

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

In the Matter of the Accusation
Against:

Lawrence Allen Wetterau, M.D.

Physician's and Surgeon's
Certificate No. A 62927

Respondent.

Case No.: 800-2020-068906

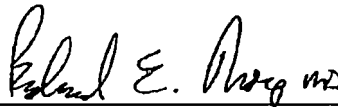
DECISION

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 February 23, 2024.

IT IS SO ORDERED: January 25, 2024.

MEDICAL BOARD OF CALIFORNIA



Richard E. Thorp, Chair
Panel B

1 ROB BONTA
Attorney General of California
2 ROBERT MCKIM BELL
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7

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

11 In the Matter of the Accusation Against:
12 **LAWRENCE ALLEN WETTERAU, M.D.**
13 **121 West Winnie Way**
Arcadia, CA 91007
14 **Physician's and Surgeon's Certificate No. A**
62927
15
16 Respondent.

Case No. 800-2020-068906

OAH No. 2023060962

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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

19 **PARTIES**

20 1. Reji Varghese (Complainant) is the Executive Director of the Medical Board of
21 California (Board). He brought this action solely in his official capacity and is represented in this
22 matter by Rob Bonta, Attorney General of the State of California, by Brian D. Bill, Deputy
23 Attorney General.

24 2. Respondent Lawrence Allen Wetterau, M.D. (Respondent) is represented in this
25 proceeding by attorney John Bishop, whose address is: 4100 Newport Place, Suite 670
26 Newport Beach, CA 92660.

27 3. On or about June 27, 1997, the Board issued Physician's and Surgeon's Certificate
28 No. A 62927 to Lawrence Allen Wetterau, M.D. (Respondent). The Physician's and Surgeon's

1 Certificate was in full force and effect at all times relevant to the charges brought in Accusation
2 No. 800-2020-068906, and will expire on May 31, 2025, unless renewed.

3 **JURISDICTION**

4 4. Accusation No. 800-2020-068906 was filed before the Board, and is currently
5 pending against Respondent. The Accusation and all other statutorily required documents were
6 properly served on Respondent on August 30, 2022. Respondent timely filed his Notice of
7 Defense contesting the Accusation.

8 5. A copy of Accusation No. 800-2020-068906 is attached as Exhibit A and
9 incorporated herein by reference.

10 **ADVISEMENT AND WAIVERS**

11 6. Respondent has carefully read, fully discussed with counsel, and understands the
12 charges and allegations in Accusation No. 800-2020-068906. Respondent has also carefully read,
13 and fully discussed with his counsel, and understands the effects of this Stipulated Settlement and
14 Disciplinary Order.

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

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

23 **CULPABILITY**

24 9. Respondent understands and agrees that the charges and allegations in Accusation
25 No. 800-2020-068906, if proven at a hearing, constitute cause for imposing discipline upon his
26 Physician's and Surgeon's Certificate.

27 10. Respondent agrees that, at a hearing, Complainant could establish a prima facie case
28 or factual basis for the charges in the Accusation, and that Respondent hereby gives up his right

1 to contest those charges.

2 11. Respondent does not contest that, at an administrative hearing, Complainant could
3 establish a prima facie case with respect to the charges and allegations in Accusation No. 800-
4 2020-068906, a true and correct copy of which is attached hereto as Exhibit A, and that he has
5 thereby subjected his Physician's and Surgeon's Certificate, No. A 62927 to disciplinary action.

6 12. Respondent agrees that his Physician's and Surgeon's Certificate is subject to
7 discipline and he agrees to be bound by the Board's probationary terms as set forth in the
8 Disciplinary Order below.

9 **RESERVATION**

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

14 **CONTINGENCY**

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

25 15. Respondent agrees that if he ever petitions for early termination or modification of
26 probation, or if an accusation and/or petition to revoke probation is filed against him before the
27 Board, all of the charges and allegations contained in Accusation No. 800-2020-068906 shall be
28 deemed true, correct and fully admitted by respondent for purposes of any such proceeding or any

1 other licensing proceeding involving Respondent in the State of California.

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

5 17. In consideration of the foregoing admissions and stipulations, the parties agree that
6 the Board may, without further notice or opportunity to be heard by the Respondent, issue and
7 enter the following Disciplinary Order:

8 **DISCIPLINARY ORDER**

9 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 62927 issued
10 to Respondent LAWRENCE ALLEN WETTERAU, M.D. is revoked. However, the revocation
11 is stayed and Respondent is placed on probation for four (4) years on the following terms and
12 conditions.

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

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

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

25 3. **EDUCATION COURSE.** Within 60 calendar days of the effective date of this
26 Decision, and on an annual basis thereafter, Respondent shall submit to the Board or its designee
27 for its prior approval educational program(s) or course(s) which shall not be less than 40 hours
28 per year, for each year of probation. The educational program(s) or course(s) shall be aimed at

1 correcting any areas of deficient practice or knowledge and shall be Category I certified. The
2 educational program(s) or course(s) shall be at Respondent's expense and shall be in addition to
3 the Continuing Medical Education (CME) requirements for renewal of licensure. Following the
4 completion of each course, the Board or its designee may administer an examination to test
5 Respondent's knowledge of the course. Respondent shall provide proof of attendance for 65
6 hours of CME of which 40 hours were in satisfaction of this condition.

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

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

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

25 5. PSYCHIATRIC EVALUATION. Within 30 calendar days of the effective date of
26 this Decision, and on whatever periodic basis thereafter may be required by the Board or its
27 designee, Respondent shall undergo and complete a psychiatric evaluation (and psychological
28 testing, if deemed necessary) by a Board-appointed board certified psychiatrist, who shall

1 consider any information provided by the Board or designee and any other information the
2 psychiatrist deems relevant, and shall furnish a written evaluation report to the Board or its
3 designee. Psychiatric evaluations conducted prior to the effective date of the Decision shall not
4 be accepted towards the fulfillment of this requirement. Respondent shall pay the cost of all
5 psychiatric evaluations and psychological testing.

6 Respondent shall comply with all restrictions or conditions recommended by the evaluating
7 psychiatrist within 15 calendar days after being notified by the Board or its designee.

8 6. PSYCHOTHERAPY. Within 60 calendar days of the effective date of this Decision,
9 Respondent shall submit to the Board or its designee for prior approval the name and
10 qualifications of a California-licensed board certified psychiatrist or a licensed psychologist who
11 has a doctoral degree in psychology and at least five years of postgraduate experience in the
12 diagnosis and treatment of emotional and mental disorders. Upon approval, Respondent shall
13 undergo and continue psychotherapy treatment, including any modifications to the frequency of
14 psychotherapy, until the Board or its designee deems that no further psychotherapy is necessary.

15 The psychotherapist shall consider any information provided by the Board or its designee
16 and any other information the psychotherapist deems relevant and shall furnish a written
17 evaluation report to the Board or its designee. Respondent shall cooperate in providing the
18 psychotherapist with any information and documents that the psychotherapist may deem
19 pertinent.

20 Respondent shall have the treating psychotherapist submit quarterly status reports to the
21 Board or its designee. The Board or its designee may require Respondent to undergo psychiatric
22 evaluations by a Board-appointed board certified psychiatrist. If, prior to the completion of
23 probation, Respondent is found to be mentally unfit to resume the practice of medicine without
24 restrictions, the Board shall retain continuing jurisdiction over Respondent's license and the
25 period of probation shall be extended until the Board determines that Respondent is mentally fit
26 to resume the practice of medicine without restrictions.

27 Respondent shall pay the cost of all psychotherapy and psychiatric evaluations.

28 7. MONITORING - PRACTICE. Within 30 calendar days of the effective date of this

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

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

16 Within 60 calendar days of the effective date of this Decision, and continuing throughout
17 probation, Respondent's probation shall be monitored by the approved monitor. Respondent shall
18 make all records available for immediate inspection and copying on the premises by the monitor
19 at all times during business hours and shall retain the records for the entire term of probation.

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

25 The monitor(s) shall submit a quarterly written report to the Board or its designee which
26 includes an evaluation of Respondent's performance, indicating whether Respondent's practices
27 are within the standards of practice of medicine, and whether Respondent is practicing medicine
28 safely. It shall be the sole responsibility of Respondent to ensure that the monitor submits the

1 quarterly written reports to the Board or its designee within 10 calendar days after the end of the
2 preceding quarter.

3 If the monitor resigns or is no longer available, Respondent shall, within 5 calendar days of
4 such resignation or unavailability, submit to the Board or its designee, for prior approval, the
5 name and qualifications of a replacement monitor who will be assuming that responsibility within
6 15 calendar days. If Respondent fails to obtain approval of a replacement monitor within 60
7 calendar days of the resignation or unavailability of the monitor, Respondent shall receive a
8 notification from the Board or its designee to cease the practice of medicine within three (3)
9 calendar days after being so notified. Respondent shall cease the practice of medicine until a
10 replacement monitor is approved and assumes monitoring responsibility.

11 In lieu of a monitor, Respondent may participate in a professional enhancement program
12 approved in advance by the Board or its designee that includes, at minimum, quarterly chart
13 review, semi-annual practice assessment, and semi-annual review of professional growth and
14 education. Respondent shall participate in the professional enhancement program at Respondent's
15 expense during the term of probation.

16 8. NOTICE OF EMPLOYER OR SUPERVISOR INFORMATION. Within seven (7)
17 days of the effective date of this Decision, Respondent shall provide to the Board the names,
18 physical addresses, mailing addresses, and telephone numbers of any and all employers and
19 supervisors. Respondent shall also provide specific, written consent for the Board, Respondent's
20 worksite monitor, and Respondent's employers and supervisors to communicate regarding
21 Respondent's work status, performance, and monitoring.

22 For purposes of this section, "supervisors" shall include the Chief of Staff and Health or
23 Well Being Committee Chair, or equivalent, if applicable, when the Respondent has medical staff
24 privileges.

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

1 make daily contact with the Board or its designee to determine whether biological fluid testing is
2 required. Respondent shall be tested on the date of the notification as directed by the Board or its
3 designee. The Board may order a Respondent to undergo a biological fluid test on any day, at
4 any time, including weekends and holidays. Except when testing on a specific date as ordered by
5 the Board or its designee, the scheduling of biological fluid testing shall be done on a random
6 basis. The cost of biological fluid testing shall be borne by the Respondent.

7 During the first year of probation, Respondent shall be subject to 52 to 104 random tests.
8 During the second year of probation and for the duration of the probationary term, up to five (5)
9 years, Respondent shall be subject to 36 to 104 random tests per year. Only if there has been no
10 positive biological fluid tests in the previous five (5) consecutive years of probation, may testing
11 be reduced to one (1) time per month. Nothing precludes the Board from increasing the number
12 of random tests to the first-year level of frequency for any reason.

13 Prior to practicing medicine, Respondent shall contract with a laboratory or service,
14 approved in advance by the Board or its designee, that will conduct random, unannounced,
15 observed, biological fluid testing and meets all of the following standards:

16 (a) Its specimen collectors are either certified by the Drug and Alcohol Testing Industry
17 Association or have completed the training required to serve as a collector for the United
18 States Department of Transportation.

19 (b) Its specimen collectors conform to the current United States Department of
20 Transportation Specimen Collection Guidelines.

21 (c) Its testing locations comply with the Urine Specimen Collection Guidelines published
22 by the United States Department of Transportation without regard to the type of test
23 administered.

24 (d) Its specimen collectors observe the collection of testing specimens.

25 (e) Its laboratories are certified and accredited by the United States Department of Health
26 and Human Services.

27 (f) Its testing locations shall submit a specimen to a laboratory within one (1) business day
28 of receipt and all specimens collected shall be handled pursuant to chain of custody

1 procedures. The laboratory shall process and analyze the specimens and provide legally
2 defensible test results to the Board within seven (7) business days of receipt of the
3 specimen. The Board will be notified of non-negative results within one (1) business day
4 and will be notified of negative test results within seven (7) business days.

5 (g) Its testing locations possess all the materials, equipment, and technical expertise
6 necessary in order to test Respondent on any day of the week.

7 (h) Its testing locations are able to scientifically test for urine, blood, and hair specimens
8 for the detection of alcohol and illegal and controlled substances.

9 (i) It maintains testing sites located throughout California.

10 (j) It maintains an automated 24-hour toll-free telephone system and/or a secure on-line
11 computer database that allows the Respondent to check in daily for testing.

12 (k) It maintains a secure, HIPAA-compliant website or computer system that allows staff
13 access to drug test results and compliance reporting information that is available 24 hours a
14 day.

15 (l) It employs or contracts with toxicologists that are licensed physicians and have
16 knowledge of substance abuse disorders and the appropriate medical training to interpret
17 and evaluate laboratory biological fluid test results, medical histories, and any other
18 information relevant to biomedical information.

19 (m) It will not consider a toxicology screen to be negative if a positive result is obtained
20 while practicing, even if the Respondent holds a valid prescription for the substance.

21 Prior to changing testing locations for any reason, including during vacation or other travel,
22 alternative testing locations must be approved by the Board and meet the requirements above.

23 The contract shall require that the laboratory directly notify the Board or its designee of
24 non-negative results within one (1) business day and negative test results within seven (7)
25 business days of the results becoming available. Respondent shall maintain this laboratory or
26 service contract during the period of probation.

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

1 If a biological fluid test result indicates Respondent has used, consumed, ingested, or
2 administered to himself or herself a prohibited substance, the Board shall order Respondent to
3 cease practice and instruct Respondent to leave any place of work where Respondent is practicing
4 medicine or providing medical services. The Board shall immediately notify all of Respondent's
5 employers, supervisors and work monitors, if any, that Respondent may not practice medicine or
6 provide medical services while the cease-practice order is in effect.

7 A biological fluid test will not be considered negative if a positive result is obtained while
8 practicing, even if the practitioner holds a valid prescription for the substance. If no prohibited
9 substance use exists, the Board shall lift the cease-practice order within one (1) business day.

10 After the issuance of a cease-practice order, the Board shall determine whether the positive
11 biological fluid test is in fact evidence of prohibited substance use by consulting with the
12 specimen collector and the laboratory, communicating with the licensee, his or her treating
13 physician(s), other health care provider, or group facilitator, as applicable.

14 For purposes of this condition, the terms "biological fluid testing" and "testing" mean the
15 acquisition and chemical analysis of a Respondent's urine, blood, breath, or hair.

16 For purposes of this condition, the term "prohibited substance" means an illegal drug, a
17 lawful drug not prescribed or ordered by an appropriately licensed health care provider for use by
18 Respondent and approved by the Board, alcohol, or any other substance the Respondent has been
19 instructed by the Board not to use, consume, ingest, or administer to himself or herself.

20 If the Board confirms that a positive biological fluid test is evidence of use of a prohibited
21 substance, Respondent has committed a major violation, as defined in section 1361.52(a), and the
22 Board shall impose any or all of the consequences set forth in section 1361.52(b), in addition to
23 any other terms or conditions the Board determines are necessary for public protection or to
24 enhance Respondent's rehabilitation.

25 10. SUBSTANCE ABUSE SUPPORT GROUP MEETINGS. Within thirty (30) days of
26 the effective date of this Decision, Respondent shall submit to the Board or its designee, for its
27 prior approval, the name of a substance abuse support group which he or she shall attend for the
28 duration of probation. Respondent shall attend substance abuse support group meetings at least

1 once per week, or as ordered by the Board or its designee. Respondent shall pay all substance
2 abuse support group meeting costs.

3 The facilitator of the substance abuse support group meeting shall have a minimum of three
4 (3) years experience in the treatment and rehabilitation of substance abuse, and shall be licensed
5 or certified by the state or nationally certified organizations. The facilitator shall not have a
6 current or former financial, personal, or business relationship with Respondent within the last five
7 (5) years. Respondent's previous participation in a substance abuse group support meeting led by
8 the same facilitator does not constitute a prohibited current or former financial, personal, or
9 business relationship.

10 The facilitator shall provide a signed document to the Board or its designee showing
11 Respondent's name, the group name, the date and location of the meeting, Respondent's
12 attendance, and Respondent's level of participation and progress. The facilitator shall report any
13 unexcused absence by Respondent from any substance abuse support group meeting to the Board,
14 or its designee, within twenty-four (24) hours of the unexcused absence.

15 11. WORKSITE MONITOR FOR SUBSTANCE-ABUSING LICENSEE. Within thirty
16 (30) calendar days of the effective date of this Decision, Respondent shall submit to the Board or
17 its designee for prior approval as a worksite monitor, the name and qualifications of one or more
18 licensed physician and surgeon, other licensed health care professional if no physician and
19 surgeon is available, or, as approved by the Board or its designee, a person in a position of
20 authority who is capable of monitoring the Respondent at work.

21 The worksite monitor shall not have a current or former financial, personal, or familial
22 relationship with Respondent, or any other relationship that could reasonably be expected to
23 compromise the ability of the monitor to render impartial and unbiased reports to the Board or its
24 designee. If it is impractical for anyone but Respondent's employer to serve as the worksite
25 monitor, this requirement may be waived by the Board or its designee, however, under no
26 circumstances shall Respondent's worksite monitor be an employee or supervisee of the licensee.

27 The worksite monitor shall have an active unrestricted license with no disciplinary action
28 within the last five (5) years, and shall sign an affirmation that he or she has reviewed the terms

1 and conditions of Respondent's disciplinary order and agrees to monitor Respondent as set forth
2 by the Board or its designee.

3 Respondent shall pay all worksite monitoring costs.

4 The worksite monitor shall have face-to-face contact with Respondent in the work
5 environment on as frequent a basis as determined by the Board or its designee, but not less than
6 once per week; interview other staff in the office regarding Respondent's behavior, if requested
7 by the Board or its designee; and review Respondent's work attendance.

8 The worksite monitor shall verbally report any suspected substance abuse to the Board and
9 Respondent's employer or supervisor within one (1) business day of occurrence. If the suspected
10 substance abuse does not occur during the Board's normal business hours, the verbal report shall
11 be made to the Board or its designee within one (1) hour of the next business day. A written
12 report that includes the date, time, and location of the suspected abuse; Respondent's actions; and
13 any other information deemed important by the worksite monitor shall be submitted to the Board
14 or its designee within 48 hours of the occurrence.

15 The worksite monitor shall complete and submit a written report monthly or as directed by
16 the Board or its designee which shall include the following: (1) Respondent's name and
17 Physician's and Surgeon's Certificate number; (2) the worksite monitor's name and signature; (3)
18 the worksite monitor's license number, if applicable; (4) the location or location(s) of the
19 worksite; (5) the dates Respondent had face-to-face contact with the worksite monitor; (6) the
20 names of worksite staff interviewed, if applicable; (7) a report of Respondent's work attendance;
21 (8) any change in Respondent's behavior and/or personal habits; and (9) any indicators that can
22 lead to suspected substance abuse by Respondent. Respondent shall complete any required
23 consent forms and execute agreements with the approved worksite monitor and the Board, or its
24 designee, authorizing the Board, or its designee, and worksite monitor to exchange information.

25 If the worksite monitor resigns or is no longer available, Respondent shall, within five (5)
26 calendar days of such resignation or unavailability, submit to the Board or its designee, for prior
27 approval, the name and qualifications of a replacement monitor who will be assuming that
28 responsibility within fifteen (15) calendar days. If Respondent fails to obtain approval of a

1 replacement monitor within sixty (60) calendar days of the resignation or unavailability of the
2 monitor, Respondent shall receive a notification from the Board or its designee to cease the
3 practice of medicine within three (3) calendar days after being so notified. Respondent shall
4 cease the practice of medicine until a replacement monitor is approved and assumes monitoring
5 responsibility.

6 12. VIOLATION OF PROBATION CONDITION FOR SUBSTANCE ABUSING
7 LICENSEES . Failure to fully comply with any term or condition of probation is a violation of
8 probation.

9 A. If Respondent commits a major violation of probation as defined by section
10 1361.52, subdivision (a), of Title 16 of the California Code of Regulations, the Board shall take
11 one or more of the following actions:

12 (1) Issue an immediate cease-practice order and order Respondent to undergo a clinical
13 diagnostic evaluation to be conducted in accordance with section 1361.5, subdivision (c)(1), of
14 Title 16 of the California Code of Regulations, at Respondent's expense. The cease-practice
15 order issued by the Board or its designee shall state that Respondent must test negative for at least
16 a month of continuous biological fluid testing before being allowed to resume practice. For
17 purposes of determining the length of time a Respondent must test negative while undergoing
18 continuous biological fluid testing following issuance of a cease-practice order, a month is
19 defined as thirty calendar (30) days. Respondent may not resume the practice of medicine until
20 notified in writing by the Board or its designee that he or she may do so.

21 (2) Increase the frequency of biological fluid testing.

22 (3) Refer Respondent for further disciplinary action, such as suspension, revocation, or
23 other action as determined by the Board or its designee.

24 B. If Respondent commits a minor violation of probation as defined by section
25 1361.52, subdivision (c), of Title 16 of the California Code of Regulations, the Board shall take
26 one or more of the following actions:

27 (1) Issue a cease-practice order;

28 (2) Order practice limitations;

- 1 (3) Order or increase supervision of Respondent;
- 2 (4) Order increased documentation;
- 3 (5) Issue a citation and fine, or a warning letter;
- 4 (6) Order Respondent to undergo a clinical diagnostic evaluation to be conducted in
- 5 accordance with section 1361.5, subdivision (c)(1), of Title 16 of the California Code of
- 6 Regulations, at Respondent's expense;
- 7 (7) Take any other action as determined by the Board or its designee.

8 C. Nothing in this Decision shall be considered a limitation on the Board's authority
9 to revoke Respondent's probation if he or she has violated any term or condition of probation. If
10 Respondent violates probation in any respect, the Board, after giving Respondent notice and the
11 opportunity to be heard, may revoke probation and carry out the disciplinary order that was
12 stayed. If an Accusation, or Petition to Revoke Probation, or an Interim Suspension Order is filed
13 against Respondent during probation, the Board shall have continuing jurisdiction until the matter
14 is final, and the period of probation shall be extended until the matter is final.

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

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

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

27 15. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby
28 ordered to reimburse the Board its costs of investigation and enforcement, including, but not

1 limited to, expert review, legal reviews, and investigation(s), as applicable, in the amount of
2 \$5,758.00 (five thousand seven hundred and fifty-eight dollars). Costs shall be payable to the
3 Medical Board of California. Failure to pay such costs shall be considered a violation of
4 probation.

5 Payment must be made in full within 30 calendar days of the effective date of the Order, or
6 by a payment plan approved by the Medical Board of California. Any and all requests for a
7 payment plan shall be submitted in writing by respondent to the Board. Failure to comply with
8 the payment plan shall be considered a violation of probation.

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

11 16. QUARTERLY DECLARATIONS. Respondent shall submit quarterly declarations
12 under penalty of perjury on forms provided by the Board, stating whether there has been
13 compliance with all the conditions of probation.

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

16 17. GENERAL PROBATION REQUIREMENTS.

17 Compliance with Probation Unit

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

19 Address Changes

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

25 Place of Practice

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

1 License Renewal

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

4 Travel or Residence Outside California

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

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

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

14 19. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
15 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
16 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is
17 defined as any period of time Respondent is not practicing medicine as defined in Business and
18 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct
19 patient care, clinical activity or teaching, or other activity as approved by the Board. If
20 Respondent resides in California and is considered to be in non-practice, Respondent shall
21 comply with all terms and conditions of probation. All time spent in an intensive training
22 program which has been approved by the Board or its designee shall not be considered non-
23 practice and does not relieve Respondent from complying with all the terms and conditions of
24 probation. Practicing medicine in another state of the United States or Federal jurisdiction while
25 on probation with the medical licensing authority of that state or jurisdiction shall not be
26 considered non-practice. A Board-ordered suspension of practice shall not be considered as a
27 period of non-practice.

28 In the event Respondent's period of non-practice while on probation exceeds 18 calendar

1 months, Respondent shall successfully complete the Federation of State Medical Boards's Special
2 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program
3 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model
4 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

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

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

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

12 20. COMPLETION OF PROBATION. Respondent shall comply with all financial
13 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the
14 completion of probation. This term does not include cost recovery, which is due within 30
15 calendar days of the effective date of the Order, or by a payment plan approved by the Medical
16 Board and timely satisfied. Upon successful completion of probation, Respondent's certificate
17 shall be fully restored.

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

25 22. LICENSE SURRENDER. Following the effective date of this Decision, if
26 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy
27 the terms and conditions of probation, Respondent may request to surrender his or her license.
28 The Board reserves the right to evaluate Respondent's request and to exercise its discretion in

1 determining whether or not to grant the request, or to take any other action deemed appropriate
2 and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent
3 shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its
4 designee and Respondent shall no longer practice medicine. Respondent will no longer be subject
5 to the terms and conditions of probation. If Respondent re-applies for a medical license, the
6 application shall be treated as a petition for reinstatement of a revoked certificate.

7 23. PROBATION MONITORING COSTS. Respondent shall pay the costs associated
8 with probation monitoring each and every year of probation, as designated by the Board, which
9 may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of
10 California and delivered to the Board or its designee no later than January 31 of each calendar
11 year.

12 24. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for
13 a new license or certification, or petition for reinstatement of a license, by any other health care
14 licensing action agency in the State of California, all of the charges and allegations contained in
15 Accusation No. 800-2020-068906 shall be deemed to be true, correct, and admitted by
16 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or
17 restrict license.

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ACCEPTANCE

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

DATED: 9/25/2023

DocuSigned by:
Lawrence Wetterau

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LAWRENCE ALLEN WETTERAU, M.D.
Respondent

I have read and fully discussed with Respondent Lawrence Allen Wetterau, M.D. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 9/25/2023

DocuSigned by:
John Bishop

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JOHN BISHOP
Attorney for Respondent

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ENDORSEMENT

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

DATED: September 25, 2023

Respectfully submitted,

ROB BONTA
Attorney General of California
ROBERT MCKIM BELL
Supervising Deputy Attorney General



BRIAN D. BILL
Deputy Attorney General
Attorneys for Complainant

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Attorney General of California
2 EDWARD KIM
Supervising Deputy Attorney General
3 BRIAN D. BILL
Deputy Attorney General
4 State Bar No. 239146
Department of Justice
5 300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
6 Telephone: (213) 269-6461
Facsimile: (916) 731-2117
7 *Attorneys for Complainant*

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:

Case No. 800-2020-068906

13 **LAWRENCE ALLEN WETTERAU, M.D.**
14 **121 W. Winnie Way**
15 **Arcadia, CA 91007**

A C C U S A T I O N

16 **Physician's and Surgeon's Certificate**
17 **No. A 62927,**

Respondent.

18 **PARTIES**

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

21 2. On or about June 27, 1997, the Board issued Physician's and Surgeon's Certificate
22 Number A 62927 to Lawrence Allen Wetterau, M.D. (Respondent). The Physician's and
23 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
24 herein and will expire on May 31, 2023, unless renewed.

25 **JURISDICTION**

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

1 4. Section 2227 of the Code states:

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

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

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

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

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

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

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

23 5. Section 2220 of the Code states:

24 Except as otherwise provided by law, the board may take action against all
25 persons guilty of violating this chapter. The board shall enforce and administer this
26 article as to physician and surgeon certificate holders, including those who hold
27 certificates that do not permit them to practice medicine, such as, but not limited to,
28 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
 interim suspension order or temporary restraining order should be issued. The board
 shall otherwise provide timely disposition of the reports received pursuant to Section
 805 and Section 805.01.

 (b) Investigating the circumstances of practice of any physician and surgeon
 where there have been any judgments, settlements, or arbitration awards requiring the
 physician and surgeon or his or her professional liability insurer to pay an amount in
 damages in excess of a cumulative total of thirty thousand dollars (\$30,000) with
 respect to any claim that injury or damage was proximately caused by the physician's
 and surgeon's error, negligence, or omission.

 (c) Investigating the nature and causes of injuries from cases which shall be

1 reported of a high number of judgments, settlements, or arbitration awards against a
2 physician and surgeon.

3 6. Section 2228 of the Code states:

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

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

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

16 (c) Restricting or limiting the extent, scope, or type of practice of the licensee,
17 including requiring notice to applicable patients that the licensee is unable to perform
18 the indicated treatment, where appropriate.

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

21 STATUTORY PROVISIONS

22 7. Section 2234 of the Code, states:

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

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

28 (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.

1 (d) Incompetence.

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

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

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

9 8. Section 2236 of the Code states:

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

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

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

28 (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.

9. 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
one misdemeanor or any felony involving the use, consumption, or
self-administration of any of the substances referred to in this section, or any
combination thereof, constitutes unprofessional conduct. The record of the
conviction is conclusive evidence of such unprofessional conduct.

(b) A plea or verdict of guilty or a conviction following a plea of nolo
contendere is deemed to be a conviction within the meaning of this section. The
Medical Board may order discipline of the licensee in accordance with Section 2227
or the Medical Board may order the denial of the license when the time for appeal has

1 elapsed or the judgment of conviction has been affirmed on appeal or when an order
2 granting probation is made suspending imposition of sentence, irrespective of a
3 subsequent order under the provisions of Section 1203.4 of the Penal Code allowing
4 such person to withdraw his or her plea of guilty and to enter a plea of not guilty, or
5 setting aside the verdict of guilty, or dismissing the accusation, complaint,
6 information, or indictment.

7 **COST RECOVERY**

8 10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
9 administrative law judge to direct a licensee found to have committed a violation or violations of
10 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
11 enforcement of the case, with failure of the licensee to comply subjecting the license to not being
12 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
13 included in a stipulated settlement.

14 **FACTUAL ALLEGATIONS**

15 11. On or about June 30, 2020, Riverside Sheriff's Deputies ("Deputies") were
16 dispatched to the intersection of Lemon and Orange Streets in the city of Wildomar, California to
17 investigate a person suspected of driving under the influence, in violation of California Vehicle
18 Code, section 23152, subdivision (a).

19 12. Upon arrival, Deputies observed an individual, later identified as Respondent, seated
20 in the driver's seat of a vehicle parked on the side of the road. Deputies observed damage to the
21 front driver's side of the vehicle.

22 13. Upon contacting Respondent, Deputies observed that Respondent displayed objective
23 signs and symptoms of intoxication, including bloodshot and watery eyes, and the odor of
24 alcohol. According to the investigation report, Respondent denied consuming alcohol prior to
25 driving. Additionally, Respondent admitted that he hit a curb while he was driving the vehicle,
26 which caused the damage.

27 14. Deputies asked Respondent to exit his vehicle and perform a series of field sobriety
28 tests ("FSTs")¹. Respondent failed to satisfactorily perform the FSTs as explained by the

¹ Field Sobriety Tests (FSTs) are a battery of tests administered by a law enforcement officer during a traffic stop to determine if a driver may be intoxicated.

1 Deputies. Respondent then submitted to a preliminary alcohol screening (“PAS”)² test to
2 determine Respondent’s blood alcohol content (“BAC”).³ The PAS test documented
3 Respondent’s BAC as 0.203 percent, approximately two and one-half times the legal limit of .08
4 percent.

5 15. Based upon Respondent’s admission that he was driving the vehicle, the objective
6 signs and symptoms of his intoxication, his performance on the FSTs, and the results of the PAS
7 test, Deputies arrested Respondent for driving under the influence of alcohol, in violation of
8 California Vehicle Code, section 23152, subdivision (a).

9 16. After the arrest, Deputies asked Respondent to submit to a second BAC toxicology
10 test (either a blood or breath sample). Respondent elected to provide a blood sample, which
11 ultimately revealed that Respondent’s BAC was .216 percent.

12 17. On or about December 21, 2020, the Riverside District Attorney’s Office filed a
13 criminal complaint against Respondent in a case entitled *The People of the State of California v.*
14 *Lawrence Allen Wetterau*, Riverside Superior Court Case No. SWM2006534. The complaint
15 alleged that on or about June 30, 2020, Respondent drove a vehicle while under the influence of
16 alcohol, in violation of California Vehicle Code, section 23152, subdivision (a)(Count 1, a
17 misdemeanor), and that on or about June 30, 2020, Respondent drove a vehicle while having a
18 BAC of .08 percent or more, in violation of California Vehicle Code, section 23152, subdivision
19 (b)(Count 2, a misdemeanor) . Both counts included a sentencing enhancement for driving with a
20 BAC of 0.15 percent or greater, in violation of California Vehicle Code, section 23578.

21 18. On or about April 13, 2021, Respondent pleaded guilty to Count No. 2, a violation of
22 California Vehicle Code, section 23152, subdivision (b), and he admitted the sentencing
23 enhancement in violation of California Vehicle Code, section 23578. Count No. 1 was dismissed
24 pursuant to Respondent’s guilty plea. Respondent was sentenced to three years of summary
25

26 ² A preliminary alcohol-screening test is administered via a handheld breath testing
27 machine. The PAS test is typically administered at the scene of the traffic stop.

28 ³ Blood Alcohol Content (BAC) is a measurement of the percentage of alcohol in a
person's blood.

1 probation with terms and conditions, including being required to serve four days in county jail,
2 perform 16 days of community service, complete a first DUI offender program, and pay various
3 fines and fees.

4 **FIRST CAUSE FOR DISCIPLINE**

5 **(Conviction of a Crime Substantially Related to the Practice of Medicine)**

6 19. Respondent Lawrence Allen Wetterau, M.D. is subject to disciplinary action under
7 California Business and Professions Code, section 2236, subdivision (a), in that on or about April
8 13, 2021, in a criminal case entitled *The People of the State of California v. Lawrence Allen*
9 *Wetterau*, Riverside Superior Court Case No. SWM2006534, Respondent was convicted by a plea
10 of guilty to driving a vehicle while having a BAC of .08 percent or more, in violation of
11 California Vehicle Code, section 23152, subdivision (b), and Respondent admitted that his BAC
12 was 0.15 percent or greater while driving, a sentencing enhancement in violation of California
13 Vehicle Code, section 23578. The circumstances are as follows:

14 20. The facts and allegations contained in Paragraphs 11 through 18 above are
15 incorporated herein by reference as if fully set forth.

16 **SECOND CAUSE FOR DISCIPLINE**

17 **(Dangerous Use of Alcohol)**

18 21. Respondent Lawrence Allen Wetterau, M.D. is subject to disciplinary action under
19 California Business and Professions Code, section 2239, subdivision (a) in that on June 30, 2020,
20 Respondent drove a vehicle with a BAC of .216 percent in violation of California Vehicle Code,
21 sections 23152, subdivision (b), and 23578. The circumstances are as follows:

22 22. The allegations contained in the First Cause for Discipline are incorporated herein by
23 reference as if fully set forth.

24 **THIRD CAUSE FOR DISCIPLINE**

25 **(Unprofessional Conduct)**

26 23. Respondent Lawrence Allen Wetterau, M.D. is subject to disciplinary action under
27 California Business and Professions Code, section 2234, subdivision (a), in that Respondent
28 committed unprofessional conduct, generally. The circumstances are as follows:

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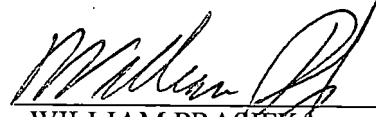
24. The allegations contained in the First and Second Causes for Discipline are incorporated herein by reference as if fully set forth.

PRAYER

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

1. Revoking or suspending Physician’s and Surgeon’s Certificate Number A 62927, issued to Respondent Lawrence Allen Wetterau, M.D.;
2. Revoking, suspending or denying approval of Respondent Lawrence Allen Wetterau, M.D.’s authority to supervise physician assistants and advanced practice nurses;
3. Ordering Respondent Lawrence Allen Wetterau, M.D., to pay the Board the costs of the investigation and enforcement of this case, and if placed on probation, the costs of probation monitoring; and
4. Taking such other and further action as deemed necessary and proper.

DATED: AUG 30 2022



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

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