

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

In the Matter of the Second Amended
Accusation Against:

Jaron Ross Andersen, M.D.

Physician's & Surgeon's
Certificate No. A 97202

Respondent.

Case No. 800-2018-048265

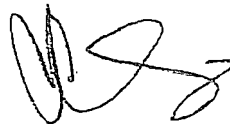
DECISION

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 January 12, 2023.

IT IS SO ORDERED: December 13, 2022.

MEDICAL BOARD OF CALIFORNIA



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

1 ROB BONTA
Attorney General of California
2 ROBERT MCKIM BELL
Supervising Deputy Attorney General
3 COLLEEN M. MCGURRIN
Deputy Attorney General
4 State Bar Number 147250
California Department of Justice
5 300 South Spring Street, Suite 1702
Los Angeles, CA 90013
6 Telephone: (213) 269-6546
Facsimile: (916) 731-2117
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 Second Amended
Accusation Against:

14 **JARON ROSS ANDERSEN, M.D.**
15 **15615 Taloga St.**
Hacienda Heights, CA 91745-6046

16 **Physician's and Surgeon's Certificate**
17 **Number A 97202**

18 Respondent.

Case No. 800-2018-048265

OAH No. 2022020831

**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 Colleen M. McGurrin,
26 Deputy Attorney General.

27 2. Respondent Jaron Ross Andersen, M.D. (Respondent) is represented in this
28 proceeding by attorney Peter R. Osinoff, Esq. and Derek O'Reilly-Jones, Esq., of Bonne Bridges

1 Mueller O'Keefe & Nichols, whose address is: 355 South Grand Avenue, Suite 1750, Los
2 Angeles, CA 90071-1562.

3 3. On or about September 8, 2006, the Board issued Physician's and Surgeon's
4 Certificate Number A 97202 to Jaron Ross Andersen, M.D. (Respondent). The Physician's and
5 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in
6 Second Amended Accusation No. 800-2018-048265, and will expire on April 30, 2024, unless
7 renewed.

8 JURISDICTION

9 4. Second Amended Accusation No. 800-2018-048265 was filed before the Board, and
10 is currently pending against Respondent. The Second Amended Accusation and all other
11 statutorily required documents were properly served on Respondent on February 8, 2022.
12 Respondent timely filed his Notice of Defense contesting the Second Amended Accusation.

13 5. A copy of Second Amended Accusation No. 800-2018-048265 is attached as Exhibit
14 A and incorporated herein by reference.

15 ADVISEMENT AND WAIVERS

16 6. Respondent has carefully read, fully discussed with counsel, and understands the
17 charges and allegations in Second Amended Accusation No. 800-2018-048265. Respondent has
18 also carefully read, fully discussed with his counsel, and understands the effects of this Stipulated
19 Settlement and Disciplinary Order.

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

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

1 **CULPABILITY**

2 9. Respondent understands and agrees that the charges and allegations in Second
3 Amended Accusation No. 800-2018-048265, if proven at a hearing, constitute cause for imposing
4 discipline upon his Physician's and Surgeon's Certificate.

5 10. Respondent agrees that, at a hearing, Complainant could establish a prima facie
6 factual basis for the charges in the Second Amended Accusation, and that Respondent hereby
7 gives up his right to contest those charges.

8 11. Respondent does not contest that, at an administrative hearing, complainant could
9 establish a prima facie case with respect to the charges and allegations in Second Amended
10 Accusation No. 800-2018-048265, a true and correct copy of which is attached hereto as Exhibit
11 A, and that he has thereby subjected his Physician's and Surgeon's Certificate Number A 97202 to
12 disciplinary action.

13 12. Respondent agrees that his Physician's and Surgeon's Certificate is subject to
14 discipline and he agrees to be bound by the Board's imposition of discipline as set forth in the
15 Disciplinary Order below.

16 **CONTINGENCY**

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

27 14. The parties understand and agree that Portable Document Format (PDF) and facsimile
28 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile

1 signatures thereto, shall have the same force and effect as the originals.

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

5 **DISCIPLINARY ORDER**

6 A. **PUBLIC REPRIMAND**

7 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate Number A 97202
8 issued to Respondent JARON ROSS ANDERSEN, M.D. shall be and is hereby Publicly
9 Reprimanded pursuant to Business and Professions Code section 2227, subdivision (a)(4). This
10 Public Reprimand, which is issued in connection with Respondent's care and treatment of
11 Patient A as set forth in Second Amended Accusation No. 800-2018-048265, is as follows and on
12 the following conditions:

13 On or about June 18, 2017, in performing surgery on Patient A, you failed to remove the
14 contaminated cannulated reamer that had been previously autoclaved, and flushed it with
15 Betadine and saline, and failed to adequately and accurately document the incident in the
16 operation report in violation of Business and Professions Code sections 2234 and 2266.

17 B. **EDUCATION COURSE.** Within 60 calendar days of the effective date of this
18 Decision, Respondent shall submit to the Board or its designee for its prior approval educational
19 program(s) or course(s) which shall not be less than eight (8) hours total in the area(s) of
20 infection(s) and contaminated device(s) and instrument(s). These educational program(s) or
21 course(s) shall be aimed at correcting any areas of deficient practice or knowledge and shall be
22 Category I certified. The educational program(s) or course(s) shall be at Respondent's expense
23 and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of
24 licensure. Following the completion of each course, the Board or its designee may administer an
25 examination to test Respondent's knowledge of the course. Respondent shall provide proof of
26 attendance for 33 hours of CME of which 8 hours were in satisfaction of this condition.

27 C. **MEDICAL RECORD KEEPING COURSE.** Within 60 calendar days of the
28 effective date of this Decision, Respondent shall enroll in a course in medical record keeping

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

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

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

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

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

1 been approved by the Board or its designee had the program been taken after the effective date of
2 this Decision.

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

6 E. **INVESTIGATION/ENFORCEMENT COST RECOVERY.** Respondent is
7 hereby ordered to reimburse the Board its costs of investigation and enforcement, including, but
8 not limited to, amended accusations, legal reviews, expert reviews, and witness and hearing
9 related preparation beginning January 1, 2022, in the amount of \$14,997.00 (fourteen thousand
10 nine hundred ninety-seven dollars and no cents). Costs shall be payable to the Medical Board of
11 California. Failure to pay such costs shall be considered a violation of this public reprimand and
12 shall be grounds for further discipline.

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

15 The filing of bankruptcy by Respondent shall not relieve Respondent of the responsibility
16 to repay investigation and enforcement costs, including expert review costs.

17 F. **VIOLATION OF PUBLIC REPRIMAND.** Failure to fully comply with any
18 term or condition of this public reprimand is a violation of this stipulation. If Respondent violates
19 the provisions of this stipulation in any respect, the Board, after giving Respondent notice and the
20 opportunity to be heard, may take further disciplinary charges against Respondent. If an
21 Accusation, or Petition to Revoke Probation, or an Interim Suspension Order is filed against
22 Respondent during the public reprimand, the Board shall have continuing jurisdiction until the
23 matter is final, and the period of this public reprimand shall be extended until the matter is final.

24 G. **LICENSE SURRENDER.** Following the effective date of this Decision, if
25 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy
26 the terms and conditions of this public reprimand, Respondent may request to surrender his
27 license. The Board reserves the right to evaluate Respondent's request and to exercise its
28 discretion in determining whether or not to grant the request, or to take any other action deemed

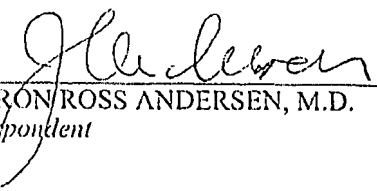
1 appropriate and reasonable under the circumstances. Upon formal acceptance of the surrender,
2 Respondent shall within 15 calendar days deliver Respondent's wallet and wall certificate to the
3 Board or its designee and Respondent shall no longer practice medicine. Respondent will no
4 longer be subject to the terms and conditions of this public reprimand. If Respondent re-applies
5 for a medical license, the application shall be treated as a petition for reinstatement of a revoked
6 certificate.

7 H. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or
8 reapply for a new license or certification, or petition for reinstatement of a license, by any other
9 health care licensing action agency in the State of California, the charges and allegations
10 contained in Second Amended Accusation No. 800-2018-040169 shall be deemed to be true,
11 correct, and admitted by Respondent for the purpose of any Statement of Issues or any other
12 proceeding seeking to deny or restrict license.

13
14 ACCEPTANCE

15 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
16 discussed it with my attorneys, Peter R. Osinoff, Esq. and Derek O'Reilly-Jones, Esq. I
17 understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate
18 I enter into this Stipulated Settlement and Disciplinary Order freely, voluntarily, knowingly, and
19 intelligently, and agree to be bound by the Decision and Order of the Medical Board of
20 California.

21
22 DATED: 7/27/22



JARON ROSS ANDERSEN, M.D.
Respondent

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24 //

25 //

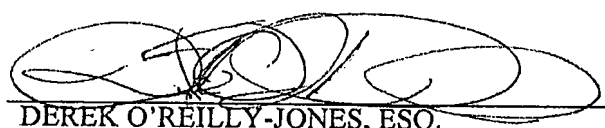
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28

1 I have read and fully discussed with Respondent Jaron Ross Andersen, M.D. the terms and
2 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
3 I approve its form and content.

4
5 DATED: 07/27/2022

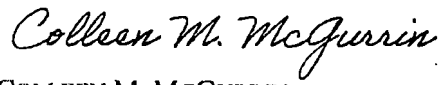

DEREK O'REILLY-JONES, ESQ.
Attorney for Respondent

7
8 **ENDORSEMENT**

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

11 DATED: July 27, 2022

12 Respectfully submitted,
13 ROB BONTA
14 Attorney General of California
15 ROBERT MCKIM BELL
16 Supervising Deputy Attorney General


17 COLLEEN M. MCGURRIN
18 Deputy Attorney General
19 *Attorneys for Complainant*

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Exhibit A

Second Amended Accusation No. 800-2018-048265

1 ROB BONTA
Attorney General of California
2 ROBERT MCKIM BELL
Supervising Deputy Attorney General
3 COLLEEN M. MCGURRIN
Deputy Attorney General
4 State Bar Number 147250
300 South Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6546
6 Facsimile: (916) 731-2117
E-mail: Colleen.McGurrin@doj.ca.gov
7 Attorneys for Complainant

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

13 In the Matter of the Second Amended
Accusation Against:
14 JARON ROSS ANDERSEN, M.D.
15 898 Calle La Primavera
Glendale, California 91208-3027
16 Physician's and Surgeon's Certificate A 97202,
17 Respondent.

Case No. 800-2018-048265
SECOND AMENDED ACCUSATION

18
19 **PARTIES**

- 20
21 1. William Prasifka (Complainant) brings this Second Amended Accusation solely in his
22 official capacity as the Executive Director of the Medical Board of California (Board).
23 2. On September 8, 2006, the Board issued Physician's and Surgeon's Certificate
24 Number A 97202 to Jaron Ross Andersen, M.D. (Respondent). That license was in full force and
25 effect at all times relevant to the charges brought herein and will expire on April 30, 2022, unless
26 renewed.
27 3. In 2013, Respondent's license was previously disciplined in the action titled *In the*
28 *Matter of the Accusation Against Jaron Ross Andersen, M.D.*, Case Number 06-2013-229405,

1 effective November 14, 2013. In that action, Respondent's license was revoked, which was
2 stayed, placing his license on four (4) years' probation with various terms and conditions. That
3 Decision is now final.

4 4. In 2015, Respondent's license was subsequently disciplined in the action titled *In the*
5 *Matter of the Accusation and Petition to Revoke Probation Against Jaron Ross Andersen, M.D.*,
6 Case Number 800-2014-003445, effective July 23, 2015. In that action, Respondent's license was
7 revoked, which was stayed, and his probation was extended for one (1) year with the same terms
8 and conditions. That Decision is now final.

9 JURISDICTION

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

13 6. Section 22 of the Code states:

14 "Board" as used in any provisions of this code, refers to the board in which the
15 administration of the provision is vested, and unless otherwise expressly provided,
16 shall include "bureau," "commission," "committee," "department," "division,"
17 "examining committee," "program," and "agency."

18 7. Section 477 of the Code states:

19 As used in this division:

20 (a) "Board" includes "bureau," "commission," "committee," "department,"
21 "division," "examining committee," "program," and "agency."

22 (b) "License" includes certificate, registration or other means to engage in a
23 business or profession regulated by this code.

24 8. Section 2220 of the Code provides, in pertinent part:

25 Except as otherwise provided by law, the board may take action against all
26 persons guilty of violating this chapter. The board shall enforce and administer this
27 article as to physician and surgeon certificate holders, including those who hold
28 certificates that do not permit them to practice medicine, such as, but not limited to,
retired, inactive, or disabled status certificate holders, and the board shall have all the
powers granted in this chapter for these purposes including, but not limited to:

(a) Investigating complaints from the public, from other licensees, from health
care facilities, or from the board that a physician and surgeon may be guilty of
unprofessional conduct. The board shall investigate the circumstances underlying a
report received pursuant to Section 805 or 805.01 within 30 days to determine if an

1 interim suspension order or temporary restraining order should be issued. The board
2 shall otherwise provide timely disposition of the reports received pursuant to Section
3 805 and Section 805.01.

4 (b) . . . (c).

5 9. Section 2227 of the Code provides, in pertinent part:

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

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

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

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

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

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

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

27 10. Section 2228 of the Code states:

28 The authority of the board or the California Board of Podiatric Medicine to
discipline a licensee by placing him or her on probation includes, but is not limited to,
the following:

(a) Requiring the licensee to obtain additional professional training and to pass
an examination upon the completion of the training. The examination may be written
or oral, or both, and may be a practical or clinical examination, or both, at the option
of the board or the administrative law judge.

(b) Requiring the licensee to submit to a complete diagnostic examination by
one or more physicians and surgeons appointed by the board. If an examination is
ordered, the board shall receive and consider any other report of a complete
diagnostic examination given by one or more physicians and surgeons of the
licensee's choice.

(c) Restricting or limiting the extent, scope, or type of practice of the licensee,
including requiring notice to applicable patients that the licensee is unable to perform

1 the indicated treatment, where appropriate.

2 (d) Providing the option of alternative community service in cases other than
3 violations relating to quality of care.

4 **STATUTORY PROVISIONS**

5 11. Section 2234 of the Code, provides in pertinent part:

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

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

11 (b) Gross negligence.

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

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

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

24 (d) . . . (g).

25 12. Section 2266 of the Code states: The failure of a physician and surgeon to maintain
26 adequate and accurate records relating to the provision of services to their patients constitutes
27 unprofessional conduct.

28 **COST RECOVERY**

13. Effective on January 1, 2022, section 125.3 of the Code was amended to provide as
follows:

(a) Except as otherwise provided by law, in any order issued in resolution of a disciplinary
proceeding before any board within the department or before the Osteopathic Medical Board,
upon request of the entity bringing the proceeding, the administrative law judge may direct a
licensee found to have committed a violation or violations of the licensing act to pay a sum not to
exceed the reasonable costs of the investigation and enforcement of the case.

1 (b) In the case of a disciplined licensee that is a corporation or a partnership, the order may
2 be made against the licensed corporate entity or licensed partnership.

3 (c) A certified copy of the actual costs, or a good faith estimate of costs where actual costs
4 are not available, signed by the entity bringing the proceeding or its designated representative
5 shall be prima facie evidence of reasonable costs of investigation and prosecution of the case. The
6 costs shall include the amount of investigative and enforcement costs up to the date of the
7 hearing, including, but not limited to, charges imposed by the Attorney General.

8 (d) The administrative law judge shall make a proposed finding of the amount of reasonable
9 costs of investigation and prosecution of the case when requested pursuant to subdivision (a). The
10 finding of the administrative law judge with regard to costs shall not be reviewable by the board
11 to increase the cost award. The board may reduce or eliminate the cost award, or remand to the
12 administrative law judge if the proposed decision fails to make a finding on costs requested
13 pursuant to subdivision (a).

14 (e) If an order for recovery of costs is made and timely payment is not made as directed in
15 the board's decision, the board may enforce the order for repayment in any appropriate court.
16 This right of enforcement shall be in addition to any other rights the board may have as to any
17 licensee to pay costs.

18 (f) In any action for recovery of costs, proof of the board's decision shall be conclusive
19 proof of the validity of the order of payment and the terms for payment.

20 (g) (1) Except as provided in paragraph (2), the board shall not renew or reinstate the
21 license of any licensee who has failed to pay all of the costs ordered under this section.

22 (2) Notwithstanding paragraph (1), the board may, in its discretion, conditionally renew or
23 reinstate for a maximum of one year the license of any licensee who demonstrates financial
24 hardship and who enters into a formal agreement with the board to reimburse the board within
25 that one-year period for the unpaid costs.

26 (h) All costs recovered under this section shall be considered a reimbursement for costs
27 incurred and shall be deposited in the fund of the board recovering the costs to be available upon
28 appropriation by the Legislature.

1 (i) Nothing in this section shall preclude a board from including the recovery of the costs of
2 investigation and enforcement of a case in any stipulated settlement.

3 (j) This section does not apply to any board if a specific statutory provision in that board's
4 licensing act provides for recovery of costs in an administrative disciplinary proceeding.

5 **FIRST CAUSE FOR DISCIPLINE**

6 **(Gross Negligence)**

7 14. Respondent Jaron Ross Andersen, M.D. is subject to disciplinary action under Code
8 section 2234, subdivision (b), in that he failed to remove the non-sterile contaminated cannulated
9 femur reamer, which had retained debris in it, and all other instruments that were in contact with
10 it, out of the sterile surgical field and to request a second sterile instrument tray in his care and
11 treatment of Patient A.¹ The circumstances are as follows:

12 15. On or about June 16, 2017, Patient A, a then fifty-nine-year-old male, presented to the
13 emergency room at California Hospital Medical Center after he had fallen from a ladder injuring
14 his left leg. He was found to have intertrochanteric² three-fragment fractures with displacement
15 of his left femur, among other injuries. He was admitted to the hospital for an open reduction
16 with internal fixation surgery.

17 16. On or about June 18, 2017, the patient was taken to the operating room where
18 Respondent was scheduled to perform a left proximal femur open reduction surgery with internal
19 fixation of the intertrochanteric fracture with intramedullary nailing.³ During the surgery, after
20 Respondent had inserted a wire into the patient's femur, he attempted to use a cannulated reamer⁴

21 ¹ For privacy, the patient in this Accusation is identified as Patient A. The patient's full
22 name will be disclosed to Respondent upon a timely request for discovery pursuant to
Government Code section 11507.6.

23 ² Intertrochanteric fracture is the fracture of the proximal femur located in the metaphyseal
24 bone in the region between the greater and lesser trochanters, which is a broad, flat process on the
25 femur, at the upper end of its lateral surface (greater trochanter), or a short conical process on the
posterior border of the base of its neck (lesser trochanter).

26 ³ Intramedullary nailing is surgery to repair a broken bone and keep it stable. A permanent
27 nail or rod is placed into the center of the bone that will help an individual to put weight on the
bone.

28 ⁴ A cannulated reamer is a medical device that allows a surgeon to remove bone in order
to place a rod or nail in a patient's bone.

1 and insert it into the femur, but noticed it would not go into the femur for more than a couple of
2 inches. He removed the reamer and noticed there was an obstruction in it (normally the inside of
3 the reamer is clear and one can see light at the end of it if one looks through it). Respondent
4 banged the reamer on the table and a wire came out indicating that the reamer had been
5 previously used and had not been properly sterilized and disinfected. Instead of removing the
6 contaminated reamer and all other instruments that had been in contact with it out of the surgical
7 field and ordering another sterile instrument tray, Respondent removed the retained wire from the
8 reamer and flushed the reamer with Betadine and saline, and continued with the surgery utilizing
9 the contaminated reamer. This exposed the patient to an increased risk for acquiring a surgical
10 wound infection.

11 17. In his operative report, Respondent failed to document the incident with the
12 contaminated cannulated reamer and his use of Betadine and saline in an attempt to sterilize the
13 contaminated instrument. In addition, the operative report contains numerous blank entries where
14 the transcriber was not able to transcribe all of Respondent's dictation; however, he failed to
15 augment his operative report.

16 18. Respondent's acts and omissions, collectively, constitute gross negligence in his care
17 and treatment of Patient A when he continued to utilize and failed to remove the contaminated
18 cannulated reamer on the patient after he discovered it had retained debris from a prior procedure
19 and had not been properly sterilized or disinfected, and failed to order a second sterile instrument
20 tray to utilize during the remainder of the procedure.

21 SECOND CAUSE FOR DISCIPLINE

22 (Repeated Negligent Acts)

23 19. Respondent Jaron Ross Andersen, M.D. is subject to disciplinary action under Code
24 section 2234, subdivision (c), in that he committed repeated negligent acts in his care and
25 treatment of Patient A. The circumstances are as follows:

26 20. Paragraphs 15 to 17, inclusive, above are incorporated by reference as if fully set
27 forth herein.

28 21. Respondent's acts and omissions constitute repeated negligent acts in his care and

1 treatment of Patient A when he continued to utilize and failed to remove the contaminated
2 cannulated reamer on the patient after he discovered it had retained debris from a prior procedure
3 and had not been properly sterilized or disinfected, and failed to order a second sterile instrument
4 tray to utilize during the remainder of the procedure.

5 **THIRD CAUSE FOR DISCIPLINE**

6 **(Failure to Maintain Adequate and Accurate Records)**

7 22. Respondent Jaron Ross Andersen, M.D. is subject to disciplinary action under Code
8 section 2266 in that he failed to maintain adequate and accurate records in his care and treatment
9 of Patient A. The circumstances are as follows:

10 23. Paragraphs 15 to 17, inclusive, above are incorporated by reference as if fully set
11 forth herein.

12 **DISCIPLINARY CONSIDERATIONS**

13 24. To determine the degree of discipline, if any, to be imposed on Respondent Jaron
14 Ross Andersen, M.D., Complainant alleges that on or about November 14, 2013, in a prior
15 disciplinary action titled *In the Matter of the Accusation Against Jaron Ross Andersen, M.D.*
16 before the Medical Board of California, in Case Number 06-2013-229405, Respondent's license
17 was revoked, the revocation was stayed, and he was placed on four (4) years' probation with
18 various terms and conditions for gross negligence, repeated negligent acts, prescribing without
19 exam/indication, excessive prescribing, inadequate records, dishonest acts, violation of drug
20 statutes, misuse of controlled substances, illegitimate prescriptions, false prescriptions and
21 obtaining prescriptions by fraud/deceit. That Decision is now final and is incorporated by
22 reference as if fully set forth herein.

23 25. To determine the degree of discipline, if any, to be imposed on Respondent Jaron
24 Ross Andersen, M.D., Complainant alleges that on or about July 23, 2015, in a prior disciplinary
25 action titled *In the Matter of the Accusation and Petition to Revoke Probation Against Jaron Ross*
26 *Andersen, M.D.* before the Medical Board of California, in Case Number 800-2014-003445,
27 Respondent's license was revoked, the revocation was stayed, and his probation was extended for
28 one (1) year under the same terms and conditions for unprofessional conduct, dishonest acts,


1 failure to abstain from controlled substances, failure to cooperate with biological fluid testing, and
2 failure to complete medical evaluation and treatment. That Decision is now final and is
3 incorporated by reference 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 Number A 97202,
8 issued to Respondent Jaron Ross Andersen, M.D.;
- 9 2. Revoking, suspending or denying approval of his authority to supervise physician
10 assistants and advanced practice nurses;
- 11 3. Ordering him to pay the Board reasonable costs of investigation and prosecution
12 incurred after January 1, 2022.
- 13 4. If placed on probation, ordering him to pay the Board the costs of probation
14 monitoring; and
- 15 5. Taking such other and further action as deemed necessary and proper.

16
17 DATED: FEB 08 2022


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

23 *Complainant*

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