

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

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

Donna A. Holscher, M.D.

**Physician's & Surgeon's
Certificate No. G 59568**

Respondent.

Case No. 800-2018-048103

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 June 17, 2022.

IT IS SO ORDERED: May 18, 2022.

MEDICAL BOARD OF CALIFORNIA



**Laurie Rose Lubiano, J.D., Chair
Panel A**

1 ROB BONTA
Attorney General of California
2 STEVEN D. MUNI
Supervising Deputy Attorney General
3 RYAN J. MCEWAN
Deputy Attorney General
4 State Bar No. 285595
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 210-7548
Facsimile: (916) 327-2247
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 First Amended Accusation
13 Against:

14 **DONNA A. HOLSCHER, M.D.**
15 **PO BOX 494083**
Redding, CA 96049-4083

16 **Physician's and Surgeon's Certificate**
17 **No. G 59568**

18 Respondent.

Case No. 800-2018-048103

OAH No. 2021020491

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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 Rob Bonta, Attorney General of the State of California, by Ryan J. McEwan, Deputy
26 Attorney General.

27 2. Respondent Donna A. Holscher, M.D. (Respondent) is represented in this proceeding
28 by attorney Dominique A. Pollara, Esq., whose address is Pollara Law Group, 100 Howe Avenue,

1 Suite 165N, Sacramento, CA 95825; and by Robert J. Sullivan, Esq., whose address is
2 Rothschild Wishek & Sands, LLP, 765 University Avenue, Sacramento, CA 95825.

3 3. On or about February 8, 1987, the Board issued Physician's and Surgeon's Certificate
4 No. G 59568 to Donna A. Holscher, M.D. (Respondent). The Physician's and Surgeon's
5 Certificate was in full force and effect at all times relevant to the charges brought in the First
6 Amended Accusation No. 800-2018-048103, and will expire on October 31, 2022, unless
7 renewed.

8 JURISDICTION

9 4. First Amended Accusation No. 800-2018-048103 was filed before the Board, and is
10 currently pending against Respondent. The Accusation and all other statutorily required
11 documents were properly served on Respondent on December 28, 2020. Respondent timely filed
12 her Notice of Defense contesting the Accusation. On February 23, 2022, the Board filed the First
13 Amended Accusation No. 800-2018-048103, which was properly served on Respondent.

14 5. A copy of First Amended Accusation No. 800-2018-048103 is attached as exhibit A
15 and incorporated herein by reference.

16 ADVISEMENT AND WAIVERS

17 6. Respondent has carefully read, fully discussed with counsel, and understands the
18 charges and allegations in First Amended Accusation No. 800-2018-048103. Respondent has
19 also carefully read, fully discussed with her counsel, and understands the effects of this Stipulated
20 Settlement and Disciplinary Order.

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

28 ///

1 15 calendar days after the effective date of the Decision, whichever is later.

2 3. MEDICAL RECORD KEEPING COURSE. Within 60 calendar days of the effective
3 date of this Decision, Respondent shall enroll in a course in medical record keeping approved in
4 advance by the Board or its designee. Respondent shall provide the approved course provider
5 with any information and documents that the approved course provider may deem pertinent.
6 Respondent shall participate in and successfully complete the classroom component of the course
7 not later than six (6) months after Respondent's initial enrollment. Respondent shall successfully
8 complete any other component of the course within one (1) year of enrollment. The medical
9 record keeping course shall be at Respondent's expense and shall be in addition to the Continuing
10 Medical Education (CME) requirements for renewal of licensure.

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

16 Respondent shall submit a certification of successful completion to the Board or its
17 designee not later than 15 calendar days after successfully completing the course, or not later than
18 15 calendar days after the effective date of the Decision, whichever is later.

19 4. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby
20 ordered to reimburse the Board its costs of investigation and enforcement incurred on or after
21 January 1, 2022, in the amount of \$2,251.25. Costs shall be payable to the Medical Board of
22 California. Failure to pay such costs shall be considered a violation of probation.

23 Any and all requests for a payment plan shall be submitted in writing by respondent to the
24 Board.

25 The filing of bankruptcy by respondent shall not relieve respondent of the responsibility to
26 repay investigation and enforcement costs.

27 5. VIOLATION OF THIS AGREEMENT. Should Respondent fail to comply with any
28 term or condition of this Stipulated Settlement and Disciplinary Order in any respect, the Board

1 may file an Accusation and, after the hearing, discipline Respondent's license for unprofessional
2 conduct.

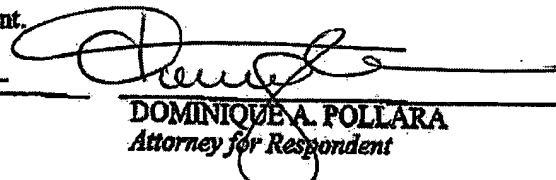
3 6. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for
4 a new license or certification, or petition for reinstatement of a license, by any other health care
5 licensing action agency in the State of California, all of the charges and allegations contained in
6 Accusation No. 800-2018-048103 shall be deemed to be true, correct, and admitted by
7 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or
8 restrict license.

9 ACCEPTANCE

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

15
16 DATED: 2/28/2022 
17 DONNA A. HOLSCHER, M.D.
18 Respondent

19 I have read and fully discussed with Respondent Donna A. Holscher, M.D. the terms and
20 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
21 I approve its form and content.

22 DATED: 3/1/22 
23 DOMINIQUE A. POLLARA
24 Attorney for Respondent

25 ///
26 ///
27 ///
28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

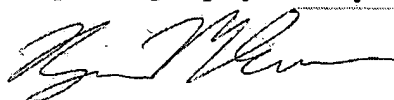
ENDORSEMENT

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

DATED: March 2, 2022

Respectfully submitted,

ROB BONTA
Attorney General of California
STEVEN D. MUNI
Supervising Deputy Attorney General



RYAN J. MCEWAN
Deputy Attorney General
Attorneys for Complainant

SA2020304157
35962766.docx

Exhibit A

First Amended Accusation No. 800-2018-048103

1 ROB BONTA
Attorney General of California
2 STEVEN D. MUNI
Supervising Deputy Attorney General
3 RYAN J. MCEWAN
Deputy Attorney General
4 State Bar No. 285595
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 210-7548
Facsimile: (916) 327-2247
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 First Amended Accusation
14 Against:

15 **Donna A. Holscher, M.D.**
16 **PO BOX 494083**
17 **Redding, CA 96049-4083**

18 **Physician's and Surgeon's Certificate**
19 **No. G 59568,**

20 Respondent.

Case No. 800-2018-048103

OAH No. 2021020491

FIRST AMENDED ACCUSATION

21 **PARTIES**

22 1. William Prasifka (Complainant) brings this First Amended Accusation solely in his
23 official capacity as the Executive Director of the Medical Board of California, Department of
24 Consumer Affairs (Board).

25 2. On or about February 9, 1987, the Medical Board issued Physician's and Surgeon's
26 Certificate No. G 59568 to Donna A. Holscher, M.D. (Respondent). The Physician's and
27 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
28 herein and will expire on October 31, 2022, unless renewed.

///

JURISDICTION

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

5 4. Section 2227 of the Code provides that a licensee who is found guilty under the
6 Medical Practice Act may have his or her license revoked, suspended for a period not to exceed
7 one year, placed on probation and required to pay the costs of probation monitoring, or such other
8 action taken in relation to discipline as the Board deems proper.

9 5. Section 2234 of the Code, states:

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

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

15 “(b) Gross negligence.

16 “(c) Repeated negligent acts. To be repeated, there must be two or more
17 negligent acts or omissions. An initial negligent act or omission followed by a
18 separate and distinct departure from the applicable standard of care shall constitute
19 repeated negligent acts.

20 “(1) An initial negligent diagnosis followed by an act or omission medically
21 appropriate for that negligent diagnosis of the patient shall constitute a single
22 negligent act.

23 “(2) When the standard of care requires a change in the diagnosis, act, or
24 omission that constitutes the negligent act described in paragraph (1), including, but
25 not limited to, a reevaluation of the diagnosis or a change in treatment, and the
26 licensee’s conduct departs from the applicable standard of care, each departure
27 constitutes a separate and distinct breach of the standard of care.

28 “(d) Incompetence.

1 10. **Clonazepam** (generic name for the drug Klonopin) is a benzodiazepine drug used to
2 treat a wide range of conditions, including anxiety, panic attacks, seizures, among others. It is a
3 Schedule IV controlled substance pursuant to California Health and Safety Code section 11057,
4 subdivision (d), and a dangerous drug pursuant to Business and Professions Code section 4022.

5 11. **Diazepam** (generic name for the drug Valium) is a benzodiazepine drug used to treat
6 a wide range of conditions, including anxiety, panic attacks, insomnia, seizures (including status
7 epilepticus), muscle spasms (such as in tetanus cases), restless legs syndrome, alcohol
8 withdrawal, benzodiazepine withdrawal, opiate withdrawal syndrome and Meniere's disease. It is
9 a Schedule IV controlled substance pursuant to California Health and Safety Code section 11057,
10 subdivision (d), and a dangerous drug pursuant to Business and Professions Code section 4022.

11 12. **Hydrocodone bitartrate with acetaminophen** (generic name for the drugs Vicodin,
12 Norco, and Lortab) is an opioid analgesic combination product used to treat moderate to
13 moderately severe pain. Prior to October 6, 2014, hydrocodone with acetaminophen was a
14 Schedule III controlled substance pursuant to Code of Federal Regulations Title 21 section
15 1308.13(e). On October 6, 2014, hydrocodone combination products were reclassified as
16 Schedule II controlled substances. Hydrocodone with acetaminophen is a dangerous drug
17 pursuant to California Business and Professions Code section 4022 and is a Schedule II controlled
18 substance pursuant to California Health and Safety Code section 11055, subdivision (b).

19 13. **Methylphenidate hcl** (generic name for Ritalin) is a central nervous system stimulant
20 medication used to treat attention deficit hyperactivity disorder (ADHD) and narcolepsy. It is a
21 first line medication for ADHD. Methylphenidate is a Schedule II controlled substance pursuant
22 to Code of Federal Regulations Title 21 Section 1308.12 and Health and Safety Code Section
23 11055, subdivision (b), and a dangerous drug pursuant to Business and Professions Code Section
24 4022.

25 ///
26 ///
27 ///
28 ///

1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Repeated Negligent Acts)**

3 14. Respondent is subject to disciplinary action under Code section 2234, subdivision (c),
4 in that she committed repeated negligent acts during the care and treatment of Patients A and B.¹

5 The circumstances are as follows:

6 15. Respondent is a physician and surgeon, board certified in Family Medicine, who
7 worked at Lassen Medical Group in Cottonwood, California, from approximately 2001 to 2015,
8 and the Hill Country Health and Wellness Center in Redding, California, from approximately
9 June 2015 to the present.

10 Patient A

11 16. Patient A is a 66-year-old female treated by Respondent from approximately January
12 2010 through October 2014. Patient A's diagnoses included: cervical and lumbar stenosis;
13 migraine headaches; bursitis; anxiety; hypertension; GERD; asthma; history of domestic abuse;
14 supraventricular tachycardia, and hormone replacement therapy. Patient A had a history of
15 multiple surgeries and epidural injections. In addition to being treated by Respondent as her
16 primary care provider, Patient A also visited a pain management specialist, orthopedic specialist,
17 and rehabilitation specialist.

18 17. Available patient records indicate that Respondent treated Patient A as a primary care
19 provider from at least January 5, 2010, through October 15, 2014. Throughout this time,
20 Respondent prescribed numerous controlled substances to Patient A on a regular basis, including
21 alprazolam and diazepam (short-acting and long-acting benzodiazepines, respectively),
22 carisoprodol (muscle relaxant), and hydrocodone bitartrate-acetaminophen (opioid painkiller).
23 The combination of benzodiazepine, muscle relaxant, and opioid prescriptions is a highly
24 addictive and dangerous mix also called the "Holy Trinity." In addition, the combination of
25 diazepam and alprazolam—two medications in the benzodiazepine drug class—increases possible
26 side effects and risk for abuse. There is no indication in available patient records that Respondent
27 referred Patient A to an addiction specialist. Although it appears Respondent last treated Patient A

28 ¹ Patient names are omitted to protect privacy. They have been provided in discovery.

1 in October 2014, Patient A regularly filled prescriptions written by Respondent through June
2 2015.²

3 18. There are numerous documented telephone encounters showing that from 2011 to
4 early 2014, Patient A would typically fill her controlled substance prescriptions at different
5 pharmacies. She also frequently changed pharmacies in that timeframe. For example, on or about
6 January 7, 2014, a telephone encounter is documented stating that a Costco pharmacy employee
7 notified the provider that Patient A obtained hydrocodone bitartrate-acetaminophen from multiple
8 pharmacies. On the same note, it is documented, "I don't have access to cures. . . . please DEA
9 this patient. . . . shows not other providers no early fills just at 2 pharmacies." The CURES
10 database shows that, on December 31, 2013, Patient A filled her carisoprodol prescription at two
11 pharmacies, Cottonwood Drugs and Costco.

12 19. On or about December 27, 2011, Respondent documented a visit with Patient A
13 stating that the patient is tapering pain medication and alprazolam and "grieving brother who died
14 of lung ca and drug abuse." In that same visit, however, Respondent documented a plan to
15 increase Patient A's alprazolam dosage. The available CURES reports from 2012-2015 show that
16 Respondent did not actually taper alprazolam.

17 20. On or about October 29, 2013, Patient A was involved in a car accident as she
18 attempted to make a left turn that ultimately totaled her car and led to a visit to the emergency
19 department. Her regular prescriptions at the time included the "Holy Trinity" and two
20 benzodiazepines—specifically, one to two tablets daily alprazolam 1 mg, one tablet daily
21 carisoprodol 350 mg, one tablet daily diazepam 10 mg, and six tablets daily hydrocodone
22 bitartrate-acetaminophen 325 mg – 10 mg. On or about November 5, 2013, Patient A saw
23 Respondent with a complaint of "car accident." Respondent documented a whiplash injury and
24 frozen shoulder.

25 21. On or about February 12, 2014, Respondent documented a plan for Patient A to "get
26 off [V]alium" and "continue Xanax and increase [S]oma." Similarly, on March 4, 2014,

27 ² Patient A also filled a prescription for 180 tablets of hydrocodone bitartrate-
28 acetaminophen (325 mg – 10 mg) on May 23, 2016, even though there are no medical records
indicating that she was seen by Respondent anywhere near that time.

1 Respondent discussed a plan with Patient A, stating, "reviewed with patient needs less benzos not
 2 helping function and focus, has done poorly with ssri snris and she declines [these], suggested
 3 therapy-multiple losses and MVA with injury." The available prescription records show,
 4 however, that Respondent doubled Patient A's Soma prescription without decreasing either
 5 benzodiazepine.

6 22. In addition to prescribing numerous controlled substances, Respondent also
 7 prescribed Depakote (divalproex sodium) to treat Patient A's migraine headaches, beginning in or
 8 around October 2013. Respondent did not document Depakote levels at any point in her treatment
 9 of Patient A. The available patient records do not show that a test for Depakote levels was ever
 10 ordered or performed, despite Patient A undergoing a planned shoulder surgery in July 2014.

11 23. The CURES database shows that, during the period of November 1, 2012 through
 12 August 30, 2019, Patient A filled the following controlled substance prescriptions written by
 13 Respondent:

| Date Filled | Drug Name | Dosage | Quantity | Schedule |
|-------------------|--------------------------------------|----------------|----------|----------|
| November 7, 2012 | Diazepam | 10 MG | 30 | IV |
| November 26, 2012 | Alprazolam | 1 MG | 30 | IV |
| December 6, 2012 | Diazepam | 10 MG | 30 | IV |
| December 6, 2012 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| December 10, 2012 | Carisoprodol | 350 MG | 30 | IV |
| December 18, 2012 | Alprazolam | 1 MG | 45 | IV |
| January 4, 2013 | Diazepam | 10 MG | 30 | IV |
| January 8, 2013 | Carisoprodol | 350 MG | 30 | IV |
| January 19, 2013 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| February 2, 2013 | Alprazolam | 1 MG | 45 | IV |

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

| Date Filled | Drug Name | Dosage | Quantity | Schedule |
|-------------------|--------------------------------------|----------------|----------|----------|
| February 2, 2013 | Carisoprodol | 350 MG | 30 | IV |
| February 2, 2013 | Diazepam | 10 MG | 30 | IV |
| February 16, 2013 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| March 2, 2013 | Alprazolam | 1 MG | 45 | IV |
| March 2, 2013 | Carisoprodol | 350 MG | 30 | IV |
| March 2, 2013 | Diazepam | 10 MG | 30 | IV |
| March 18, 2013 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| April 1, 2013 | Alprazolam | 1 MG | 45 | IV |
| April 3, 2013 | Carisoprodol | 350 MG | 30 | IV |
| April 3, 2013 | Diazepam | 10 MG | 30 | IV |
| April 19, 2013 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| April 30, 2013 | Alprazolam | 1 MG | 45 | IV |
| May 2, 2013 | Carisoprodol | 350 MG | 30 | IV |
| May 2, 2013 | Diazepam | 10 MG | 30 | IV |
| May 17, 2013 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| May 31, 2013 | Alprazolam | 1 MG | 45 | IV |
| May 31, 2013 | Carisoprodol | 350 MG | 30 | IV |
| May 31, 2013 | Diazepam | 10 MG | 30 | IV |
| June 17, 2013 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| June 28, 2013 | Alprazolam | 1 MG | 45 | IV |
| June 29, 2013 | Carisoprodol | 350 MG | 30 | IV |

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

| Date Filled | Drug Name | Dosage | Quantity | Schedule |
|-------------------|--------------------------------------|----------------|----------|----------|
| June 29, 2013 | Diazepam | 10 MG | 30 | IV |
| July 15, 2013 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| August 2, 2013 | Alprazolam | 1 MG | 45 | IV |
| August 5, 2013 | Carisoprodol | 350 MG | 30 | IV |
| August 5, 2013 | Diazepam | 10 MG | 30 | IV |
| August 12, 2013 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| September 4, 2013 | Alprazolam | 1 MG | 45 | IV |
| September 4, 2013 | Carisoprodol | 350 MG | 30 | IV |
| September 4, 2013 | Diazepam | 10 MG | 30 | IV |
| September 9, 2013 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| October 2, 2013 | Alprazolam | 1 MG | 45 | IV |
| October 2, 2013 | Carisoprodol | 350 MG | 30 | IV |
| October 2, 2013 | Diazepam | 10 MG | 30 | IV |
| October 9, 2013 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| November 1, 2013 | Alprazolam | 1 MG | 45 | IV |
| November 1, 2013 | Carisoprodol | 350 MG | 30 | IV |
| November 1, 2013 | Diazepam | 10 MG | 30 | IV |
| November 6, 2013 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| November 7, 2013 | Carisoprodol | 350 MG | 30 | IV |
| November 30, 2013 | Alprazolam | 1 MG | 45 | IV |
| November 30, 2013 | Carisoprodol | 350 MG | 30 | IV |

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

| Date Filled | Drug Name | Dosage | Quantity | Schedule |
|-------------------|--------------------------------------|----------------|----------|----------|
| November 30, 2013 | Diazepam | 10 MG | 30 | IV |
| December 2, 2013 | Carisoprodol | 350 MG | 30 | IV |
| December 2, 2013 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| December 31, 2013 | Alprazolam | 1 MG | 45 | IV |
| December 31, 2013 | Carisoprodol | 350 MG | 30 | IV |
| December 31, 2013 | Carisoprodol | 350 MG | 30 | IV |
| December 31, 2013 | Diazepam | 10 MG | 30 | IV |
| January 2, 2014 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| January 30, 2014 | Carisoprodol | 350 MG | 30 | IV |
| January 30, 2014 | Diazepam | 10 MG | 30 | IV |
| February 1, 2014 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| February 7, 2014 | Alprazolam | 1 MG | 45 | IV |
| February 27, 2014 | Diazepam | 10 MG | 30 | IV |
| February 27, 2014 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| March 1, 2014 | Carisoprodol | 350 MG | 60 | IV |
| March 10, 2014 | Alprazolam | 1 MG | 45 | IV |
| March 27, 2014 | Diazepam | 10 MG | 30 | IV |
| March 29, 2014 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| March 31, 2014 | Carisoprodol | 350 MG | 60 | IV |
| April 9, 2014 | Alprazolam | 1 MG | 45 | IV |
| April 30, 2014 | Diazepam | 10 MG | 30 | IV |

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

| Date Filled | Drug Name | Dosage | Quantity | Schedule |
|--------------------|--------------------------------------|----------------|----------|----------|
| April 30, 2014 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| May 2, 2014 | Alprazolam | 1 MG | 45 | IV |
| May 2, 2014 | Carisoprodol | 350 MG | 60 | IV |
| May 30, 2014 | Alprazolam | 1 MG | 45 | IV |
| May 30, 2014 | Carisoprodol | 350 MG | 60 | IV |
| May 30, 2014 | Diazepam | 10 MG | 30 | IV |
| May 30, 2014 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| June 24, 2014 | Carisoprodol | 350 MG | 60 | IV |
| June 28, 2014 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| July 1, 2014 | Alprazolam | 1 MG | 45 | IV |
| July 1, 2014 | Diazepam | 10 MG | 30 | IV |
| July 24, 2014 | Carisoprodol | 350 MG | 60 | IV |
| July 28, 2014 | Diazepam | 10 MG | 30 | IV |
| July 28, 2014 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| August 5, 2014 | Alprazolam | 1 MG | 45 | IV |
| August 22, 2014 | Carisoprodol | 350 MG | 30 | IV |
| August 22, 2014 | Diazepam | 10 MG | 30 | IV |
| August 22, 2014 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| September 2, 2014 | Alprazolam | 1 MG | 45 | IV |
| September 3, 2014 | Carisoprodol | 350 MG | 60 | IV |
| September 16, 2014 | Diazepam | 10 MG | 30 | IV |

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

| Date Filled | Drug Name | Dosage | Quantity | Schedule |
|--------------------|--------------------------------------|----------------|----------|----------|
| September 17, 2014 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| October 1, 2014 | Carisoprodol | 350 MG | 60 | IV |
| October 4, 2014 | Alprazolam | 1 MG | 45 | IV |
| October 13, 2014 | Diazepam | 10 MG | 30 | IV |
| October 15, 2014 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| October 30, 2014 | Alprazolam | 1 MG | 45 | IV |
| October 30, 2014 | Carisoprodol | 350 MG | 60 | IV |
| November 13, 2014 | Diazepam | 10 MG | 30 | IV |
| November 13, 2014 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| December 12, 2014 | Diazepam | 10 MG | 30 | IV |
| December 12, 2014 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| December 17, 2014 | Alprazolam | 1 MG | 45 | IV |
| December 17, 2014 | Carisoprodol | 350 MG | 60 | IV |
| January 8, 2015 | Diazepam | 10 MG | 30 | IV |
| January 8, 2015 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| January 13, 2015 | Alprazolam | 1 MG | 45 | IV |
| January 13, 2015 | Carisoprodol | 350 MG | 60 | IV |
| February 5, 2015 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| February 7, 2015 | Carisoprodol | 350 MG | 30 | IV |
| February 7, 2015 | Diazepam | 10 MG | 30 | IV |
| February 11, 2015 | Alprazolam | 1 MG | 45 | IV |

| Date Filled | Drug Name | Dosage | Quantity | Schedule |
|----------------|--------------------------------------|----------------|----------|----------|
| March 4, 2015 | Carisoprodol | 350 MG | 30 | IV |
| March 6, 2015 | Diazepam | 10 MG | 30 | IV |
| March 6, 2015 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| March 10, 2015 | Alprazolam | 1 MG | 45 | IV |
| March 31, 2015 | Carisoprodol | 350 MG | 30 | IV |
| April 3, 2015 | Diazepam | 10 MG | 30 | IV |
| April 8, 2015 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |
| April 9, 2015 | Alprazolam | 1 MG | 45 | IV |
| April 22, 2015 | Diazepam | 10 MG | 30 | IV |
| April 30, 2015 | Carisoprodol | 350 MG | 30 | IV |
| May 7, 2015 | Alprazolam | 1 MG | 45 | IV |
| May 19, 2015 | Diazepam | 10 MG | 30 | IV |
| June 8, 2015 | Alprazolam | 1 MG | 45 | IV |
| June 19, 2015 | Diazepam | 10 MG | 30 | IV |
| May 23, 2016 | Hydrocodone Bitartrate-Acetaminophen | 325 MG - 10 MG | 180 | II |

24. Respondent's care and treatment of Patient A departed from the standard of care in that:

A. Respondent inappropriately prescribed alprazolam, carisoprodol, diazepam, and hydrocodone bitartrate-acetaminophen (also known as the "Holy Trinity");

B. Respondent inappropriately prescribed short-acting and long-acting benzodiazepines (alprazolam and diazepam) for long-term, concomitant use; and

C. Respondent failed to monitor Depakote drug levels.

1 Patient B

2 25. Patient B is a 36-year old female who first received treatment from Respondent as a
3 teenager and again as an adult when Respondent worked at Lassen Medical Group. Patient B
4 reestablished care with Respondent at Hill Country Health and Wellness Center on or about July
5 21, 2015. Patient A's diagnoses included: cervical degenerative disc disease, ADHD, alcoholism,
6 suicide attempts, bipolar disease, an eating disorder, and migraines. After restarting care with
7 Respondent at Hill Country Health and Wellness Center in 2015, she received therapy,
8 psychiatric care, chiropractic care, social support, work support, and primary care. Patient B
9 experienced psychiatric hospitalizations in March 2016 and three times in or around Summer
10 2017. She later attempted suicide in July 2018 via drug overdose. These events occurred as
11 Patient A went through court proceedings related to criminal charges of having sex with a minor
12 and registering as a sex offender.

13 26. Available prescription records indicate that Respondent prescribed to Patient B
14 several controlled substances on an ongoing basis, including alprazolam, clonazepam,
15 hydrocodone bitartrate-acetaminophen, and methylphenidate hcl. From at least November 2012
16 through July 2015, Respondent regularly wrote prescriptions for two benzodiazepines
17 (alprazolam and clonazepam) and an opioid (hydrocodone bitartrate-acetaminophen) for
18 concomitant use. For example, on July 27, 2015, Patient B filled prescriptions written by
19 Respondent for 56 tablets of alprazolam 0.5 mg, 30 tablets of clonazepam 1 mg, and 60 tablets of
20 hydrocodone bitartrate-acetaminophen 325 mg – 10 mg. Respondent continued to prescribe
21 hydrocodone bitartrate-acetaminophen to Patient A through July 2018, methylphenidate hcl
22 through November 2017, and alprazolam through February 2016. In addition to these controlled
23 substances, Patient B's other medications included Depakote, gabapentin, guanfacine, Inderal,
24 lithium, Prozac, and Zyprexa.

25 27. In 2013, Patient B would regularly fill her prescriptions at multiple pharmacies and
26 obtain twice her prescription dosages by refilling them twice in a month at different pharmacies.
27 For example, between January 15, 2013, and July 24, 2013, Patient B filled her prescriptions for
28 hydrocodone bitartrate-acetaminophen at Costco, Cottonwood Drugs, CVS, Rite Aid, and

1 Walgreens. During that time frame, even though Respondent prescribed 120 tablets of
2 hydrocodone bitartrate-acetaminophen per 30 days, Patient B filled her monthly prescriptions
3 approximately 13 times for a total of 1,560 tablets. Similarly, Patient B filled prescriptions for
4 alprazolam on January 14, 2013 (Costco); January 15, 2013 (CVS), February 13, 2013 (at both
5 Costco and CVS), March 13, 2013 (at both Costco and CVS), April 20, 2013 (CVS), and April
6 23, 2013 (Costco). And Patient B filled her prescriptions for clonazepam at multiple pharmacies
7 in 2013 (Costco, Cottonwood Drugs, and CVS), including on March 26, 2013 (Costco), and April
8 8, 2013 (Cottonwood Drugs). Respondent continued to write these prescriptions for Patient B
9 over the next several years despite this behavior.

10 28. During a visit on or about July 21, 2015, Respondent documented that Patient B “has
11 been using alcohol with triggers usually family and overuses and then for several days feels
12 poorly, flat, depressed.” During a visit on or about March 1, 2016, Respondent documented that
13 Patient B used alcohol “heavily over Christmas bad results at Christmas – both parents with etoh
14 abuse agrees to therapy [and] to cut down.” During a visit on or about November 10, 2016,
15 Respondent documented that Patient B had been “sober” from alcohol use for nine months.

16 29. Respondent ordered a few urine drug screens during her treatment of Patient B. On or
17 about July 21, 2015, Patient B submitted to a urine drug screen that was negative for clonazepam
18 and positive for THC, which was inconsistent with her prescriptions. At her next follow-up visit,
19 Respondent documented that the UDT was ok. There is no documented discussion about the
20 inconsistent test results. On or about November 17, 2015, Patient B submitted to a urine drug
21 screen that was negative for alprazolam and positive for THC, which was inconsistent with her
22 prescribed medications. At her next follow-up visit on or about March 1, Respondent documented
23 that her “tox have been consistent.” On or about May 2, 2016, Patient B submitted to a urine drug
24 screen that was negative for hydrocodone, which was inconsistent with her prescribed
25 medications. And, again, on or about January 1, 2017, Patient B submitted to a urine drug screen
26 that was negative for hydrocodone and positive for THC, which was inconsistent with her
27 prescribed medications. Respondent did not order additional urine drug screens after January
28 2017.

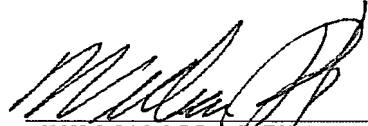
1 profession, and which demonstrates an unfitness to practice medicine, as more particularly
2 alleged in paragraphs 14 through 34, above, which are hereby incorporated by reference and
3 re-alleged as if fully set forth herein.

4 **PRAYER**

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

- 7 1. Revoking or suspending Physician's and Surgeon's Certificate No. G 59568, issued
8 to Donna A. Holscher, M.D.;
- 9 2. Revoking, suspending or denying approval of Donna A. Holscher, M.D.'s authority to
10 supervise physician assistants and advanced practice nurses;
- 11 3. Ordering Donna A. Holscher, M.D., to pay the Board the costs of the investigation
12 and enforcement of this case, and if placed on probation, the costs of probation monitoring; and
- 13 4. Taking such other and further action as deemed necessary and proper.

14
15 DATED: FEB 23 2022


16 WILLIAM PRASIFKA
17 Executive Director
18 Medical Board of California
19 Department of Consumer Affairs
20 State of California
21 Complainant

22 SA2020304157
23 35950883.docx
24
25
26
27
28