

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

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

Grant William Robicheaux, M.D.

**Physician's and Surgeon's
Certificate No. A 108059,**

Respondent.

Case No.: 800-2017-039466

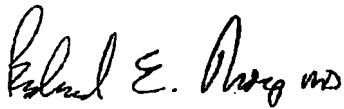
DECISION

The attached Stipulated Settlement and Disciplinary 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 July 24, 2024.

IT IS SO ORDERED: June 24, 2024.

MEDICAL BOARD OF CALIFORNIA



**Richard E. Thorp, Chair
Panel B**

1 ROB BONTA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 CHRISTINE A. RHEE
Deputy Attorney General
4 State Bar No. 295656
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 738-9455
7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

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

12
13 In the Matter of the Second Amended
14 Accusation Against:

15 **GRANT WILLIAM ROBICHEAUX, M.D.**
16 **515 S. Orange Ave.**
Brea, CA 92821-6556

17 **Physician's and Surgeon's Certificate**
No. A 108059,

18 Respondent.

Case No. 800-2017-039466

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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

22 **PARTIES**

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

27 2. Respondent Grant William Robicheaux, M.D. (Respondent), is representing himself
28 in this proceeding and has chosen not to exercise his right to be represented by counsel.

3. On or about May 30, 2009, the Board issued Physician's and Surgeon's Certificate No. A 108059 to Respondent. The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Second Amended Accusation No. 800-2017-039466, and will expire on August 31, 2026, unless renewed.

JURISDICTION

4. Second Amended Accusation No. 800-2017-039466 was filed before the Board, and is currently pending against Respondent. The Second Amended Accusation and all other statutorily required documents were properly served on Respondent on February 23, 2024. Respondent timely filed his Notice of Defense.

5. A true and correct copy of Second Amended Accusation No. 800-2017-039466 is attached as Exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, and understands the charges and allegations in Second Amended Accusation No. 800-2017-039466. Respondent has also carefully read, and understands the effects of this Stipulated Settlement and Disciplinary Order.

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

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

CULPABILITY

9. Respondent does not contest that, at an administrative hearing, Complainant could establish a prima facie case with respect to the charges and allegations contained in Second

///

1 Amended Accusation No. 800-2017-039466, and that he has thereby subjected his license to
2 disciplinary action.

3 10. Respondent agrees that if he ever petitions for early termination or modification of
4 probation, or if the Board ever petitions for revocation of probation, all of the charges and
5 allegations contained in Second Amended Accusation No. 800-2017-039466 shall be deemed
6 true, correct, and admitted by Respondent for purposes of that proceeding or any other licensing
7 proceeding involving Respondent in the State of California.

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

11 CONTINGENCY

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

22 ADDITIONAL PROVISIONS

23 13. This Stipulated Settlement and Disciplinary Order is intended to be an integrated
24 writing representing the complete, final, and exclusive embodiment of the agreements of the
25 parties in the above-listed matter.

26 14. The parties understand and agree that copies of this Stipulated Settlement and
27 Disciplinary Order, including copies of the signatures of the parties, may be used in lieu of

28 ///

original documents and signatures and, further, that such copies shall have the same force and effect as originals.

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

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 108059 issued to Respondent Grant William Robicheaux, M.D., is revoked. However, the revocation is stayed and Respondent is placed on probation for four (4) years from the effective date of this Decision on the following terms and conditions:

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

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

2. **PROCTORING.** Within thirty (30) calendar days of the effective date of this Decision, Respondent shall submit to the Board or its designee for prior approval as a proctor, the name and qualifications of one or more licensed physicians and surgeons whose license is valid and in good standing with the Board, and who is preferably American Board of Medical Specialties (ABMS) certified. A proctor shall have no prior or current business or personal relationship with Respondent, or other relationship that could reasonably be expected to compromise the ability of the proctor to render fair and unbiased reports to the Board (including,

///

1 but not limited to, any form of bartering), shall be in Respondent's field of practice, and must
2 agree to serve as Respondent's proctor. Respondent shall pay all proctoring costs, if any.

3 The Board or its designee shall provide the approved proctor with copies of the Decision(s)
4 and Second Amended Accusation. Respondent shall successfully complete at least ten (10)
5 surgeries under the aforementioned proctor. After completion of the ten (10) surgeries pursuant
6 to this section, the proctor shall submit a report to the Board or its designee which unequivocally
7 states whether Respondent has demonstrated the ability to safely and independently perform
8 surgeries. Respondent shall not perform surgeries without a proctor until Respondent has
9 successfully completed all ten (10) of the proctored cases required by this condition and
10 Respondent's proctor has so notified the Board or its designee, in writing. Based on
11 Respondent's performance during the proctored cases, the proctor shall also advise the Board or
12 its designee of his/her/their recommendation(s), if any, for any additional education, clinical
13 training, and/or further evaluation as may be necessary to ensure Respondent's safe practice.
14 Respondent shall comply with the proctor's recommendations.

15 Respondent shall make all records available for immediate inspection and copying on the
16 premises by the proctor at all times during business hours and shall retain the records for the
17 entire term of probation.

18 If the proctor resigns or is no longer available, Respondent shall, within five (5) calendar
19 days of such resignation or unavailability, submit to the Board or its designee, for prior approval,
20 the name and qualifications of a replacement proctor who will be assuming the responsibility
21 within fifteen (15) calendar days. If Respondent fails to obtain the approval of a replacement
22 proctor within fifteen (15) calendar days of the resignation or unavailability of the proctor,
23 Respondent shall receive a notification from the Board or its designee to cease performing
24 surgeries within three (3) calendar days after being so notified. Respondent shall cease
25 performing surgeries until a replacement proctor is approved and assumes proctoring
26 responsibility.

27 3. CLINICAL DIAGNOSTIC EVALUATIONS AND REPORTS. Within thirty (30)
28 calendar days of the effective date of this Decision, and on whatever periodic basis thereafter as

1 may be required by the Board or its designee, Respondent shall undergo and complete a clinical
2 diagnostic evaluation, including any and all testing deemed necessary, by a Board-appointed
3 board certified physician and surgeon. The examiner shall consider any information provided by
4 the Board or its designee and any other information he or she deems relevant, and shall furnish a
5 written evaluation report to the Board or its designee.

6 The clinical diagnostic evaluation shall be conducted by a licensed physician and surgeon
7 who holds a valid, unrestricted license, has three (3) years' experience in providing evaluations of
8 physicians and surgeons with substance abuse disorders, and is approved by the Board or its
9 designee. The clinical diagnostic evaluation shall be conducted in accordance with acceptable
10 professional standards for conducting substance abuse clinical diagnostic evaluations. The
11 evaluator shall not have a current or former financial, personal, or business relationship with
12 Respondent within the last five (5) years. The evaluator shall provide an objective, unbiased, and
13 independent evaluation. The clinical diagnostic evaluation report shall set forth, in the
14 evaluator's opinion, whether Respondent has a substance abuse problem, whether Respondent is a
15 threat to himself or others, and recommendations for substance abuse treatment, practice
16 restrictions, or other recommendations related to Respondent's rehabilitation and ability to
17 practice safely. If the evaluator determines during the evaluation process that Respondent is a
18 threat to himself or others, the evaluator shall notify the Board within twenty-four (24) hours of
19 such a determination.

20 In formulating his or her opinion as to whether Respondent is safe to return to either part-
21 time or full-time practice and what restrictions or recommendations should be imposed, including
22 participation in an inpatient or outpatient treatment program, the evaluator shall consider the
23 following factors: Respondent's license type; Respondent's history; Respondent's documented
24 length of sobriety (i.e., length of time that has elapsed since Respondent's last substance use);
25 Respondent's scope and pattern of substance abuse; Respondent's treatment history, medical
26 history and current medical condition; the nature, duration and severity of Respondent's
27 substance abuse problem or problems; and whether Respondent is a threat to himself or the
28 public.

1 For all clinical diagnostic evaluations, a final written report shall be provided to the Board
2 no later than ten (10) days from the date the evaluator is assigned the matter. If the evaluator
3 requests additional information or time to complete the evaluation and report, an extension may
4 be granted, but shall not exceed thirty (30) days from the date the evaluator was originally
5 assigned the matter.

6 The Board shall review the clinical diagnostic evaluation report within five (5) business
7 days of receipt to determine whether Respondent is safe to return to either part-time or full-time
8 practice and what restrictions or recommendations shall be imposed on Respondent based on the
9 recommendations made by the evaluator. Respondent shall not be returned to practice until he
10 has at least thirty (30) days of negative biological fluid tests or biological fluid tests indicating
11 that he has not used, consumed, ingested, or administered to himself a prohibited substance, as
12 defined in section 1361.51, subdivision (e), of Title 16 of the California Code of Regulations.

13 Clinical diagnostic evaluations conducted prior to the effective date of this Decision shall
14 not be accepted towards the fulfillment of this requirement. The cost of the clinical diagnostic
15 evaluation, including any and all testing deemed necessary by the examiner, the Board or its
16 designee, shall be borne by the licensee.

17 Respondent shall not engage in the practice of medicine until notified by the Board or its
18 designee that he is fit to practice medicine safely. The period of time that Respondent is not
19 practicing medicine shall not be counted toward completion of the term of probation. Respondent
20 shall undergo biological fluid testing as required in this Decision at least two (2) times per week
21 while awaiting the notification from the Board if he is fit to practice medicine safely.

22 Respondent shall comply with all restrictions or conditions recommended by the examiner
23 conducting the clinical diagnostic evaluation within fifteen (15) calendar days after being notified
24 by the Board or its designee.

25 4. NOTICE OF EMPLOYER OR SUPERVISOR INFORMATION. Within seven (7)
26 days of the effective date of this Decision, Respondent shall provide to the Board the names,
27 physical addresses, mailing addresses, and telephone numbers of any and all employers and
28 supervisors. Respondent shall also provide specific, written consent for the Board, Respondent's

1 worksite monitor, and Respondent's employers and supervisors to communicate regarding
2 Respondent's work status, performance, and monitoring.

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

6 5. BIOLOGICAL FLUID TESTING. Respondent shall immediately submit to
7 biological fluid testing, at Respondent's expense, upon request of the Board or its designee.
8 "Biological fluid testing" may include, but is not limited to, urine, blood, breathalyzer, hair
9 follicle testing, or similar drug screening approved by the Board or its designee. Respondent shall
10 make daily contact with the Board or its designee to determine whether biological fluid testing is
11 required. Respondent shall be tested on the date of the notification as directed by the Board or its
12 designee. The Board may order a Respondent to undergo a biological fluid test on any day, at
13 any time, including weekends and holidays. Except when testing on a specific date as ordered by
14 the Board or its designee, the scheduling of biological fluid testing shall be done on a random
15 basis. The cost of biological fluid testing shall be borne by the Respondent.

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

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

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

28 ///

- 1 (b) Its specimen collectors conform to the current United States Department of
2 Transportation Specimen Collection Guidelines.
- 3 (c) Its testing locations comply with the Urine Specimen Collection Guidelines published
4 by the United States Department of Transportation without regard to the type of test
5 administered.
- 6 (d) Its specimen collectors observe the collection of testing specimens.
- 7 (e) Its laboratories are certified and accredited by the United States Department of Health
8 and Human Services.
- 9 (f) Its testing locations shall submit a specimen to a laboratory within one (1) business day
10 of receipt and all specimens collected shall be handled pursuant to chain of custody
11 procedures. The laboratory shall process and analyze the specimens and provide legally
12 defensible test results to the Board within seven (7) business days of receipt of the
13 specimen. The Board will be notified of non-negative results within one (1) business day
14 and will be notified of negative test results within seven (7) business days.
- 15 (g) Its testing locations possess all the materials, equipment, and technical expertise
16 necessary in order to test Respondent on any day of the week.
- 17 (h) Its testing locations are able to scientifically test for urine, blood, and hair specimens
18 for the detection of alcohol and illegal and controlled substances.
- 19 (i) It maintains testing sites located throughout California.
- 20 (j) It maintains an automated 24-hour toll-free telephone system and/or a secure on-line
21 computer database that allows the Respondent to check in daily for testing.
- 22 (k) It maintains a secure, HIPAA-compliant website or computer system that allows staff
23 access to drug test results and compliance reporting information that is available 24 hours a
24 day.
- 25 (l) It employs or contracts with toxicologists that are licensed physicians and have
26 knowledge of substance abuse disorders and the appropriate medical training to interpret
27 and evaluate laboratory biological fluid test results, medical histories, and any other
28 information relevant to biomedical information.

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

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

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

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

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

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

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

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

26 For purposes of this condition, the term "prohibited substance" means an illegal drug, a
27 lawful drug not prescribed or ordered by an appropriately licensed health care provider for use by

28 ///

Respondent and approved by the Board, alcohol, or any other substance the Respondent has been instructed by the Board not to use, consume, ingest, or administer to himself.

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

6. SUBSTANCE ABUSE SUPPORT GROUP MEETINGS. Within thirty (30) days of the effective date of this Decision, Respondent shall submit to the Board or its designee, for its prior approval, the name of a substance abuse support group which he shall attend for the duration of probation. Respondent shall attend substance abuse support group meetings at least once per week, or as ordered by the Board or its designee. Respondent shall pay all substance abuse support group meeting costs.

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

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

7. WORKSITE MONITOR FOR SUBSTANCE-ABUSING LICENSEE. Within thirty (30) calendar days of the effective date of this Decision, Respondent shall submit to the Board or its designee for prior approval as a worksite monitor, the name and qualifications of one or more

1 licensed physician and surgeon, other licensed health care professional if no physician and
2 surgeon is available, or, as approved by the Board or its designee, a person in a position of
3 authority who is capable of monitoring the Respondent at work.

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

10 The worksite monitor shall have an active unrestricted license with no disciplinary action
11 within the last five (5) years, and shall sign an affirmation that he or she has reviewed the terms
12 and conditions of Respondent's disciplinary order and agrees to monitor Respondent as set forth
13 by the Board or its designee.

14 Respondent shall pay all worksite monitoring costs.

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

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

26 The worksite monitor shall complete and submit a written report monthly or as directed by
27 the Board or its designee which shall include the following: (1) Respondent's name and
28 Physician's and Surgeon's Certificate number; (2) the worksite monitor's name and signature; (3)

1 the worksite monitor's license number, if applicable; (4) the location or location(s) of the
2 worksite; (5) the dates Respondent had face-to-face contact with the worksite monitor; (6) the
3 names of worksite staff interviewed, if applicable; (7) a report of Respondent's work attendance;
4 (8) any change in Respondent's behavior and/or personal habits; and (9) any indicators that can
5 lead to suspected substance abuse by Respondent. Respondent shall complete any required
6 consent forms and execute agreements with the approved worksite monitor and the Board, or its
7 designee, authorizing the Board, or its designee, and worksite monitor to exchange information.

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

17 8. VIOlation OF PROBATION CONDITION FOR SUBSTANCE ABUSING
18 LICENSEES. Failure to fully comply with any term or condition of probation is a violation of
19 probation.

20 A. If Respondent commits a major violation of probation as defined by section
21 1361.52, subdivision (a), of Title 16 of the California Code of Regulations, the Board shall take
22 one or more of the following actions:

23 (1) Issue an immediate cease-practice order and order Respondent to undergo a clinical
24 diagnostic evaluation to be conducted in accordance with section 1361.5, subdivision (c)(1), of
25 Title 16 of the California Code of Regulations, at Respondent's expense. The cease-practice
26 order issued by the Board or its designee shall state that Respondent must test negative for at least
27 a month of continuous biological fluid testing before being allowed to resume practice. For
28 purposes of determining the length of time Respondent must test negative while undergoing

1 continuous biological fluid testing following issuance of a cease-practice order, a month is
2 defined as thirty calendar (30) days. Respondent may not resume the practice of medicine until
3 notified in writing by the Board or its designee that he may do so.

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

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

7 B. If Respondent commits a minor violation of probation as defined by section
8 1361.52, subdivision (c), of Title 16 of the California Code of Regulations, the Board shall take
9 one or more of the following actions:

10 (1) Issue a cease-practice order;

11 (2) Order practice limitations;

12 (3) Order or increase supervision of Respondent;

13 (4) Order increased documentation;

14 (5) Issue a citation and fine, or a warning letter;

15 (6) Order Respondent to undergo a clinical diagnostic evaluation to be conducted in
16 accordance with section 1361.5, subdivision (c)(1), of Title 16 of the California Code of
17 Regulations, at Respondent's expense;

18 (7) Take any other action as determined by the Board or its designee.

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

26 9. NOTIFICATION. Within seven (7) days of the effective date of this Decision, the
27 Respondent shall provide a true copy of this Decision and Second Amended Accusation to the
28 Chief of Staff or the Chief Executive Officer at every hospital where privileges or membership

1 are extended to Respondent, at any other facility where Respondent engages in the practice of
2 medicine, including all physician and locum tenens registries or other similar agencies, and to the
3 Chief Executive Officer at every insurance carrier which extends malpractice insurance coverage
4 to Respondent. Respondent shall submit proof of compliance to the Board or its designee within
5 fifteen (15) calendar days.

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

7 10. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE
8 NURSES. During probation, Respondent is prohibited from supervising physician assistants and
9 advanced practice nurses.

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

13 12. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby
14 ordered to reimburse the Board its costs of investigation and enforcement, including, but not
15 limited to, amended accusations, legal reviews, investigation(s), and subpoena enforcement, as
16 applicable, in the amount of \$30,141.25 (thirty thousand, one hundred and forty-one dollars and
17 twenty-five cents). Costs shall be payable to the Medical Board of California. Failure to pay such
18 costs shall be considered a violation of probation.

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

23 The filing of bankruptcy by Respondent shall not relieve Respondent of the responsibility
24 to repay investigation and enforcement costs.

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

28 ///

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

14. GENERAL PROBATION REQUIREMENTS.

Compliance with Probation Unit

Respondent shall comply with the Board's probation unit.

Address Changes

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

Place of Practice

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

License Renewal

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

Travel or Residence Outside California

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

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

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

1 16. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
2 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
3 thirty (30) calendar days and within fifteen (15) calendar days of Respondent's return to practice.
4 Non-practice is defined as any period of time Respondent is not practicing medicine as defined in
5 Business and Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month
6 in direct patient care, clinical activity or teaching, or other activity as approved by the Board. If
7 Respondent resides in California and is considered to be in non-practice, Respondent shall
8 comply with all terms and conditions of probation. All time spent in an intensive training
9 program which has been approved by the Board or its designee shall not be considered non-
10 practice and does not relieve Respondent from complying with all the terms and conditions of
11 probation. Practicing medicine in another state of the United States or Federal jurisdiction while
12 on probation with the medical licensing authority of that state or jurisdiction shall not be
13 considered non-practice. A Board-ordered suspension of practice shall not be considered as a
14 period of non-practice.

15 In the event Respondent's period of non-practice while on probation exceeds eighteen (18)
16 calendar months, Respondent shall successfully complete the Federation of State Medical
17 Boards's Special Purpose Examination, or, at the Board's discretion, a clinical competence
18 assessment program that meets the criteria of Condition 18 of the current version of the Board's
19 "Manual of Model Disciplinary Orders and Disciplinary Guidelines" prior to resuming the
20 practice of medicine.

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

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

23 Periods of non-practice for a Respondent residing outside of California will relieve
24 Respondent of the responsibility to comply with the probationary terms and conditions with the
25 exception of this condition and the following terms and conditions of probation: Obey All Laws;
26 General Probation Requirements; Quarterly Declarations; Abstain from the Use of Controlled
27 Substances; and Biological Fluid Testing.

28 ///

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

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

14 19. LICENSE SURRENDER. Following the effective date of this Decision, if
15 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy
16 the terms and conditions of probation, Respondent may request to surrender his license. The
17 Board reserves the right to evaluate Respondent's request and to exercise its discretion in
18 determining whether or not to grant the request, or to take any other action deemed appropriate
19 and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent
20 shall within fifteen (15) calendar days deliver Respondent's wallet and wall certificate to the
21 Board or its designee and Respondent shall no longer practice medicine. Respondent will no
22 longer be subject to the terms and conditions of probation. If Respondent re-applies for a medical
23 license, the application shall be treated as a petition for reinstatement of a revoked certificate.

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

21. FUTURE ADMISSIONS CLAUSE. 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 action agency in the State of California, all of the charges and allegations contained in Second Amended Accusation No. 800-2017-039466 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 license.

ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order. 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: 5/9/24

GRANT WILLIAM ROBICHEAUX, M.D.
Respondent

ENDORSEMENT

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

DATED: _____

Respectfully submitted,

ROB BONTA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General

CHRISTINE A. RHEE
Deputy Attorney General
Attorneys for Complainant

SD2020800178
84525976.docx

21. FUTURE ADMISSIONS CLAUSE. 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 action agency in the State of California, all of the charges and allegations contained in Second Amended Accusation No. 800-2017-039466 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 license.

ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order. 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:

GRANT WILLIAM ROBICHEAUX, M.D.
Respondent

ENDORSEMENT

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

DATED: May 10, 2024

Respectfully submitted,

ROB BONTA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General

OK

CHRISTINE A. RHEE
Deputy Attorney General
Attorneys for Complainant

SD2020800178
84525976.docx

1 ROB BONTA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 CHRISTINE A. RHEE
Deputy Attorney General
4 State Bar No. 295656
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 738-9455
7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

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

12
13 In the Matter of the Second Amended
Accusation Against:

Case No. 800-2017-039466

14 **GRANT WILLIAM ROBICHEAUX, M.D.**
15 **19114 High Meadow Lane**
16 **Tomball, TX 77377-5732**

SECOND AMENDED ACCUSATION

17 **Physician's and Surgeon's Certificate**
No. A 108059,

18 Respondent.

19
20 **PARTIES**

21 1. Reji Varghese (Complainant) brings this Second Amended Accusation solely in his
22 official capacity as the Executive Director of the Medical Board of California, Department of
23 Consumer Affairs (Board).

24 2. On or about May 30, 2009, the Board issued Physician's and Surgeon's Certificate
25 No. A 108059 to Grant William Robicheaux, M.D. (Respondent). The Physician's and Surgeon's
26 Certificate was in full force and effect at all times relevant to the charges brought herein and will
27 expire on August 31, 2024, unless renewed.

28 ///

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

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

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

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

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

• • •

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:

...

///

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

3 7. Section 2236 of the Code states, in pertinent part:

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

9 ...

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

14 8. Section 2237 of the Code, states:

15 (a) The conviction of a charge of violating any federal statutes or regulations or
16 any statute or regulation of this state, regulating dangerous drugs or controlled
17 substances, constitutes unprofessional conduct. The record of the conviction is
18 conclusive evidence of such unprofessional conduct. A plea or verdict of guilty or a
19 conviction following a plea of nolo contendere is deemed to be a conviction within
20 the meaning of this section.

21 (b) Discipline may be ordered in accordance with Section 2227 or the Division
22 of Licensing may order the denial of the license when the time for appeal has elapsed,
23 or the judgment of conviction has been affirmed on appeal, or when an order granting
24 probation is made suspending the imposition of sentence, irrespective of a subsequent
25 order under the provisions of Section 1203.4 of the Penal Code allowing such person
26 to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside
27 the verdict of guilty, or dismissing the accusation, complaint, information, or
28 indictment.

29 9. Section 2238 of the Code states:

30 A violation of any federal statute or federal regulation or any of the statutes or
31 regulations of this state regulating dangerous drugs or controlled substances
32 constitutes unprofessional conduct.

33 10. Section 11350 of the Health and Safety Code states, in pertinent part:

34 (a) Except as otherwise provided in this division, every person who possesses
35 (1) any controlled substance specified in subdivision (b), (c), (e), or paragraph (1) of
36 subdivision (f) of Section 11054, specified in paragraph (14), (15), or (20) of
37 subdivision (d) of Section 11054 ... shall be punished by imprisonment in a county
38 jail for not more than one year, except that such person shall instead be punished
39 pursuant to subdivision (h) of Section 1170 of the penal Code if that person has one
40 or more prior convictions for an offense specified in clause (iv) of subparagraph (C)
41 of paragraph (2) of subdivision (e) of Section 667 of the Penal Code or for an offense
42 requiring registration pursuant to subdivision (c) of Section 290 of the Penal Code.

1 ...
2 11. Section 11377 of the Health and Safety Code states, in pertinent part:

3 (a) Except as authorized by law and as otherwise provided in subdivision (b) of
4 Section 11375, or in article 7 (commencing with Section 4211) of Chapter 9 of
5 division 2 of the Business and Professions Code, every person who possesses any
6 controlled substance which is ... (2) specified in subdivision (d) of Section 11054,
7 except paragraphs (13), (14), (15), and (20) of subdivision (d) ... shall be punished by
8 imprisonment in a county jail for a period of not more than one year, except that such
9 person may instead be punished pursuant to subdivision (h) of Section 1170 of the
10 Penal Code if that person has one or more prior convictions for an offense specified
11 in clause (iv) of subparagraph (C) of paragraph (2) of subdivision (e) of Section 667
12 of the Penal Code or for an offense requiring registration pursuant to subdivision (c)
13 of Section 290 of the Penal Code.

14 ...
15 12. California Code of Regulations, title 16, section 1360, states, in pertinent part:

16 (a) For the purposes of denial, suspension or revocation of a license, certificate
17 or permit pursuant to Division 1.5 (commencing with Section 475) of the code, a
18 crime or act shall be considered to be substantially related to the qualifications,
19 functions or duties of a person holding a license, certificate or permit under the
20 Medical Practice Act if to a substantial degree it evidences present or potential
21 unfitness of a person holding a license, certificate or permit to perform the functions
22 authorized by the license, certificate or permit in a manner consistent with the public
23 health, safety or welfare. Such crimes, misconduct, or acts shall include but not be
24 limited to the following: Violating or attempting to violate, directly or indirectly, or
25 assisting in or abetting the violation of, or conspiring to violate any provision of state
26 or federal law governing the applicant's or licensee's professional practice.

27 ...

28 COST RECOVERY

13. Section 125.3 of the Code states:

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

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

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

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

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

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

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

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

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

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

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

20 **FIRST CAUSE FOR DISCIPLINE**

21 **(Conviction of a Crime Substantially Related to the Qualifications, 22 Functions, or Duties of a Physician and Surgeon)**

23 14. Respondent has subjected his Physician's and Surgeon's Certificate No. A 108059 to
24 disciplinary action under sections 2227, 2234, and 2236, of the Code, and section 1360 of title 16
25 of the California Code of Regulations, in that Respondent was convicted of crimes substantially
26 related to the qualifications, functions, or duties of a physician and surgeon. The circumstances
are as follows:

27 ///

28 ///

1 15. On or about September 7, 2023, in *People v. Grant William Robicheaux*, Orange
2 County Superior Court Case No. 18HF1291, a First Amended Information was filed charging
3 Respondent with the following:

- 4 a. Count 1: Respondent poisoned or adulterated food or drink, a felony violation
5 of Penal Code section 347, subdivision (a)(1), on or about April 16, 2017;
6 b. Count 2: Respondent furnished phencyclidine, a controlled substance, a
7 felony violation of Penal Code section 11379.5, subdivision (a), on or about
8 April 16, 2017;
9 c. Count 4: Respondent possessed psilocybin,¹ a controlled substance, a
10 misdemeanor violation of Health and Safety Code section 11377, subdivision
11 (a), on or about January 9, 2018;
12 d. Count 5: Respondent possessed 3,4-methylenedioxy methamphetamine
13 (commonly known as MDMA or Ecstasy)², a controlled substance, a
14 misdemeanor violation of Health and Safety Code section 11377, subdivision
15 (a), on or about January 9, 2018;
16 e. Count 6: Respondent possessed cocaine,³ a controlled substance, a
17 misdemeanor violation of Health and Safety Code section 11350, subdivision
18 (a), on or about January 9, 2018;

19 ///

20 ///

21 ///

22 ¹ Psilocybin and psilocin (also spelled psilocyn) are Schedule I controlled substances
23 pursuant to California Health and Safety Code section 11054, subdivision (d)(18) and (d)(19),
respectively, and are Schedule I controlled substances pursuant to the Controlled Substances Act.

24 ² MDMA is a Schedule I controlled substance pursuant to California Health and Safety
25 Code section 11054, subdivision (d), and a Schedule I controlled substance pursuant to the
Controlled Substances Act.

26 ³ Cocaine is a Schedule I controlled substance pursuant to California Health and Safety
27 Code section 11054, subdivision (d)(6), and a Schedule II controlled substance pursuant to the
Controlled Substances Act (21 U.S.C. § 801 et seq.).
28

- 1 f. Count 7: Respondent possessed gamma hydroxybutyric acid (GHB),⁴ a
2 controlled substance, a misdemeanor violation of Health and Safety Code
3 section 11350, subdivision (a), on or about January 9, 2018; and
4 g. Counts 8 and 9: Respondent possessed an assault weapon, a felony violation of
5 Penal Code section 30605, subdivision (a), on or about January 9, 2018.

6 16. On or about October 20, 2023, in *People v. Grant William Robicheaux*, Orange
7 County Superior Court Case No. 18HF1291, Counts 1, 2, and 3⁵ were dismissed on Respondent's
8 motion.

9 17. On or about November 29, 2023, in *People v. Grant William Robicheaux*, Orange
10 County Superior Court Case No. 18HF1291, Respondent pled guilty to Counts 4 and 8 of the
11 First Amended Information while Counts 5, 6, 7, and 9 were dismissed by the People. On or
12 about the same day, Respondent was sentenced as to Count 4 of the First Amended Information to
13 one year of informal probation, with the condition that should Respondent successfully complete
14 probation, Count 4 would be dismissed. As to Count 8, Respondent was sentenced to 2 years of
15 supervised probation which included the following terms and conditions: (1) 16 hours of a drug
16 education class; (2) 32 hours of community service work; (3) forfeiture of the seized firearms
17 referenced in Counts 8 and 9 of the First Amended Information; (4) prohibition on the use of
18 illegal drugs or controlled substances without a prescription; (5) prohibition on using or
19 possessing firearms or ammunition; (6) stay away from Jane Doe, referenced in the "Special
20 Allegations" section of the First Amended Information; and (7) court fines, restitution, and fees.

21 **SECOND CAUSE FOR DISCIPLINE**

22 **(Conviction of a Charge of Violating State or Federal Statutes or
23 Regulations Regulating Dangerous Drugs or Controlled Substances)**

24 18. Respondent has further subjected his Physician's and Surgeon's Certificate
25 No. A 108059 to disciplinary action under sections 2227, 2234, and 2237, of the Code, in that
26 Respondent was convicted of a charge of violating federal or state statutes or regulations

27 ⁴ GHB is a Schedule I controlled substance pursuant to California Health and Safety Code
28 section 11054, subdivision (e)(3), and a Schedule I controlled substance pursuant to the
Controlled Substances Act.

⁵ Count 3 charged Respondent's co-defendant.

1 regulating dangerous drugs or controlled substances, as more particularly alleged in paragraphs
2 14 through 17, above, which are hereby incorporated by reference and re-alleged as if fully set
3 forth herein.

4 **THIRD CAUSE FOR DISCIPLINE**
5 **(Violation of State and/or Federal Statutes Regulating Controlled Substances)**

6 19. Respondent has subjected his Physician's and Surgeon's Certificate No. A 108059 to
7 disciplinary action under sections 2227 and 2238, of the Code, in that he violated state and/or
8 federal statutes regulating controlled substances, as more particularly alleged in paragraphs 14
9 through 18, above, which are hereby incorporated by reference and re-alleged as if fully set forth
10 herein.

11 **FOURTH CAUSE FOR DISCIPLINE**
12 **(Unprofessional Conduct)**

13 20. Respondent has further subjected his Physician's and Surgeon's Certificate No.
14 A 108059 to disciplinary action under sections 2227 and 2234, as defined by section 2238, of the
15 Code, in that he committed unprofessional conduct as more particularly alleged in paragraphs 14
16 through 19, above, which are hereby incorporated by reference and re-alleged as if fully set forth
17 herein.

18 **PRAYER**

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

- 21 1. Revoking or suspending Physician's and Surgeon's Certificate No. A 108059, issued
22 to Respondent Grant William Robicheaux, M.D.;
- 23 2. Revoking, suspending or denying approval of Respondent Grant William
24 Robicheaux, M.D.'s authority to supervise physician assistants and advanced practice nurses;
- 25 3. Ordering Respondent Grant William Robicheaux, M.D., to pay the Board the costs of
26 investigation and enforcement of this case, and if placed on probation, the costs of probation
27 monitoring; and

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

DATED: FEB 23 2024



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

SD2020800178
84298570.docx