

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

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

Colin B. Reed, M.D.

**Physician's and Surgeon's
Certificate No. G 74866**

Respondent.

Case No. 800-2023-100781

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 September 5, 2024.

IT IS SO ORDERED August 29, 2024.

MEDICAL BOARD OF CALIFORNIA



**Reji Varghese
Executive Director**

1 ROB BONTA
Attorney General of California
2 GREG W. CHAMBERS
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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. 800-2023-100781

13 **COLIN B. REED, M.D.**
14 **1459 WILLARD ST**
15 **SAN FRANCISCO CA 94117-3744**

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

16 **Physician's and Surgeon's Certificate**
17 **No. G 74866**

Respondent.

18 **IT IS HEREBY STIPULATED AND AGREED by and between the parties to the**
19 **above-entitled 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. COLIN B. REED, M.D. (Respondent) is representing himself in this proceeding and
26 has chosen not to exercise his right to be represented by counsel.
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3. On or about August 4, 1992, the Board issued Physician's and Surgeon's Certificate No. G 74866 to Respondent. That license expired on February 29, 2024, and has not been renewed.

JURISDICTION

4. Accusation No. 800-2023-100781 was filed before the Board and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on June 21, 2024. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 800-2023-100781 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read and understands the charges and allegations in Accusation No. 800-2023-100781. Respondent also has carefully read and understands the effects of this Stipulated Surrender of License and Order.

6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the 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.

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

CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation No. 800-2023-100781, agrees that cause exists for discipline and hereby surrenders his Physician's and Surgeon's Certificate No. G 74866 for the Board's formal acceptance.

9. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Physician's and Surgeon's Certificate without further process.

CONTINGENCY

10. Business and Professions Code section 2224, subdivision (b), provides, in pertinent part, that the Medical Board “shall delegate to its executive director the authority to adopt a ... stipulation for surrender of a license.”

11. Respondent understands that, by signing this stipulation, he enables the Executive Director of the Board to issue an order, on behalf of the Board, accepting the surrender of his Physician's and Surgeon's Certificate No. G 74866 without further notice to, or opportunity to be heard by, Respondent.

12. This Stipulated Surrender of License and Disciplinary Order shall be subject to the approval of the Executive Director on behalf of the Board. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be submitted to the Executive Director for his consideration in the above-entitled matter and, further, that the Executive Director shall have a reasonable period of time in which to consider and act on this Stipulated Surrender of License and Disciplinary Order after receiving it. By signing this stipulation, Respondent fully understands and agrees that he may not withdraw his agreement or seek to rescind this stipulation prior to the time the Executive Director, on behalf of the Medical Board, considers and acts upon it.

13. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be null and void and not binding upon the parties unless approved and adopted by the Executive Director on behalf of the Board, except for this paragraph, which shall remain in full force and effect. Respondent fully understands and agrees that in deciding whether or not to approve and adopt this Stipulated Surrender of License and Disciplinary Order, the Executive Director and/or the Board may receive oral and written communications from its staff and/or the Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the Executive Director, the Board, any member thereof, and/or any other person from future participation in this or any other matter affecting or involving respondent. In the event that the

1 Executive Director on behalf of the Board does not, in his discretion, approve and adopt this
2 Stipulated Surrender of License and Disciplinary Order, with the exception of this paragraph, it
3 shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied
4 upon or introduced in any disciplinary action by either party hereto. Respondent further agrees
5 that should this Stipulated Surrender of License and Disciplinary Order be rejected for any reason
6 by the Executive Director on behalf of the Board, Respondent will assert no claim that the
7 Executive Director, the Board, or any member thereof, was prejudiced by its/his/her review,
8 discussion and/or consideration of this Stipulated Surrender of License and Disciplinary Order or
9 of any matter or matters related hereto.

10 ADDITIONAL PROVISIONS

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

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

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

20 ORDER

21 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 74866, issued
22 to Respondent COLIN B. REED, M.D., is surrendered and accepted by the Board.

23 1. The surrender of Respondent's Physician's and Surgeon's Certificate and the
24 acceptance of the surrendered license by the Board shall constitute the imposition of discipline
25 against Respondent. This stipulation constitutes a record of the discipline and shall become a part
26 of Respondent's license history with the Board.

27 2. Respondent shall lose all rights and privileges as a Physician and Surgeon in
28 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. 800-2023-100781 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

5. 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. 800-2023-100781 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.

6. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$8991.50 prior to issuance of a new or reinstated license.

ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. 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:

8	20	24
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COLIN B. REED, M.D.
Respondent

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DATED: August 23, 2024

ROB BONTA - - - - -
Attorney General of California
GREG W. CHAMBERS - - - - -
Supervising Deputy Attorney General

HARRIET NEWMAN
Deputy Attorney General
Attorneys for Complainant

Exhibit A

Accusation No. 800-2023-100781

1 ROB BONTA
Attorney General of California
2 GREG W. CHAMBERS
Supervising Deputy Attorney General
3 HARRIET NEWMAN
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4 State Bar No. 189784
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14 **1459 WILLARD ST.**
SAN FRANCISCO, CA 94117-3744

A C C U S A T I O N

15 **Physician's and Surgeon's Certificate**
16 **No. G 74866**

Respondent

17
18 **PARTIES**

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

22 2. On or about August 4, 1992, the Medical Board issued Physician's and Surgeon's
23 Certificate Number G 74866 to Colin B. Reed, M.D. (Respondent). The Physician's and Surgeon's
24 Certificate expired on February 29, 2024, and has not been 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, in pertinent part:

2 (a) A licensee whose matter has been heard by an administrative law judge of the
3 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
5 entered into a stipulation for disciplinary action with the board, may, in
6 accordance with the 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 year
9 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
14 by the 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 5. Section 2234 of the Code states:

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

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

23 6. Unprofessional conduct under Business and Professions Code section 2234 is conduct
24 which breaches the rules or ethical code of the medical profession, or conduct which is
25 unbecoming of a member in good standing of the medical profession, and which demonstrates an
26 unfitness to practice medicine. (*Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564,
27 575.)

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1 7. Section 2236 of the Code states;

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

6 ...

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

10 8. Section 2239 of the Code states:

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

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

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

1 **COST RECOVERY**

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

8 **FIRST CAUSE FOR DISCIPLINE**

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

11 11. Respondent Colin B. Reed, M.D. is subject to disciplinary action under sections 2227
12 and 2234, as defined by section 2236 of the Code, and California Code of Regulations, title 16,
13 section 1360, in that Respondent was convicted of an offense substantially related to the
14 qualifications, functions or duties of a physician and surgeon. The circumstances are as follows:

15 12. On or about August 11, 2023, a California Highway Patrol (CHP) officer¹ responded
16 to a report of a vehicle knocking down multiple construction cones and almost causing multiple
17 traffic collisions. The officer initiated a traffic stop of the vehicle and identified Respondent as
18 the driver. The officer smelled the odor of an alcoholic beverage coming from the vehicle, and
19 observed Respondent to have slow, slurred speech and red, watery eyes. Another officer
20 responded to the scene and conducted a field sobriety test. The officer approached Respondent's
21 vehicle and noticed a strong odor of an alcoholic beverage coming from the vehicle. When
22 Respondent exited the vehicle, the officer noticed he had red and watery eyes, he was stumbling
23 off balance and his speech was slurred. Respondent was unable to perform a series of field
24 sobriety tests. Respondent refused to submit to the preliminary alcohol-screening test. Respondent
25 was transported to county jail where a blood test resulted in a .20% blood-alcohol concentration.

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28 ¹ Identity of officer is withheld at this time for privacy concerns. The name(s) will be
provided to Respondent upon written request for discovery.

1 13. On or about August 31, 2023, the Marin County District Attorney's Office filed a
2 criminal complaint against Respondent in the matter of *The People of the State of California vs.*
3 *Colin Benjamin Reed*, Marin County Superior Court Case No. CR0000565. Respondent was
4 charged with two misdemeanor counts: violation of Vehicle Code section 23152(a), driving a
5 vehicle while under the influence of alcohol; and violation of Vehicle Code section 23152(b),
6 driving a vehicle while having a blood alcohol level of .08% or higher. Additionally, Respondent
7 was charged with enhanced penalties pursuant to Vehicle Code section 23578, excessive blood
8 alcohol concentration or chemical test refusal and Vehicle Code section 23538(b)(2), first
9 offender program with blood alcohol concentrations of over .20%.

10 14. On or about January 24, 2024, Respondent was convicted upon a guilty plea, to one
11 misdemeanor count of violating Vehicle Code section 23152(b), driving a vehicle while having
12 .08 percent or more of alcohol in his blood, along with the admission of violating Vehicle Code
13 section 23578. Respondent was sentenced to three (3) years' probation, 2 days in jail, ordered to
14 enroll in and complete a nine (9) month first offender DUI program and pay fines and fees.

15 SECOND CAUSE FOR DISCIPLINE

16 (Dangerous Use of Alcohol)

17 15. Respondent further subjected his Physician's and Surgeon's Certificate No. G 74866
18 to disciplinary action under section 2239 of the Code, in that Respondent used alcoholic
19 beverages to the extent, or in such a manner, as to be dangerous or injurious to himself, another
20 person, or the public, as more particularly alleged in paragraph 12, above, hereby incorporated by
21 reference and re-alleged as if fully set forth herein.

22 PRAYER

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

25 1. Revoking or suspending Physician's and Surgeon's Certificate Number G 74866,
26 issued to Respondent Colin B. Reed, M.D.;

27 2. Revoking, suspending or denying approval of Respondent Colin B. Reed, M.D.'s
28 authority to supervise physician assistants and advanced practice nurses;

1 3. Ordering Respondent Colin B. Reed, M.D., to pay the Board the costs of the
2 investigation and enforcement of this case, and if placed on probation, the costs of probation
3 monitoring; and

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

5
6 DATED: JUN 21 2024



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