

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

In the Matter of the Accusation Against:

Seth David Ammerman, M.D.

Physician's and Surgeon's
Certificate No. G 54409

Respondent.

Case No. 800-2023-095154


DECISION

The attached Stipulated Surrender of License and 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 May 21, 2024.

IT IS SO ORDERED May 14, 2024.

MEDICAL BOARD OF CALIFORNIA



Reji Varghese
Executive Director

1 ROB BONTA
Attorney General of California
2 GREG W. CHAMBERS
Supervising Deputy Attorney General
3 HARRIET NEWMAN
Deputy Attorney General
4 State Bar No. 189784
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
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Attorneys for Complainant
7

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

11 In the Matter of the Accusation Against:

Case No. 800-2023-095154

12 **SETH DAVID AMMERMAN, M.D.**
13 **1381 UNIVERSITY ST.**
HEALDSBURG, CA 95448-3314

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

14 **Physician's and Surgeon's Certificate No. G**
15 **54409**

16 Respondent

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

20 **PARTIES**

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

25 2. SETH DAVID AMMERMAN, M.D. (Respondent) is represented in this proceeding
26 by attorney Joseph C. Gharrity, whose address is: 111 Pine Street, Suite 1530, San Francisco, CA
27 94111.
28

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

17 **ADDITIONAL PROVISIONS**

18 15. This Stipulated Surrender of License and Disciplinary Order is intended by the parties
19 herein to be an integrated writing representing the complete, final and exclusive embodiment of
20 the agreements of the parties in the above-entitled matter.

21 16. The parties agree that copies of this Stipulated Surrender of License and Disciplinary
22 Order, including copies of the signatures of the parties, may be used in lieu of original documents
23 and signatures and, further, that such copies shall have the same force and effect as originals.

24 17. In consideration of the foregoing admissions and stipulations, the parties agree the
25 Executive Director of the Board may, without further notice to or opportunity to be heard by
26 Respondent, issue and enter the following Disciplinary Order on behalf of the Board:

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ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 54409, issued to Respondent SETH DAVID AMMERMAN, 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 Accusation No. 800-2023-095154 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 \$6,525.50 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 Accusation No. 800-2023-095154 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

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

DATED: 5-1-24 *Seth David Ammerman* M.D.
SETH DAVID AMMERMAN, M.D.
Respondent

I have read and fully discussed with Respondent Seth David Ammerman, M.D. the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: 5/1/24 *Joseph C. Gharrity*
JOSEPH C. GHARRITY
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Medical Board of California of the Department of Consumer Affairs.

DATED: 5/1/24 Respectfully submitted,
ROB BONTA
Attorney General of California
GREG W. CHAMBERS
Supervising Deputy Attorney General
Harriet Newman
HARRIET NEWMAN
Deputy Attorney General
Attorneys for Complainant

Exhibit A

Accusation No. 800-2023-095154

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**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
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In the Matter of the Accusation Against:
SETH DAVID AMMERMAN, M.D.
1381 UNIVERSITY ST
HEALDSBURG CA 95448-3314
Physician's and Surgeon's Certificate
No. G 54409

Respondent.

Case No. 800-2023-095154

A C C U S A T I O N

PARTIES

1. Reji Varghese (Complainant) brings this Accusation solely in his official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs (Board).
2. On or about March 18, 1985, the Medical Board issued Physician's and Surgeon's Certificate Number G 54409 to Seth David Ammerman, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on April 30, 2024, unless renewed.

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JURISDICTION

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

5 4. Section 2227 of the Code states, in pertinent part:

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

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

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

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

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

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

20 5. Section 2234 of the Code states:

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

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

26 6. Unprofessional conduct under Business and Professions Code section 2234 is conduct
27 which breaches the rules or ethical code of the medical profession, or conduct which is
28 unbecoming of a member in good standing of the medical profession, and which demonstrates an

1 unfitness to practice medicine. (*Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564,
2 575.)

3 7. Section 2236 of the Code states;

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

8 ...
9 (d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to
10 be a conviction within the meaning of this section and Section 2236.1. The record of conviction
11 shall be conclusive evidence of the fact that the conviction occurred.

12 8. Section 2239 of the Code states:

13 (a) The use or prescribing for or administering to himself or herself, of any controlled
14 substance; or the use of any of the dangerous drugs specified in Section 4022, or of alcoholic
15 beverages, to the extent, or in such a manner as to be dangerous or injurious to the licensee, or to
16 any other person or to the public, or to the extent that such use impairs the ability of the licensee
17 to practice medicine safely or more than one misdemeanor or any felony involving the use,
18 consumption, or self-administration of any of the substances referred to in this section, or any
19 combination thereof, constitutes unprofessional conduct. The record of the conviction is
20 conclusive evidence of such unprofessional conduct.

21 9. California Code of Regulations, title 16, section 1360, states:

22 (a) For the purposes of denial, suspension or revocation of a license pursuant to Section 141
23 or Division 1.5 (commencing with Section 475) of the code, a crime, professional misconduct, or
24 act shall be considered to be substantially related to the qualifications, functions or duties of a
25 person holding a license if to a substantial degree it evidences present or potential unfitness of a
26 person holding a license to perform the functions authorized by the license in a manner consistent
27 with the public health, safety or welfare. Such crimes, professional misconduct, or acts shall
28 include but not be limited to the following: Violating or attempting to violate, directly or

1 indirectly, or assisting in or abetting the violation of, or conspiring to violate any provision of
2 state or federal law governing the applicant's or licensee's professional practice.

3 **COST RECOVERY**

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

10 **FIRST CAUSE FOR DISCIPLINE**

11 **(Conviction of an Offense Substantially Related to the Qualifications, Functions or Duties of**
12 **a Physician and Surgeon)**

13 11. Respondent has subjected his Physician's and Surgeon's Certificate No. G 54409 to
14 disciplinary action under sections 2227 and 2234, as defined by section 2236 of the Code, and
15 California Code of Regulations, title 16, section 1360, in that he was convicted of an offense
16 substantially related to the qualifications, functions, or duties of a physician and surgeon, as more
17 particularly alleged hereinafter:

18 12. On or about April 2, 2022, a San Francisco Police Officer responded to a report of a
19 solo vehicle accident, in which Respondent drove his vehicle into a pole causing property
20 damage. The officer contacted Respondent who admitted to driving the vehicle. Respondent was
21 unable to perform a series of field sobriety tests. Respondent subsequently provided a blood test
22 resulting in a .22% blood alcohol concentration.

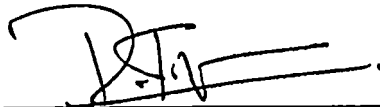
23 13. On or about April 19, 2022, the San Francisco County District Attorney's Office filed
24 a criminal complaint against Respondent in the matter of *The People of the State of California vs.*
25 *Seth Ammerman*, San Francisco County Superior Court Case No. CRI-22003191. Respondent
26 was charged with two counts: violation of Vehicle Code section 23152(a), driving a vehicle while
27 under the influence of alcohol; and violation of Vehicle Code section 23152(b), driving a vehicle
28 while having a blood alcohol level of .08% or higher.

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 G 54409, issued to Respondent Seth David Ammerman, M.D.;
2. Revoking, suspending or denying approval of Respondent Seth David Ammerman, M.D.'s authority to supervise physician assistants and advanced practice nurses;
3. Ordering Respondent Seth David Ammerman, 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: MAR 21 2024



REJI VARGHESE
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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