 practice.

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

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

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

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

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

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

28 ///

18. LICENSE SURRENDER. Following the effective date of this Decision, if Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy the terms and conditions of probation, Respondent may request to surrender his or her license. The Board reserves the right to evaluate Respondent's request and to exercise its discretion in determining whether or not to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its designee and Respondent shall no longer practice medicine. Respondent will no longer be subject to the terms and conditions of probation. If Respondent re-applies for a medical license, the application shall be treated as a petition for reinstatement of a revoked certificate.

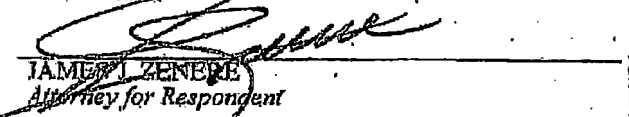
19. PROBATION MONITORING COSTS. Respondent shall pay the costs associated with probation monitoring each and every year of probation, as designated by the Board, which may be adjusted on an annual basis. Such costs shall be payable to the Board and delivered to the Board or its designee no later than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

ACCEPTANCE

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

DATED: 1/25/2019   
 GEORGE LAWRENCE WILKINSON, M.D.  
 Respondent

I have read and fully discussed with Respondent George Lawrence Wilkinson, M.D. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 1/25/19   
 JAMES J. ZENERE  
 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: 1/25/2019

Respectfully submitted,

XAVIER BECERRA  
Attorney General of California  
MARY CAIN-SIMON  
Supervising Deputy Attorney General

JOSEPH M. TEMPLET  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 800-2018-041332**

1 XAVIER BECERRA  
Attorney General of California  
2 MARY CAIN-SIMON  
Supervising Deputy Attorney General  
3 JOSHUA M. TEMPLET  
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E-mail: Joshua.Templet@doj.ca.gov  
7 Attorneys for Complainant

FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO August 23 20 18  
BY R. Voong ANALYST

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

11 In the Matter of the Accusation Against:

Case No. 800-2018-041332

12 **George Lawrence Wilkinson, M.D.**  
702 Marshall St., Ste. 410  
13 Redwood City, CA 94063-1825

**ACCUSATION**

14 **Physician's and Surgeon's Certificate**  
15 **No. G 21294,**

Respondent.

16  
17  
18 Complainant alleges:

19 **PARTIES**

20 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official  
21 capacity as the Executive Director of the Medical Board of California, Department of Consumer  
22 Affairs (Board).

23 2. On September 1, 1971, the Board issued Physician's and Surgeon's Certificate  
24 Number G 21294 to George Lawrence Wilkinson, M.D. (Respondent). The certificate was in full  
25 force and effect at all times relevant to the charges brought herein and will expire on January 31,  
26 2020, unless renewed.

27 ///

28 ///

JURISDICTION

1  
2       3.    This Accusation is brought before the Board, under the authority of the following  
3 laws. All section references are to the Business and Professions Code unless otherwise indicated,

4       4.    Section 2004 of the Code provides that the Board shall have the responsibility for the  
5 enforcement of the disciplinary and criminal provisions of the Medical Practice Act.

6       5.    Section 2227 of the Code authorizes the Board to take action against a licensee who  
7 has been found guilty under the Medical Practice Act by revoking his or her license, suspending  
8 the license for a period not to exceed one year, placing the license on probation and requiring  
9 payment of costs of probation monitoring, or taking such other action as the Board deems proper.

10       6.    Section 2234 of the Code states, in part:

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

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

15  
16       7.    Section 2236 of the Code states:

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

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

23       8.    Section 2239 of the Code states:

24       (a) The use or prescribing for or administering to himself or herself, of any  
25 controlled substance; or the use of any of the dangerous drugs specified in Section  
26 4022, or of alcoholic beverages, to the extent, or in such a manner as to be  
dangerous or injurious to the licensee, or to any other person or to the public, or to  
27 the extent that such use impairs the ability of the licensee to practice medicine safely  
or more than one misdemeanor or any felony involving the use, consumption, or  
28 self-administration of any of the substances referred to in this section, or any  
combination thereof, constitutes unprofessional conduct. The record of the  
conviction is conclusive evidence of such unprofessional conduct.



1 (b) A plea or verdict of guilty or a conviction following a plea of nolo contendere is  
2 deemed to be a conviction within the meaning of this section. The [Board] may  
3 order discipline of the licensee in accordance with Section 2227 or the Division of  
4 Licensing may order the denial of the license when the time for appeal has elapsed  
5 or the judgment of conviction has been affirmed on appeal or when an order  
6 granting probation is made suspending imposition of sentence, irrespective of a  
7 subsequent order under the provisions of Section 1203.4 of the Penal Code allowing  
8 such person to withdraw his or her plea of guilty and to enter a plea of not guilty, or  
9 setting aside the verdict of guilty, or dismissing the accusation, complaint,  
10 information, or indictment.

11 9. California Code of Regulations, title 16, section 1360, states:

12 For the purposes of denial, suspension or revocation of a license, certificate or  
13 permit pursuant to Division 1.5 (commencing with Section 475) of the code, a crime  
14 or act shall be considered to be substantially related to the qualifications, functions  
15 or duties of a person holding a license, certificate or permit under the Medical  
16 Practice Act if to a substantial degree it evidences present or potential unfitness of a  
17 person holding a license, certificate or permit to perform the functions authorized by  
18 the license, certificate or permit in a manner consistent with the public health, safety  
19 or welfare. Such crimes or acts shall include but not be limited to the following:  
20 Violating or attempting to violate, directly or indirectly, or assisting in or abetting  
21 the violation of, or conspiring to violate any provision of the Medical Practice Act.

#### 22 CAUSE FOR DISCIPLINE

##### 23 (Unprofessional Conduct: Dangerous Use of Alcohol and DUI Conviction)

24 10. On Sunday night, September 25, 2016, at approximately 9:06 p.m., Redwood City  
25 police officers were dispatched to investigate a report that an individual had driven a vehicle into  
26 a telephone pole and then had driven away. The officers arrived at the reported intersection and  
27 observed a telephone pole with a pool of radiator fluid at its base. They followed a trail of the  
28 radiator fluid for approximately 1,000 feet to Respondent's home, where they found Respondent  
lying on the ground near his damaged car.

11 Respondent admitted drinking several alcoholic beverages that night, before driving  
12 his car into the telephone pole and then driving home.

13 Respondent displayed objective signs of intoxication and his performance during a  
14 series of field sobriety tests was consistent with alcohol impairment. Preliminary alcohol  
15 screening tests showed Respondent's blood alcohol content (BAC) to have been 0.292% and  
16 0.278%. The officers arrested Respondent for driving under the influence of alcohol. Further

1 alcohol breath screening tests showed Respondent's BAC to have been 0.26% at 11:34 p.m. and  
2 0.26% at 11:37 p.m.

3 13. On December 13, 2016, the San Mateo District Attorney's Office filed a  
4 Misdemeanor Complaint in San Mateo County Superior Court, in Case No. 16SM014412,  
5 charging Respondent with violating Vehicle Code sections 23152(a) (driving while under the  
6 influence of alcohol), 23152(b) (driving with a blood alcohol content of 0.08 percent or more),  
7 and 20002(a) (hit and run driving resulting in property damage). The Complaint also included a  
8 special allegation that Respondent's BAC was 0.15 percent or greater, within the meaning of  
9 Vehicle Code section 23578.

10 14. On February 2, 2018, Respondent pleaded no contest to violating Vehicle Code  
11 section 23152(b) (driving with a blood alcohol content of 0.08 percent or more) and admitted the  
12 special allegation that his BAC had been 0.15 percent or greater, within the meaning of Vehicle  
13 Code section 23578. As part of Respondent's plea bargain, the District Attorney's office  
14 dismissed the charges that he had violated Vehicle Code sections 23152(a) (driving while under  
15 the influence of alcohol) and 20002(a) (hit and run driving resulting in property damage).

16 15. The court sentenced Respondent to four days of jail and three years of court  
17 probation, to be served through February 2, 2021. The court also ordered Respondent to pay a  
18 fine and to complete the First Offender DUI Program.

19 16. Respondent drove his car while under the influence of an excessive amount of alcohol  
20 in a manner dangerous to himself and others, in violation of Code section 2239 (dangerous use of  
21 alcohol) and section 2234 (unprofessional conduct).

22 17. Respondent's February 2, 2018 criminal conviction for driving with a blood alcohol  
23 content greater than 0.08% and his admission to the special allegation confirming his BAC to  
24 have been 0.15% or greater are substantially related to the qualifications, functions and duties of a  
25 physician and surgeon. As such, his conviction constitutes a violation of Code section 2236  
26 (criminal conviction) and section 2234 (unprofessional conduct).

27 ///


28 ///

1 PRAYER

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

- 4 1. Revoking or suspending Physician's and Surgeon's Certificate Number G 21294,  
5 issued to Respondent;
- 6 2. Revoking, suspending, or denying approval of Respondent's authority to supervise  
7 physician assistants and advanced practice nurses;
- 8 3. Ordering Respondent, if placed on probation, 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: August 23, 2018

  
13 KIMBERLY KIRCHMEYER  
14 Executive Director  
15 Medical Board of California  
16 Department of Consumer Affairs  
17 State of California  
18 Complainant

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