

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

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

Christopher Robert Dobson, M.D.

**Physician's and Surgeon's
Certificate No. A 138370**

Case No.: 800-2018-041214

Respondent.

DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on August 17, 2022.

IT IS SO ORDERED: July 18, 2022.

MEDICAL BOARD OF CALIFORNIA



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

1 ROB BONTA
Attorney General of California
2 MATTHEW M. DAVIS
Supervising Deputy Attorney General
3 GIOVANNI F. MEJIA
Deputy Attorney General
4 State Bar No. 309951
600 West Broadway, Suite 1800
5 San Diego, CA 92101
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6 San Diego, CA 92186-5266
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8 *Attorneys for Complainant*

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

13 In the Matter of the Accusation Against:

Case No. 800-2018-041214

14 **CHRISTOPHER ROBERT DOBSON, M.D.**
4510 Executive Dr., Ste. 107
15 San Diego, CA 92121-3022

OAH No. 2021050890

16 **Physician's and Surgeon's Certificate**
17 **No. A 138370,**

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

18 Respondent.

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

21 **PARTIES**

22 1. William Prasifka (Complainant) is the Executive Director of the Medical Board of
23 California (Board). He brought this action solely in his official capacity and is represented in this
24 matter by Rob Bonta, Attorney General of the State of California, by Giovanni F. Mejia, Deputy
25 Attorney General.

26 2. Respondent Christopher Robert Dobson, M.D. (Respondent) is represented in this
27 proceeding by attorney Kevin C. Murphy, Esq., whose address is: Murphy Jones APC, 5575 Lake
28 Park Way, Suite 218, San Diego, CA 91942.

1 3. On or about September 22, 2015, the Board issued Physician's and Surgeon's
2 Certificate No. A 138370 to Christopher Robert Dobson, M.D. (Respondent). The Physician's
3 and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
4 in Accusation No. 800-2018-041214, and will expire on August 31, 2023, unless renewed.

5 **JURISDICTION**

6 4. Accusation No. 800-2018-041214 was filed before the Board, and is currently
7 pending against Respondent. The Accusation and all other statutorily required documents were
8 properly served on Respondent on February 11, 2021. Respondent timely filed his Notice of
9 Defense contesting the Accusation.

10 5. A copy of Accusation No. 800-2018-041214 is attached as exhibit A and incorporated
11 herein by reference.

12 **ADVISEMENT AND WAIVERS**

13 6. Respondent has carefully read, fully discussed with counsel, and understands the
14 charges and allegations in Accusation No. 800-2018-041214. Respondent has also carefully read,
15 fully discussed with his counsel, and understands the effects of this Stipulated Settlement and
16 Disciplinary Order.

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

23 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
24 every right set forth above.

25 **CULPABILITY**

26 9. Respondent does not contest that, at an administrative hearing, complainant could^{read.}
27 establish a prima facie case with respect to the charges and allegations in Accusation
28 No. 800-2018-041214, a true and correct copy of which is attached hereto as exhibit A, and that

1 he has thereby subjected his Physician's and Surgeon's Certificate, No. A 138370 to disciplinary
2 action.

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

6 11. Respondent agrees that if he ever petitions for early termination or modification of
7 probation, or if an accusation and/or petition to revoke probation is filed against him before the
8 Board, all of the charges and allegations contained in Accusation No. 800-2018-041214 shall be
9 deemed true, correct and fully admitted by respondent for purposes of any such proceeding or any
10 other licensing proceeding involving Respondent in the State of California.

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

15 CONTINGENCY

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

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1 **ADDITIONAL PROVISIONS**

2 14. This Stipulated Settlement and Disciplinary Order is intended by the parties herein to
3 be an integrated writing representing the complete, final and exclusive embodiment of the
4 agreements of the parties in the above-entitled matter.

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

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

11 **DISCIPLINARY ORDER**

12 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 138370
13 issued to Respondent Christopher Robert Dobson, M.D. is revoked. However, the revocation is
14 stayed and Respondent is placed on probation for thirty-five (35) months on the following terms
15 and conditions:

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

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

26 If Respondent has a confirmed positive biological fluid test for any substance (whether or
27 not legally prescribed) and has not reported the use to the Board or its designee, Respondent shall
28 receive a notification from the Board or its designee to immediately cease the practice of

1 medicine. The Respondent shall not resume the practice of medicine until the final decision on an
2 accusation and/or a petition to revoke probation is effective. An accusation and/or petition to
3 revoke probation shall be filed by the Board within 30 days of the notification to cease practice. If
4 the Respondent requests a hearing on the accusation and/or petition to revoke probation, the
5 Board shall provide the Respondent with a hearing within 30 days of the request, unless the
6 Respondent stipulates to a later hearing. If the case is heard by an Administrative Law Judge
7 alone, he or she shall forward a Proposed Decision to the Board within 15 days of submission of
8 the matter. Within 15 days of receipt by the Board of the Administrative Law Judge's proposed
9 decision, the Board shall issue its Decision, unless good cause can be shown for the delay. If the
10 case is heard by the Board, the Board shall issue its decision within 15 days of submission of the
11 case, unless good cause can be shown for the delay. Good cause includes, but is not limited to,
12 non-adoption of the proposed decision, requests for reconsideration, remands and other
13 interlocutory orders issued by the Board. The cessation of practice shall not apply to the reduction
14 of the probationary time period.

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

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

20 If Respondent has a confirmed positive biological fluid test for alcohol, Respondent shall
21 receive a notification from the Board or its designee to immediately cease the practice of
22 medicine. The Respondent shall not resume the practice of medicine until the final decision on an
23 accusation and/or a petition to revoke probation is effective. An accusation and/or petition to
24 revoke probation shall be filed by the Board within 30 days of the notification to cease practice. If
25 the Respondent requests a hearing on the accusation and/or petition to revoke probation, the
26 Board shall provide the Respondent with a hearing within 30 days of the request, unless the
27 Respondent stipulates to a later hearing. the case is heard by an Administrative Law Judge alone,
28 he or she shall forward a Proposed Decision to the Board within 15 days of submission of the

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

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

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

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

22 If Respondent fails to cooperate in a random biological fluid testing program within the
23 specified time frame, Respondent shall receive a notification from the Board or its designee to
24 immediately cease the practice of medicine. The Respondent shall not resume the practice of
25 medicine until the final decision on an accusation and/or a petition to revoke probation is
26 effective. An accusation and/or petition to revoke probation shall be filed by the Board within 30
27 days of the notification to cease practice. If the Respondent requests a hearing on the accusation
28 and/or petition to revoke probation, the Board shall provide the Respondent with a hearing within

1 30 days of the request, unless the Respondent stipulates to a later hearing. If the case is heard by
2 an Administrative Law Judge alone, he or she shall forward a Proposed Decision to the Board
3 within 15 days of submission of the matter. Within 15 days of receipt by the Board of the
4 Administrative Law Judge's proposed decision, the Board shall issue its Decision, unless good
5 cause can be shown for the delay. If the case is heard by the Board, the Board shall issue its
6 decision within 15 days of submission of the case, unless good cause can be shown for the delay.
7 Good cause includes, but is not limited to, non-adoption of the proposed decision, requests for
8 reconsideration, remands and other interlocutory orders issued by the Board. The cessation of
9 practice shall not apply to the reduction of the probationary time period.

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

13 4. EDUCATION COURSE. Within 60 calendar days of the effective date of this
14 Decision, and on an annual basis thereafter, Respondent shall submit to the Board or its designee
15 for its prior approval educational program(s) or course(s) which shall not be less than 40 hours
16 per year, for each year of probation. The educational program(s) or course(s) shall be aimed at
17 correcting any areas of deficient practice or knowledge and shall be Category I certified. The
18 educational program(s) or course(s) shall be at Respondent's expense and shall be in addition to
19 the Continuing Medical Education (CME) requirements for renewal of licensure. Following the
20 completion of each course, the Board or its designee may administer an examination to test
21 Respondent's knowledge of the course. Respondent shall provide proof of attendance for 65
22 hours of CME of which 40 hours were in satisfaction of this condition.

23 5. PROFESSIONALISM PROGRAM (ETHICS COURSE). Within 60 calendar days of
24 the effective date of this Decision, Respondent shall enroll in a professionalism program, that
25 meets the requirements of Title 16, California Code of Regulations (CCR) section 1358.1.
26 Respondent shall participate in and successfully complete that program. Respondent shall provide
27 any information and documents that the program may deem pertinent. Respondent shall
28 successfully complete the classroom component of the program not later than six (6) months after

Respondent's initial enrollment, and the longitudinal component of the program not later than the time specified by the program, but no later than one (1) year after attending the classroom component. The professionalism program shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

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

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

6. MONITORING - PRACTICE. Within 30 calendar days of the effective date of this Decision, Respondent shall submit to the Board or its designee for prior approval as a practice monitor(s), the name and qualifications of one or more licensed physicians and surgeons whose licenses are valid and in good standing, and who are preferably American Board of Medical Specialties (ABMS) certified. A monitor shall have no prior or current business or personal relationship with Respondent, or other relationship that could reasonably be expected to compromise the ability of the monitor to render fair and unbiased reports to the Board, including but not limited to any form of bartering, shall be in Respondent's field of practice, and must agree to serve as Respondent's monitor. Respondent shall pay all monitoring costs.

The Board or its designee shall provide the approved monitor with copies of the Decision(s) and Accusation(s), and a proposed monitoring plan. Within 15 calendar days of receipt of the Decision(s), Accusation(s), and proposed monitoring plan, the monitor shall submit a signed statement that the monitor has read the Decision(s) and Accusation(s), fully understands the role of a monitor, and agrees or disagrees with the proposed monitoring plan. If the monitor disagrees with the proposed monitoring plan, the monitor shall submit a revised monitoring plan with the signed statement for approval by the Board or its designee.

1 Within 60 calendar days of the effective date of this Decision, and continuing throughout
2 probation, Respondent's practice shall be monitored by the approved monitor. Respondent shall
3 make all records available for immediate inspection and copying on the premises by the monitor
4 at all times during business hours and shall retain the records for the entire term of probation. (S)

5 If Respondent fails to obtain approval of a monitor within 60 calendar days of the effective
6 date of this Decision, Respondent shall receive a notification from the Board or its designee to
7 cease the practice of medicine within three (3) calendar days after being so notified. Respondent
8 shall cease the practice of medicine until a monitor is approved to provide monitoring
9 responsibility.

10 The monitor(s) shall submit a quarterly written report to the Board or its designee which
11 includes an evaluation of Respondent's performance, indicating whether Respondent's practices
12 are within the standards of practice of medicine, and whether Respondent is practicing medicine
13 safely, billing appropriately or both. It shall be the sole responsibility of Respondent to ensure
14 that the monitor submits the quarterly written reports to the Board or its designee within 10
15 calendar days after the end of the preceding quarter.

16 If the monitor resigns or is no longer available, Respondent shall, within 5 calendar days of
17 such resignation or unavailability, submit to the Board or its designee, for prior approval, the
18 name and qualifications of a replacement monitor who will be assuming that responsibility within
19 15 calendar days. If Respondent fails to obtain approval of a replacement monitor within 60
20 calendar days of the resignation or unavailability of the monitor, Respondent shall receive a
21 notification from the Board or its designee to cease the practice of medicine within three (3)
22 calendar days after being so notified. Respondent shall cease the practice of medicine until a
23 replacement monitor is approved and assumes monitoring responsibility. (S)

24 In lieu of a monitor, Respondent may participate in a professional enhancement program
25 approved in advance by the Board or its designee that includes, at minimum, quarterly chart
26 review, semi-annual practice assessment, and semi-annual review of professional growth and
27 education. Respondent shall participate in the professional enhancement program at Respondent's
28 expense during the term of probation. (S)

1 7. 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 8. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws, all rules
11 governing the practice of medicine in California and remain in full compliance with any court
12 ordered criminal probation, payments, and other orders.

13 9. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby
14 ordered to reimburse the Board its costs of investigation and enforcement, including, but not
15 limited to, expert review, amended accusations, legal reviews, joint investigations, and subpoena
16 enforcement, as applicable, in the amount of \$1,430 (one thousand four hundred and thirty
17 dollars). Costs shall be payable to the Medical Board of California. Failure to pay such costs shall
18 be considered a violation of probation.

19 Any and all requests for a payment plan shall be submitted in writing by Respondent to the
20 Board.

21 The filing of bankruptcy by respondent shall not relieve respondent of the responsibility to
22 repay investigation and enforcement costs, including expert review costs (if applicable).

23 10. QUARTERLY DECLARATIONS. Respondent shall submit quarterly declarations
24 under penalty of perjury on forms provided by the Board, stating whether there has been
25 compliance with all the conditions of probation.

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

28 ////

11. GENERAL PROBATION REQUIREMENTS.

Compliance with Probation Unit

Respondent shall comply with the Board's probation unit.

Address Changes

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

Place of Practice

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

License Renewal

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

Travel or Residence Outside California

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

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

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

13. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or its designee in writing within 15 calendar days of any periods of non-practice lasting more than

1 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is
2 defined as any period of time Respondent is not practicing medicine as defined in Business and
3 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct
4 patient care, clinical activity or teaching, or other activity as approved by the Board. If
5 Respondent resides in California and is considered to be in non-practice, Respondent shall
6 comply with all terms and conditions of probation. All time spent in an intensive training program
7 which has been approved by the Board or its designee shall not be considered non-practice and
8 does not relieve Respondent from complying with all the terms and conditions of probation.
9 Practicing medicine in another state of the United States or Federal jurisdiction while on
10 probation with the medical licensing authority of that state or jurisdiction shall not be considered
11 non-practice. A Board-ordered suspension of practice shall not be considered as a period of non-
12 practice.

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

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

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

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

25 14. COMPLETION OF PROBATION. Respondent shall comply with all financial
26 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the
27 completion of probation. Upon successful completion of probation, Respondent's certificate shall
28 be fully restored.

1 15. VIOLATION OF PROBATION. Failure to fully comply with any term or condition
2 of probation is a violation of probation. If Respondent violates probation in any respect, the
3 Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and
4 carry out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke Probation,
5 or an Interim Suspension Order is filed against Respondent during probation, the Board shall have
6 continuing jurisdiction until the matter is final, and the period of probation shall be extended until
7 the matter is final.

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

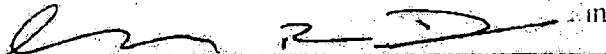
18 17. PROBATION MONITORING COSTS. Respondent shall pay the costs associated
19 with probation monitoring each and every year of probation, as designated by the Board, which
20 may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of
21 California and delivered to the Board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

23 18. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for a
24 new license or certification, or petition for reinstatement of a license, by any other health care
25 licensing action agency in the State of California, all of the charges and allegations contained in
26 Accusation No. 800-2018-041214 shall be deemed to be true, correct, and admitted by
27 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or
28 restrict license.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Kevin C. Murphy, Esq. 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: 1/20/22


CHRISTOPHER ROBERT DOBSON, M.D.
Respondent

I have read and fully discussed with Respondent Christopher Robert Dobson, 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: _____

KEVIN C. MURPHY, ESQ.
Attorney for Respondent

ENDORSEMENT

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

DATED: _____

Respectfully submitted,

ROB BONTA
Attorney General of California
MATTHEW M. DAVIS
Supervising Deputy Attorney General

GIOVANNI F. MEJIA
Deputy Attorney General
Attorneys for Complainant

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1 **ACCEPTANCE**

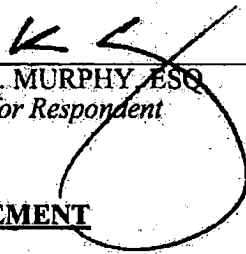
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4 will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and
5 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
6 Decision and Order of the Medical Board of California.

7
8 DATED: _____

9 **CHRISTOPHER ROBERT DOBSON, M.D.**
10 *Respondent*

11 I have read and fully discussed with Respondent Christopher Robert Dobson, M.D. the
12 terms and conditions and other matters contained in the above Stipulated Settlement and
13 Disciplinary Order. I approve its form and content.

14 DATED: 1/20/22

15 
16 **KEVIN C. MURPHY, ESQ.**
17 *Attorney for Respondent*

18 **ENDORSEMENT**

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

21 DATED: _____

22 Respectfully submitted,

23 **ROB BONTA**
24 **Attorney General of California**
25 **MATTHEW M. DAVIS**
26 **Supervising Deputy Attorney General**

27 **GIOVANNI F. MEJIA**
28 **Deputy Attorney General**
Attorneys for Complainant

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1 ACCEPTANCE

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3 discussed it with my attorney, Kevin C. Murphy, Esq. I understand the stipulation and the effect it
4 will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and
5 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
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9 CHRISTOPHER ROBERT DOBSON, M.D.
Respondent

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11 terms and conditions and other matters contained in the above Stipulated Settlement and
12 Disciplinary Order. I approve its form and content.

13 DATED: _____

14 KEVIN C. MURPHY, ESQ.
Attorney for Respondent

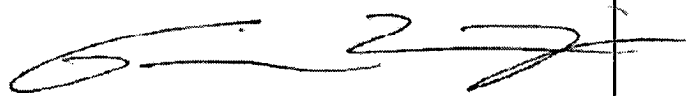
15
16 ENDORSEMENT

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

19 DATED: January 20, 2022 _____

Respectfully submitted,

20 ROB BONTA
21 Attorney General of California
22 MATTHEW M. DAVIS
Supervising Deputy Attorney General

23 
24 GIOVANNI F. MEJIA
25 Deputy Attorney General
Attorneys for Complainant

26 SD2021800199/83228474.docx

Exhibit A

Accusation No. 800-2018-041214

1 XAVIER BECERRA
Attorney General of California
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9
10 **BEFORE THE**
11 **MEDICAL BOARD OF CALIFORNIA**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
13 **STATE OF CALIFORNIA**

14 In the Matter of the Accusation Against:

Case No. 800-2018-041214

15 **Christopher Robert Dobson, M.D.**
4510 Executive Dr., Ste. 107
San Diego, CA 92121-3022

A C C U S A T I O N

16 **Physician's and Surgeon's Certificate**
17 **No. A 138370,**

Respondent.

18
19 **PARTIES**

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

23 2. On or about September 22, 2015, the Medical Board issued Physician's and Surgeon's
24 Certificate No. A 138370 to Christopher Robert Dobson, M.D. (Respondent). The Physician's and
25 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
26 herein and will expire on August 31, 2021, unless renewed.

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JURISDICTION

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

4. Section 2227, subdivision (a) of the Code states:

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

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

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

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

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

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

5. Section 2234, subdivisions (a) through (c) of the Code state:

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

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

(b) Gross negligence.

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

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

(2) When the standard of care requires a change in the diagnosis, act, or omission that constitutes the negligent act described in paragraph (1), including, but not limited to, a reevaluation of the diagnosis or a change in treatment, and the

licensee's conduct departs from the applicable standard of care, each departure constitutes a separate and distinct breach of the standard of care.

6. At all times relevant to the acts or omissions alleged in the instant Accusation up to and including December 31, 2019, section 2234, subdivision (h) of the Code stated:

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

...

(h) The repeated failure by a certificate holder, in the absence of good cause, to attend and participate in an interview by the board. This subdivision shall only apply to a certificate holder who is the subject of an investigation by the board.

7. Effective January 1, 2020, section 2234, subdivision (h) of the Code was relettered subdivision (g) and amended to state:

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

...

(g) The failure by a certificate holder, in the absence of good cause, to attend and participate in an interview by the board. This subdivision shall only apply to a certificate holder who is the subject of an investigation by the board.

8. Section 2238 of the Code states:

A violation of any federal statute or federal regulation or any of the statutes or regulations of this state regulating dangerous drugs or controlled substances constitutes unprofessional conduct.

9. Unprofessional conduct under Business and Professions Code section 2234 is conduct that breaches the rules or ethical code of a profession or conduct which is unbecoming a member in good standing of a profession, and which indicates an unfitness to practice medicine. (*Shea v. Bd. of Medical Examiners* (1978) 81 Cal.App.3d 564, 574-75.)

FIRST CAUSE FOR DISCIPLINE

(Gross Negligence)

10. Respondent has subjected his Physician's and Surgeon's Certificate No. A 138370 to disciplinary action under sections 2227 and 2234, as defined by section 2234, subdivision (b), of the Code, in that he committed gross negligence. The circumstances are as follows:

1 11. On or about February 21, 2018, Respondent was driving in or around Encinitas,
2 California. Respondent had in his possession plastic bags with loose pills containing controlled
3 substances including, but not limited to, benzodiazepines, opiates, stimulants, or any combination
4 thereof.

5 12. The plastic bags with the loose controlled substance pills were not appropriately
6 packaged or labeled for patient use, nor did Respondent hold any valid prescription for such pills.

7 13. At approximately 11:37 a.m., San Diego County Sheriff's Department (Sheriff's
8 Department) peace officers conducted a traffic stop on Respondent's vehicle.

9 14. During the course of the traffic stop, Respondent consented to a search of his vehicle.
10 The search uncovered the multiple plastic bags containing the loose controlled substance pills.

11 15. A Sheriff's Department Deputy Sheriff identified the pills to include, but not be
12 limited to, approximately 12 Ecstasy¹ pills, 76 Xanax² pills and 28 oxycodone³ pills.

13 16. The pills identified by the Deputy Sheriff as Ecstasy subsequently tested
14 presumptively positive for the presence of methamphetamine.⁴

15 17. The Board opened an investigation regarding Respondent.

16 18. On or about May 17, 2018, a Board investigator mailed Respondent a letter
17 requesting that Respondent attend and participate in an interview.

18 19. On or about May 25, 2018, the Board investigator received a letter from Respondent
19 via facsimile. Among other things, Respondent's letter stated that he had received the
20 investigator's letter on May 22, 2018. Respondent's letter further stated:

21 I am taking this matter very seriously and intend to fully cooperate with the
22 board and your investigation.

23
24 ¹ Ecstasy is 3,4-Methylene-dioxyamphetamine, a Schedule I controlled substance pursuant
to Health and Safety Code section 11054, subdivision (d).

25 ² Xanax is a brand name for alprazolam, a benzodiazepine and Schedule IV controlled
substance pursuant to Health and Safety Code section 11057, subdivision (d), and a dangerous
26 drug pursuant to Business and Professions Code section 4022.

27 ³ Oxycodone is a Schedule II controlled substance pursuant to Health and Safety Code
section 11055, subdivision (b), and a dangerous drug pursuant to Business and Professions Code
section 4022.

28 ⁴ Methamphetamine is a Schedule II controlled substance pursuant to Health and Safety
Code section 11055, subdivision (d).

1 Due to my personal, professional and financial situation at this point I am
2 requesting a brief amount of additional time so that I may organize my schedule,
lodging, and travel arrangements. I anticipate doing so by Thursday, May 31st.

3 20. In subsequent communications, the Board investigator further requested that
4 Respondent voluntarily submit to a medical examination.

5 21. Respondent ultimately refused to attend and participate in an interview with the
6 Board investigator, or voluntarily submit to medical examination.

7 22. On or about November 20, 2019, the Board issued an order compelling a medical
8 examination of Respondent. Respondent subsequently complied with the order.

9 23. On or about December 1, 2020, the Board investigator mailed to Respondent a letter
10 again requesting that Respondent attend and participate in an interview, in this instance by
11 telephone.

12 24. On or about December 17, 2020, Respondent, by his attorney, advised that
13 Respondent "is unwilling to attend a live telephonic interview with [the Board investigator] at this
14 time...."

15 25. To date, Respondent has failed to attend and participate in any interview requested by
16 the Board investigator.

17 26. Respondent has committed gross negligence including, but not limited to:

- 18 (a) Possessing controlled substances without a valid prescription;
19 (b) Refusing to cooperate with a Medical Board investigation.

20 **SECOND CAUSE FOR DISCIPLINE**

21 **(Repeated Negligent Acts)**

22 27. Respondent has further subjected his Physician's and Surgeon's Certificate
23 No. A 138370 to disciplinary action under sections 2227 and 2234, as defined by section 2234,
24 subdivision (c), of the Code in that he committed repeated negligent acts as more particularly
25 alleged in paragraphs 10 through 26, above, which are hereby incorporated by reference as if fully
26 set forth herein.

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1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Violating One or More Statutes or Regulations Regulating Dangerous Drugs**
3 **or Controlled Substances)**

4 28. Respondent has further subjected his Physician's and Surgeon's Certificate
5 No. A 138370 to disciplinary action under sections 2227 and 2234, as defined by section 2238, of
6 the Code in that he violated one or more statutes or regulations regulating dangerous drugs or
7 controlled substances including, but not limited to, Health and Safety Code sections 11350,
8 subdivision (a), 11377, subdivision (a), 11375, subdivision (b), paragraph (2), or any combination
9 thereof as more particularly alleged in paragraphs 11 through 16, above, which are hereby
10 incorporated by reference as if fully set forth herein.

11 **FOURTH CAUSE FOR DISCIPLINE**

12 **(Failure to Attend and Participate in an Interview by the Board)**

13 29. Respondent has further subjected his Physician's and Surgeon's Certificate
14 No. A 138370 to disciplinary action under sections 2227 and 2234, as defined by section 2234,
15 subdivision (g) of the Code, in that he failed, in the absence of good cause, to attend and
16 participate in an interview by the Board as more particularly alleged in paragraphs 17 through 25,
17 above, which are hereby incorporated by reference as if fully set forth herein.

18 **FIFTH CAUSE FOR DISCIPLINE**

19 **(Unprofessional Conduct)**

20 30. Respondent has further subjected his Physician's and Surgeon's Certificate
21 No. A 138370 to disciplinary action under sections 2227 and 2234 of the Code in that he engaged
22 in conduct that breaches the rules or ethical code of the medical profession or conduct that was
23 unbecoming to a member in good standing of the medical profession, and that demonstrated an
24 unfitness to practice medicine, as more particularly alleged in paragraphs 11 through 25, above,
25 which are hereby incorporated by reference as if fully set forth herein.

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1 **SIXTH CAUSE FOR DISCIPLINE**

2 **(Violation of the Medical Practice Act)**

3 31. Respondent has further subjected his Physician's and Surgeon's Certificate
4 No. A 138370 to disciplinary action under sections 2227 and 2234, as defined by section 2234,
5 subdivision (a) of the Code, in that he violated or attempted to violate, directly or indirectly,
6 assisted in or abetted the violation of, or conspired to violate any provision of the Medical
7 Practice Act as more particularly alleged in paragraphs 10 through 30, above, which are hereby
8 incorporated by reference as if fully set forth herein.

9 **PRAYER**

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

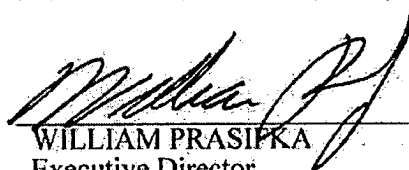
12 1. Revoking or suspending Physician's and Surgeon's Certificate No. A 138370, issued
13 to Respondent Christopher Robert Dobson, M.D.;

14 2. Revoking, suspending or denying approval of Respondent Christopher Robert
15 Dobson, M.D.'s authority to supervise physician assistants and advanced practice nurses;

16 3. Ordering Respondent Christopher Robert Dobson, M.D., if placed on probation, to
17 pay the Board the costs of probation monitoring; and

18 4. Taking such other and further action as deemed necessary and proper.

19
20 DATED: **FEB 11 2021**

21 
22 WILLIAM PRASIFKA
23 Executive Director
24 Medical Board of California
25 Department of Consumer Affairs
26 State of California
27 Complainant
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