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

In the Matter of the First Amended Accusation Against:

William Tigrett Savage, III, M.D.

Case No. 800-2018-046441

Physician's and Surgeon's Certificate No. G 84426

Respondent.

DECISION

The attached Stipulated Surrender of License 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 10, 2023.

IT IS SO ORDERED August 3, 2023.

MEDICAL BOARD OF CALIFORNIA

Reji Varghese

Executive Director

1 2 3 4 5 6 7	ROB BONTA Attorney General of California STEVE DIEHL Supervising Deputy Attorney General LYNETTE D. HECKER Deputy Attorney General State Bar No. 182198 California Department of Justice 2550 Mariposa Mall, Room 5090 Fresno, CA 93721 Telephone: (559) 705-2320 Facsimile: (559) 445-5106 Attorneys for Complainant	
8	BEFORE THE	
9	MEDICAL BOARD OF CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS	
10	STATE OF C.	
11	In the Matter of the First Amended Accusation	Case No. 800-2018-046441
12	Against:	OAH No. 2021030281
13 14	WILLIAM TIGRETT SAVAGE, III, M.D. PO Box 4860 Sonora, CA 95370	STIPULATED SURRENDER OF LICENSE AND ORDER
15 16	Physician's and Surgeon's Certificate No. G 84426	
17	Respondent.	
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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	<u>PARTIES</u>	
23	1. Reji Varghese (Complainant) is the Executive Director of the Medical Board of	
24	California (Board). This action is brought solely in his official capacity ¹ and is represented in	
25	this matter by Rob Bonta, Attorney General of the State of California, by Lynette D. Hecker,	
26	Deputy Attorney General.	
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28	William Prasifka was the Executive Dire Mr. Varghese has been named in the interim unti	ector of the Board when this action was filed. I a permanent Executive Director is secured.

- 2. William Tigrett Savage, III, M.D. (Respondent) is represented in this proceeding by attorney Mandy L. Jeffcoach, whose address is: 970 W. Alluvial Ave., Fresno, CA 93711.
- 3. On or about March 27, 1998, the Board issued Physician's and Surgeon's Certificate No. G 84426 to William Tigrett Savage, III, 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. 800-2018-046441 and will expire on August 31, 2023, unless renewed.

JURISDICTION

4. The First Amended Accusation No. 800-2018-046441 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 February 24, 2021. The First Amended Accusation and all other statutorily required documents were properly served on Respondent on March 30, 2022. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of First Amended Accusation No. 800-2018-046441 is attached as "Exhibit A" and incorporated by reference.

ADVISEMENT AND WAIVERS

- 5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in First Amended Accusation No. 800-2018-046441. Respondent also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Order.
- 6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the First Amended 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.
- 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

- 8. Respondent admits the truth of each and every charge and allegation in First Amended Accusation No. 800-2018-046441, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate.
- 9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation and that those charges constitute cause for discipline. Respondent hereby gives up his right to contest that cause for discipline exists based on those charges.
- 10. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Physician's and Surgeon's Certificate without further process.

CONTINGENCY

- 11. Business and Professions Code section 2224, subdivision (b), provides, in pertinent part, that the Medical Board "shall delegate to its executive director the authority to adopt a ... stipulation for surrender of a license."
- 12. Respondent understands that, by signing this stipulation, he enables the Executive Director of the Board to issue an order, on behalf of the Board, accepting the surrender of his Physician's and Surgeon's Certificate No. G 84426 without further notice to, or opportunity to be heard by, Respondent.
- 13. This Stipulated Surrender of License and Disciplinary Order shall be subject to the approval of the Executive Director on behalf of the Board. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be submitted to the Executive Director for his consideration in the above-entitled matter and, further, that the Executive Director shall have a reasonable period of time in which to consider and act on this Stipulated Surrender of License and Disciplinary Order after receiving it. By signing this stipulation, Respondent fully understands and agrees that he may not withdraw his agreement or seek to rescind this stipulation prior to the time the Executive Director, on behalf of the Medical Board, considers and acts upon it.

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The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be null and void and not binding upon the parties unless approved and adopted by the Executive Director on behalf of the Board, except for this paragraph, which shall remain in full force and effect. Respondent fully understands and agrees that in deciding whether or not to approve and adopt this Stipulated Surrender of License and Disciplinary Order, the Executive Director and/or the Board may receive oral and written communications from its staff and/or the Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the Executive Director, the Board, any member thereof, and/or any other person from future participation in this or any other matter affecting or involving respondent. In the event that the Executive Director on behalf of the Board does not, in his discretion, approve and adopt this Stipulated Surrender of License and Disciplinary Order, with the exception of this paragraph, it shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied upon or introduced in any disciplinary action by either party hereto. Respondent further agrees that should this Stipulated Surrender of License and Disciplinary Order be rejected for any reason by the Executive Director on behalf of the Board, Respondent will assert no claim that the Executive Director, the Board, or any member thereof, was prejudiced by its/his/her review, discussion and/or consideration of this Stipulated Surrender of License and Disciplinary Order or of any matter or matters related hereto.

ADDITIONAL PROVISIONS

- 15. This Stipulated Surrender of License and Disciplinary Order is intended by the parties herein to be an integrated writing representing the complete, final and exclusive embodiment of the agreements of the parties in the above-entitled matter.
- 16. The parties agree that copies of this Stipulated Surrender of License and Disciplinary Order, including copies of the signatures of the parties, may be used in lieu of original documents and signatures and, further, that such copies shall have the same force and effect as originals.
- 17. <u>In consideration of the foregoing admissions and stipulations, the parties agree</u>

 the Executive Director of the Board may, without further notice to or opportunity to be

heard by Respondent, issue and enter the following Disciplinary Order on behalf of the Board:

ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 84426, issued to Respondent William Tigrett Savage, III, M.D., is surrendered and accepted by the Board.

- 1. The surrender of Respondent's Physician's and Surgeon's Certificate and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.
- 2. Respondent shall lose all rights and privileges as a physician and surgeon in California as of the effective date of the Board's Decision and Order.
- 3. Respondent shall cause to be delivered to the Board his pocket license and, if one was issued, his wall certificate on or before the effective date of the Decision and Order.
- 4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked or surrendered license in effect at the time the petition is filed, and all of the charges and allegations contained in First Amended Accusation No. 800-2018-046441 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.
- 5. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$10,000.00 (ten thousand dollars) prior to issuance of a new or reinstated license.
- 6. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in First Amended Accusation, No. 800-2018-046441 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

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ACCEPTANCE 1 I have carefully read the above Stipulated Surrender of License and Order and have fully 2 discussed it with my attorney, Mandy L. Jeffcoach. I understand the stipulation and the effect it 3 will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of 4 License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the 5 Decision and Order of the Medical Board of California. 6 7 DATED: 6/23/2023 William Tigrett Savage III 8 Wilstrammiggrett SAVAGE, III, M.D. 9 Respondent I have read and fully discussed with Respondent, William Tigrett Savage, III, M.D., the 10 terms and conditions and other matters contained in this Stipulated Surrender of License and 11 12 Order. I approve its form and content. 13 14 15 Attorney for Resi 16 **ENDORSEMENT** 17 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted 18 for consideration by the Medical Board of California of the Department of Consumer Affairs. 19 20 Respectfully submitted, 21 DATED: **ROB BONTA** 22 Attorney General of California STEVE DIEHL 23 Supervising Deputy Attorney General 24 25 LYNETTE D. HECKER 26 Deputy Attorney General Attorneys for Complainant 27 FR2020301795 28 37113752.docx 6

ACCEPTANCE 1 I have carefully read the above Stipulated Surrender of License and Order and have fully 2 discussed it with my attorney, Mandy L. Jeffcoach. I understand the stipulation and the effect it 3 will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of 4 License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the 5 Decision and Order of the Medical Board of California. 6 7 DATED: 8 WILLIAM TIGRETT SAVAGE, III, M.D. 9 Respondent 10 I have read and fully discussed with Respondent, William Tigrett Savage, III, M.D., the 11 terms and conditions and other matters contained in this Stipulated Surrender of License and 12 Order. I approve its form and content. 13 14 DATED: MANDY L. JEFFCOACH 15 Attorney for Respondent 16 **ENDORSEMENT** 17 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted 18 for consideration by the Medical Board of California of the Department of Consumer Affairs. 19 20 DATED: 06/26/2023 Respectfully submitted, 21 ROB BONTA 22 Attorney General of California STEVE DIEHL 23 Supervising Deputy Attorney General

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LYNETTE D. HECKER

Deputy Attorney General Attorneys for Complainant

Exhibit A

First Amended Accusation No. 800-2018-046441

1	ROB BONTA		
2	Attorney General of California STEVE DIEHL Supervising Deputy Attorney General LYNETTE D. HECKER Deputy Attorney General State Bar No. 182198 California Department of Justice 2550 Mariposa Mall, Room 5090 Fresno, CA 93721 Telephone: (559) 705-2320		
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7	Facsimile: (559) 445-5106 Attorneys for Complainant		
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9	BEFORE THE MEDICAL BOARD OF CALIFORNIA		
10	DEPARTMENT OF CONSUMER AFFAIRS		
11	STATE OF CALIFORNIA		
12	In the Matter of the First Amended Accusation Case No. 800-2018-046441		
13	Against: FIRST AMENDED ACCUSATION		
14	WILLIAM TIGRETT SAVAGE, III, M.D. P.O. Box 4860		
15	Sonora, CA 95370-1860		
16	Physician's and Surgeon's Certificate		
	No. G 84426,		
17	Respondent.		
18 19	PARTIES		
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21	, , , , , , , , , , , , , , , , , , , ,		
	official capacity as the Executive Director of the Medical Board of California, Department of		
22	Consumer Affairs (Board).		
23	2. On or about March 27, 1998, the Medical Board issued Physician's and Surgeon's		
24	Certificate Number G 84426 to William Tigrett Savage, III, M.D. (Respondent). The Physician's		
25	and 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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(WILLIAM TIGRETT SAVAGE, III, M.D.) FIRST AMENDED ACCUSATION NO. 800-2018-046441

JURISDICTION

- 3. This First Amended 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.

STATUTORY PROVISIONS

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

FACTUAL ALLEGATIONS

7. At all times in issue in this action, Respondent was working as a physician, providing medical care and treatment of inmates at the Sierra Conservation Center.

Patient A²

- 8. On or about January 26, 2018, at or about 2031 hours, Respondent was notified by nursing staff that Patient A had complaints of pain from a spider bite, with physical findings of two areas near the inside bend of his right elbow that were red, swollen, and warm to touch. Patient A's vital signs, including a heart rate of 130 (110 when repeated) and a respiratory rate of 20, as well as a description of the size of the areas involved were provided to Respondent. Respondent was not on the premises and did not come in to evaluate Patient A. Instead, Respondent ordered warm compresses and an appointment for Patient A to be seen the next morning.
- 9. On or about January 27, 2018, at or about 1259 hours, Patient A was seen by Respondent. Respondent noted that Patient A had an abscess/cellulitis from using intravenous drugs next to the entry in Patient A's chart of his complaint of a spider bite. During that exam, Respondent did not ask Patient A if he used intravenous drugs, but felt it was probable given the location of his complaints on his right arm, combined with the finding that Patient A had track marks on the inside of the bend of his left elbow. The history of Patient A's complaints when Respondent saw him included pain and swelling at the inside of the elbow bend on his right arm for about four days with no fever, chills, nausea, or vomiting. Respondent documented exam findings of recent track marks on both of Patient A's inner elbow bend areas with approximately 23 x 13 cm swelling and redness on the right. Respondent did not palpate the areas about which Patient A was complaining. Respondent did not request labs. Respondent believed Patient A was intravenously shooting methamphetamine or amphetamine. Respondent diagnosed Patient A with right arm cellulitis and prescribed Bactrim and amoxicillin by mouth and gave him an appointment for a follow-up visit with a registered nurse.

² Patient names are not being used to maintain patient confidentiality.

10. The next day, on or about January 28, 2018, Respondent was informed by nursing staff that the redness on Patient A's right arm had increased to approximately 20 x 26 cm and his range of motion in that arm was becoming restricted. Respondent saw Patient A that afternoon/evening and felt that Patient A needed to be transferred to a higher level of care. Respondent had the option during this exam to start Patient A on IV antibiotics, but did not do so as he did not feel it was necessary at that time.

11. Patient A was then transferred to a local hospital where he was diagnosed with sepsis (an infection in his blood stream), secondary to the abscess in the muscles of his right arm. The abscess was surgically opened, drained, and debrided (i.e. infected, damaged, or dead tissue was removed). While in the hospital, Patient A's urine tested positive for methamphetamines.

Patient B

Respondent for a chief complaint of pain in his upper right abdomen for two days duration.

Respondent documented that Patient B ate a cinnamon roll for breakfast without problems and that he denied fever, chills, and nausea, but had vomited three times the preceding day. Patient B's heart rate was 108, his respiratory rate was 20, his blood pressure was 115/83, and his oxygen saturation level was 94%. On an abdominal exam, Respondent found bowel sounds were present, as was vague right upper quadrant pain, but Patient B had no rebound tenderness. Respondent felt Patient B's gallbladder was the source of his abdominal pain. Respondent ordered intravenous fluids, a comprehensive metabolic panel, a CBC with differential, a drug screen urine panel, prothrombin time with INR, 3 and medical episodic care follow-up. Respondent understood that the lab results would most likely not be available for a day or two.

13. Just under three hours later, Patient B presented to nursing staff with increased intensity of right upper abdominal pain. Patient B reported that he had an episode of sleep awakened by extreme pain (10/10) accompanied by writhing. Respondent may have put his hand

³ A prothrombin time (PT) is a test used to help detect and diagnose a bleeding disorder or excessive clotting disorder; the international normalized ratio (INR) is calculated from a PT result and is used to monitor how well the blood-thinning medication (anticoagulant) warfarin (Coumadin®) is working to prevent blood clots.

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on Patient B's abdomen to examine it, but did not document it. Respondent still thought that Patient B's gallbladder was the source of pain. He ordered Patient B's transfer to a hospital and called and spoke with a physician at the hospital to inform them of Patient B's condition.

14. At the hospital, Patient B was diagnosed with acute appendicitis. His appendix was laparoscopically removed and was found to be infected. Patient B was hospitalized from on or about August 5, 2017, through on or about August 8, 2017.

FIRST CAUSE FOR DISCIPLINE

(Gross Negligence)

- 15. Respondent is subject to disciplinary action under section 2234, subdivision (b), of the Code, in that he engaged in act(s) or omission(a) amounting to gross negligence. The circumstances are set forth in paragraphs 7 through 14, which are incorporated here by reference as if fully set forth. Additional circumstances are as follows:
- 16. The standard of care for managing a patient with cellulitis involves arriving at an assessment to decide if oral, intramuscular, or intravenous antibiotics are indicated. This assessment takes into account the risk factors for development of cellulitis, any current comorbidity which would lead to a decreased immunological response, vital signs, prior treatments (including oral antibiotics), lab studies if available, and physical findings. Respondent failed to properly recommend or treat Patient A's cellulitis with intravenous antibiotics on or about July 27, 2018. Respondent documented that Patient A had an abscess/cellulitis from using intravenous drugs, and recent track marks on the inner elbow region which are consistent with active drug use. During the nursing assessment on or about January 26, 2018, Respondent was made aware that Patient A's vital signs included a heart rate of 130 and a respiratory rate of 20. In the assessment and treatment of cellulitis, patients with two or more Systemic Inflammatory Response Syndrome criteria should be considered for intravenous antibiotics. The treatment of cellulitis for active injection drug users is intravenous antibiotics with activity against both methicillin resistant staph aureus and streptococcus. Respondent treated Patient A's cellulitis with oral amoxicillin and Bactrim. Respondent's failure to treat Patient A's cellulitis with

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intravenous antibiotics during his initial visit, on or about January 27, 2018, constitutes gross negligence.

17. The standard of care in evaluating a patient with acute abdominal pain is to perform a history and physical exam to arrive at an assessment of whether the condition is benign, urgent, or an emergent situation. The diagnosis can be of a benign nature, and not warrant further workup. If the condition is not considered benign, the standard of care is to order specific lab work and/or diagnostic studies to either confirm or rule out a specific diagnosis. Respondent failed to order any diagnostic studies to determine the cause of Patient B's abdominal pain. Respondent felt the cause of pain was from the gallbladder. The diagnostic study of choice for initially assessing right upper quadrant pain would be ultrasonography. The lab studies ordered by Respondent would not have diagnosed the cause of Patient B's abdominal pain and results would not have been available for one to two days. Patient B was diagnosed at the hospital with acute gangrenous non-perforated appendix. Respondent did not consider the appendix as a possible source of Patient B's pain. The diagnostic study of choice for right lower quadrant pain is computed tomography. The lab studies ordered by Respondent would not have diagnosed acute appendicitis and results would not have been available for a day or two. Respondent's failure to order any diagnostic studies as part of the work-up to arrive at a diagnosis for Patient B's abdominal pain constitutes gross negligence.

SECOND CAUSE FOR DISCIPLINE

(Repeated Negligent Acts)

18. Respondent is subject to disciplinary action under section 2234, subdivision (c), of the Code, in that he committed repeated acts of negligence. The circumstances are set forth in paragraphs 7 through 17, which are incorporated here by reference as if fully set forth.

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