

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

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

Jeffrey Ross Hodgson, M.D.

**Physician's and Surgeon's
Certificate No. A 100211**

Case No.: 800-2020-072479

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 September 9, 2022.

IT IS SO ORDERED: August 10, 2022.

MEDICAL BOARD OF CALIFORNIA



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

1 ROB BONTA
Attorney General of California
2 JANE ZACK SIMON
Supervising Deputy Attorney General
3 KENDRA S. RIVAS
Deputy Attorney General
4 State Bar No. 340217
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
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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 **JEFFREY ROSS HODGSON, M.D.**
14 **P.O. Box 2131**
Aptos, CA 95001

15 **Physician's and Surgeon's Certificate**
16 **No. A 100211,**

17 Respondent.

Case No. 800-2020-072479

OAH No. 2022030977

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

18
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 Kendra S. Rivas, Deputy
25 Attorney General.

26 2. Respondent Jeffrey Ross Hodgson, M.D. (Respondent) is represented in this
27 proceeding by attorney Seth Weinstein, Esq., whose address is: 15260 Ventura Boulevard, Suite
28 1200 Sherman Oaks, CA 91403-53472.1.

3. On or about May 25, 2007, the Board issued Physician's and Surgeon's Certificate No. A 100211 to Jeffrey Ross Hodgson, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2020-072479, and will expire on October 31, 2022, unless renewed.

JURISDICTION

4. Accusation No. 800-2020-072479 was filed before the Board and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on January 31, 2022. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2020-072479 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2020-072479. Respondent has also carefully read, fully discussed with his counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

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

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

CULPABILITY

9. For the purpose of resolving the charges and allegations in Accusation No. 800-2020-072479, without the expense and uncertainty of further proceedings, Respondent agrees that the charges and allegations in the Accusation, if proven at a hearing, constitute cause for

1 imposing discipline upon his Physician's and Surgeon's Certificate and he agrees to be bound by
2 the Board's imposition of discipline as set in the disciplinary order below.

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 **CONTINGENCY**

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

17 12. Respondent agrees that if he ever petitions for early termination or modification of
18 probation, or if an accusation and/or petition to revoke probation is filed against him before the
19 Board, all of the charges and allegations contained in Accusation No. 800-2020-072479 shall be
20 deemed true, correct and fully admitted by respondent for purposes of any such proceeding or any
21 other licensing proceeding involving Respondent in the State of California.

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 opportunity to be heard by the Respondent, issue and
27 enter the following Disciplinary Order:

28 ///

1 **DISCIPLINARY ORDER**

2 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 100211 issued
3 to Respondent Jeffrey Ross Hodgson, M.D. is revoked. However, the revocation is stayed, and
4 Respondent is placed on probation for three (3) years on the following terms and conditions:

5 1. ALCOHOL - ABSTAIN FROM USE. Respondent shall abstain completely from the
6 use of products or beverages containing alcohol.

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

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

26 2. BIOLOGICAL FLUID TESTING. Respondent shall immediately submit to
27 biological fluid testing, at Respondent's expense, upon request of the Board or its designee.
28 "Biological fluid testing" may include, but is not limited to, urine, blood, breathalyzer, hair

1 follicle testing, or similar drug screening approved by the Board or its designee. Prior to the
2 effective date of this Decision, Respondent shall contract with a laboratory or service approved in
3 advance by the Board or its designee that will conduct random, unannounced, observed,
4 biological fluid testing. The contract shall require results of the tests to be transmitted by the
5 laboratory or service directly to the Board or its designee within four hours of the results
6 becoming available. Respondent shall maintain this laboratory or service contract during the
7 period of probation.

8 A copy of any laboratory test result may be received in evidence in any proceedings
9 between the Board and Respondent.

10 If Respondent fails to cooperate in a random biological fluid testing program within the
11 specified time frame, Respondent shall receive a notification from the Board or its designee to
12 immediately cease the practice of medicine. The Respondent shall not resume the practice of
13 medicine until the final decision on an accusation and/or a petition to revoke probation is
14 effective. An accusation and/or petition to revoke probation shall be filed by the Board within 30
15 days of the notification to cease practice. If the Respondent requests a hearing on the accusation
16 and/or petition to revoke probation, the Board shall provide the Respondent with a hearing within
17 30 days of the request, unless the Respondent stipulates to a later hearing. If the case is heard by
18 an Administrative Law Judge alone, he or she shall forward a Proposed Decision to the Board
19 within 15 days of submission of the matter. Within 15 days of receipt by the Board of the
20 Administrative Law Judge's proposed decision, the Board shall issue its Decision, unless good
21 cause can be shown for the delay. If the case is heard by the Board, the Board shall issue its
22 decision within 15 days of submission of the case, unless good cause can be shown for the delay.
23 Good cause includes, but is not limited to, non-adoption of the proposed decision, requests for
24 reconsideration, remands and other interlocutory orders issued by the Board. The cessation of
25 practice shall not apply to the reduction of the probationary time period.

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

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

11 A professionalism program 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 program would have
14 been approved by the Board or its designee had the program 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 program or not later
18 than 15 calendar days after the effective date of the Decision, whichever is later.

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

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

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1 5. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE
2 NURSES. During probation, Respondent is prohibited from supervising physician assistants and
3 advanced practice nurses.

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

7 7. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby
8 ordered to reimburse the Board its costs of investigation and enforcement, including, but not
9 limited to legal reviews, joint investigations, and subpoena enforcement, as applicable, in the
10 amount of \$3,000. Costs shall be payable to the Medical Board of California. Failure to pay such
11 costs shall be considered a violation of probation.

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

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

16 8. 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.

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1 9. GENERAL PROBATION REQUIREMENTS.

2 Compliance with Probation Unit

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

4 Address Changes

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

10 Place of Practice

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

14 License Renewal

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

17 Travel or Residence Outside California

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

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

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

27 11. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
28 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
7 program which has been approved by the Board or its designee shall not be considered non-
8 practice and does not relieve Respondent from complying with all the terms and conditions of
9 probation. Practicing medicine in another state of the United States or Federal jurisdiction while
10 on probation with the medical licensing authority of that state or jurisdiction shall not be
11 considered non-practice. A Board-ordered suspension of practice shall not be considered as a
12 period of non-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 12. 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 13. 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 14. 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.

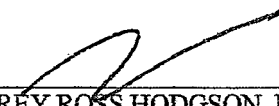
18 15. PROBATION MONITORING COSTS. Respondent shall pay the costs associated
19 with probation monitoring each and every year of probation, as designated by the Board, which
20 may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of
21 California and delivered to the Board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

23 16. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for
24 a 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. 800-2020-072479 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.

1 ACCEPTANCE

2 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
3 discussed it with my attorney, Seth Weinstein, 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
6 Decision and Order of the Medical Board of California.

7
8 DATED: 6/7/22


9 JEFFREY ROSS HODGSON, M.D.
Respondent

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

13 DATED: 06-07-2022


14 SETH WEINSTEIN, 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
20 DATED: June 7, 2022

Respectfully submitted,

21 ROB BONTA
Attorney General of California
22 JANE ZACK SIMON
Supervising Deputy Attorney General

23 *Kendra Rivas*
24 KENDRA S. RIVAS
25 Deputy Attorney General
26 Attorneys for Complainant

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Exhibit A

Accusation No. 800-2020-072479

1 ROB BONTA
Attorney General of California
2 JANE ZACK SIMON
Supervising Deputy Attorney General
3 KENDRA S. RIVAS
Deputy Attorney General
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8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
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11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 800-2020-072479

12 **JEFFREY ROSS HODGSON, M.D.**
13 **P.O. Box 2131**
Aptos, CA 95001-2131

ACCUSATION

14 **Physician's and Surgeon's Certificate**
15 **No. A 100211,**

16 Respondent.

17
18 Complainant Alleges:

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 May 25, 2007, the Board issued Physician's and Surgeon's Certificate
24 Number A 100211 to Jeffrey Ross Hodgson, M.D. (Respondent). The Physician's and Surgeon's
25 Certificate was in full force and effect at all times relevant to the charges brought herein and will
26 expire on October 31, 2022, unless renewed.

27 ///

28 ///

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 of the Code states:

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

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

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

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

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

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

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

5. Section 2234 of the Code, states:

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.

(d) Incompetence.

(e) The commission of any act involving dishonesty or corruption that is substantially related to the qualifications, functions, or duties of a physician and surgeon.

(f) Any action or conduct that would have warranted the denial of a certificate.

(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.

6. Section 2236 of the Code states:

(a) The conviction of any offense substantially related to the qualifications, functions, or duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this chapter [Chapter 5, the Medical Practice Act]. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred.

(b) The district attorney, city attorney, or other prosecuting agency shall notify the Medical Board of the pendency of an action against a licensee charging a felony or misdemeanor immediately upon obtaining information that the defendant is a licensee. The notice shall identify the licensee and describe the crimes charged and the facts alleged. The prosecuting agency shall also notify the clerk of the court in which the action is pending that the defendant is a licensee, and the clerk shall record prominently in the file that the defendant holds a license as a physician and surgeon.

(c) The clerk of the court in which a licensee is convicted of a crime shall, within 48 hours after the conviction, transmit a certified copy of the record of conviction to the board. The division may inquire into the circumstances surrounding the commission of a crime in order to fix the degree of discipline or to determine if the conviction is of an offense substantially related to the qualifications, functions, or duties of a physician and surgeon.

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

7. Section 2239 of the Code states:

(a) The use or prescribing for or administering to himself or herself, of any controlled substance; or the use of any of the dangerous drugs specified in Section 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 the extent that such use impairs the ability of the licensee to practice medicine safely or more than

1 one misdemeanor or any felony involving the use, consumption, or
2 self-administration of any of the substances referred to in this section, or any
3 combination thereof, constitutes unprofessional conduct. The record of the
4 conviction is conclusive evidence of such unprofessional conduct.

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

15 COST RECOVERY

16 8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
17 administrative law judge to direct a licensee found to have violated the licensing act to pay a sum
18 not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of
19 the licensee to comply subjecting the license to not being renewed or reinstated. If a case settles,
20 recovery of investigation and enforcement costs may be included in a stipulated settlement.

21 FIRST CAUSE FOR DISCIPLINE

22 **(Unprofessional Conduct: Misdemeanor Conviction Involving Consumption of Alcoholic 23 Beverage to be Dangerous or Injurious to Licensee or the Public; Conviction of Offense 24 Substantially Related to the Qualifications, Functions, Duties of a Physician)**

25 9. Respondent is subject to disciplinary action for unprofessional conduct under Code
26 sections 2234, through section 2236 and/or section 2239, because Respondent was convicted of a
27 misdemeanor offense involving his consumption of alcoholic beverages in a manner that was
28 dangerous to himself and the public. Further, Respondent's offense is substantially related to his
29 qualifications, functions, and duties as a physician. The circumstances are as follows:

30 10. On or about November 9, 2020, the Board received a subsequent arrest notification
31 from the Department of Justice notifying the Board that Respondent was arrested for driving
32 under the influence, carrying an illegal weapon, and resisting a public officer. On December 3,
33 2020, a criminal complaint was filed charging Respondent with driving under the influence of
34 alcohol, while his blood alcohol content (BAC) was 0.196%, and refusal to take a chemical test.

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1 11. On or about April 19, 2021, Respondent entered a plea of no contest to violating
2 Vehicle Code section 23152(b), a misdemeanor, for driving a vehicle with a BAC of 0.08% or
3 more with an enhancement for a BAC or greater than 0.15%. Respondent was placed on 36
4 months summary probation with standard DUI terms, including: ordered to complete three
5 months of AB541 alcohol offenders program; volunteer hours in lieu of serving 30 days in jail;
6 prohibition of driving with alcohol in his system; and payment of fines and fees, which was
7 reported already paid.

8 **PRAYER**

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

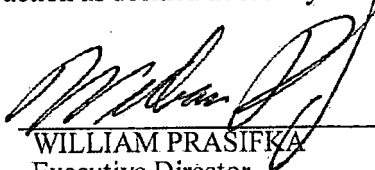
11 1. Revoking or suspending Physician's and Surgeon's Certificate Number A 100211,
12 issued to Respondent Jeffrey Ross Hodgson, M.D.;

13 2. Revoking, suspending or denying approval of Respondent Jeffrey Ross Hodgson,
14 M.D.'s authority to supervise physician assistants and advanced practice nurses;

15 3. Ordering Respondent Jeffrey Ross Hodgson, M.D., to pay the Board the costs of the
16 investigation and enforcement of this case, and if placed on probation, the costs of probation
17 monitoring; and

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

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20 DATED: JAN 31 2022



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

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