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

ln	the	Matter	of	the	Acc	usat	tion	Agai	nst:
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Jeffrey Scott Thompson, M.D.

Physician's and Surgeon's Certificate No. G 49798

Case No. 800-2021-081308

Respondent.

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 January 29, 2025.

IT IS SO ORDERED January 22, 2025.

MEDICAL BOARD OF CALIFORNIA

Reji Varghese

Executive Director

1	ROB BONTA							
2	Attorney General of California EDWARD KIM							
3	Supervising Deputy Attorney General CHRISTINA SEIN GOOT Deputy Attorney General State Bar No. 229094							
4								
5	300 So. Spring Street, Suite 1702 Los Angeles, CA 90013 Telephone: (213) 269-6481 Facsimile: (916) 731-2117 E-mail: Christina.Goot@doj.ca.gov							
6								
7	Attorneys for Complainant							
8	BEFORE THE							
9	MEDICAL BOARD OF CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS							
10	STATE OF C	ALIFORNIA						
11	In the Matter of the Accusation Against:	Case No. 800-2021-081308						
12	JEFFREY SCOTT THOMPSON, M.D.	OAH No. 2024070305						
13	262 Cuyama Avenue Shell Beach, CA 93449-1804	STIPULATED SURRENDER OF						
14	Physician's and Surgeon's	LICENSE AND ORDER						
15	Certificate No. G 49798,							
16	Respondent.							
17		•						
18	IT IS HEREBY STIPULATED AND AGR	EED, by and between the parties to the above-						
19	entitled proceedings that the following matters are	e true:						
20	PART	TIES						
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 Christina Sein Goot, Deput							
24	Attorney General.							
25	2. Jeffrey Scott Thompson, M.D. (Respondent) is represented in this proceeding by							
26	attorney Mark B. Connely, whose address is: 444 Higuera Street, Third Floor, San Luis Obispo,							
27	CA 93401.							
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3. On or about April 18, 1983, the Board issued Physician's and Surgeon's Certificate No. G 49798 to Respondent. That license was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2021-081308 and will expire on October 31, 2026, unless renewed.

JURISDICTION

4. Accusation No. 800-2021-081308 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 December 6, 2023. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 800-2021-081308 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

- 5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2021-081308. Respondent also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Order.
- 6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.
- 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

8. Respondent understands and agrees that the charges and allegations in Accusation No. 800-2021-081308, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate. Respondent hereby gives up his right to contest the charges and allegations in Accusation No. 800-2021-081308.

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 Accusation No. 800-2021-081308, that he has thereby subjected his license to disciplinary action, and hereby surrenders his Physician's and Surgeon's Certificate No. G 49798 for the Board's formal acceptance.

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

CONTINGENCY

- 11. Business and Professions Code section 2224, subdivision (b), provides, in pertinent part, that the Medical Board "shall delegate to its executive director the authority to adopt a ... stipulation for surrender of a license."
- 12. Respondent understands that, by signing this stipulation, he enables the Executive Director of the Board to issue an order, on behalf of the Board, accepting the surrender of his Physician's and Surgeon's Certificate No. G 49798 without further notice to, or opportunity to be heard by, Respondent.
- 13. This Stipulated Surrender of License and Disciplinary Order shall be subject to the approval of the Executive Director on behalf of the Board. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be submitted to the Executive Director for his consideration in the above-entitled matter and, further, that the Executive Director shall have a reasonable period of time in which to consider and act on this Stipulated Surrender of License and Disciplinary Order after receiving it. By signing this stipulation, Respondent fully understands and agrees that he may not withdraw his agreement or seek to rescind this stipulation prior to the time the Executive Director, on behalf of the Medical Board, considers and acts upon it.
- 14. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be null and void and not binding upon the parties unless approved and adopted by the Executive Director on behalf of the Board, except for this paragraph, which shall remain in full

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

ADDITIONAL PROVISIONS

- 15. This Stipulated Surrender of License and Disciplinary Order is intended by the parties herein to be an integrated writing representing the complete, final and exclusive embodiment of the agreements of the parties in the above-entitled matter.
- 16. The parties agree that copies of this Stipulated Surrender of License and Disciplinary Order, including copies of the signatures of the parties, may be used in lieu of original documents and signatures and, further, that such copies shall have the same force and effect as originals.
- 17. In consideration of the foregoing admissions and stipulations, the parties agree the Executive Director of the Board may, without further notice to or opportunity to be heard by Respondent, issue and enter the following Disciplinary Order on behalf of the Board:

ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 49798, issued to Respondent JEFFREY SCOTT THOMPSON, 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. 800-2021-081308 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. 800-2021-081308 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 \$37,541.25 prior to issuance of a new or reinstated license.

[Signatures on following page]

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.

Respectfully submitted,

Attorney General of California Supervising Deputy Attorney General

CHRISTINA SEIN GOOT Deputy Attorney General Attorneys for Complainant

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1	<u>ACCEPTANCE</u>			
2	I have carefully read the above Stipulated Surrender of License and Order and have fully			
3	discussed it with my attorney Mark B. Connely. I understand the stipulation and the effect it will			
4	have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of			
5 ·	License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the			
6	Decision and Order of the Medical Board of California.			
7				
8	DATED:			
9	JEFFREY SCOTT THOMPSON, M.D. Respondent			
10	I have read and fully discussed with Respondent Jeffrey Scott Thompson, M.D. the terms			
l 1	and conditions and other matters contained in this Stipulated Surrender of License and Order. I			
12	approve its form and content.			
13				
14	DATED:			
15	MARK B. CONNELY, ESQ. Attorney for Respondent			
16				
17	<u>ENDORSEMENT</u>			
18	The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted			
19	for consideration by the Medical Board of California of the Department of Consumer Affairs.			
20	DATED:12/9/24 Respectfully submitted,			
21	ROB BONTA Attorney General of California			
22	EDWARD KIM Supervising Deputy Attorney General			
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24	Charles you			
25	CHRISTINA SEIN GOOT Deputy Attorney General			
26	Attorneys for Complainant			
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Exhibit A

Accusation No. 800-2021-081308

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1	ROB BONTA					
2	Attorney General of California EDWARD KIM Supervising Deputy Attorney General					
3	CHRISTINA SEIN GOOT Deputy Attorney General					
4	State Bar No. 229094					
5	California Department of Justice 300 So. Spring Street, Suite 1702 Los Angeles, CA 90013					
6	Telephone: (213) 269-6481 Facsimile: (916) 731-2117					
7	Attorneys for Complainant					
8	BEFOR					
9	MEDICAL BOARD OF CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS					
10	STATE OF CA	ALIFORNIA				
11	In the Matter of the Accusation Against:	Case No. 800-2021-081308				
12	JEFFREY SCOTT THOMPSON, M.D.	ACCUSATION				
13	262 Cuyama Avenue Shell Beach, CA 93449-1804					
14	Physician's and Surgeon's Certificate No. G 49798,					
15	Respondent.					
16	m 4 70/5	, , , , , , , , , , , , , , , , , , ,				
17	PART					
18		his Accusation solely in his official capacity as				
19	the Executive Director of the Medical Board of C	alifornia, Department of Consumer Affairs				
20	(Board).					
21	2. On or about April 18, 1983, the Board issued Physician's and Surgeon's Certificate					
22	Number G 49798 to Jeffrey Scott Thompson, M.D. (Respondent). The Physician's and Surgeon's					
23	Certificate was in full force and effect at all times relevant to the charges brought herein and will					
24	expire on October 31, 2024, unless renewed.					
25	JURISD	<u>ICTION</u>				
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.					
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(JEFFREY SCOTT THOMPSON, M.D.) ACCUSATION NO. 800-2021-081308

COST RECOVERY

- 7. Business and Professions Code section 125.3 states that:
- (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 licentiate 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.
- (d) The administrative law judge shall make a proposed finding of the amount of reasonable costs of investigation and prosecution of the case when requested pursuant to subdivision (a). The finding of the administrative law judge with regard to 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).
- (e) If an order for recovery of costs is made and timely payment is not made as directed in the board's decision, the board may enforce the order for repayment in any 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.
- (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.
- (g)(1) Except as provided in paragraph (2), the board shall not renew or reinstate the license of any licensee who has failed to pay all of the costs ordered under this section.
- (2) Notwithstanding paragraph (1), the board may, in its discretion, conditionally renew or reinstate for a maximum of one year the license of any licensee who demonstrates financial hardship and who enters into a formal agreement with the board to reimburse the board within that one-year period for the unpaid costs.
- (h) All costs recovered under this section shall be considered a reimbursement for costs incurred and shall be deposited in the fund of the board recovering the costs to be available upon appropriation by the Legislature.
- (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.
 - (j) This section does not apply to any board if a specific statutory provision in

that board's licensing act provides for recovery of costs in an administrative disciplinary proceeding.

FIRST CAUSE FOR DISCIPLINE

(Gross Negligence)

- 8. Respondent is subject to disciplinary action under section 2234, subdivision (b), of the Code in that he committed gross negligence in the course of his care and treatment of Patients 1 through 7, inclusive. The circumstances are as follows:
- 9. At all times relevant to the allegations herein, Respondent practiced as a pediatrician in a private practice setting.

Patient 11

- 10. On or about August 20, 2021, Respondent issued a permanent medical exemption from the DTaP, HepF, Hib, IPV, MMR, Tdap, and VAR/VZV immunizations for Patient 1, an 11-year-old male and sibling to Patient 2. In the exemption form submitted to the California Department of Public Health (CDPH), Respondent alleged a severe allergic reaction in a family member of Patient 1 as the basis for the exemption. Respondent treated Patient 1 from approximately 2016 through 2021. Throughout the course of care, Respondent failed to document in the medical record any legitimate medical condition in Patient 1 that was a contraindication to vaccines. There is also no documentation in Patient 1's medical record of a discussion regarding a family member's alleged allergic reaction to a prior vaccine. There is also no documentation in the medical record that Respondent was delaying the aforementioned vaccines and/or his rationale for doing so.
- 11. Respondent committed an extreme departure from the standard of care when he issued a permanent medical exemption from DTaP, HepF, Hib, IPV, MMR, Tdap, and VAR/VZV immunizations for Patient 1 without an adequate justification.

Patient 2

12. On or about July 27, 2021, Respondent issued a permanent medical exemption from the Tdap immunization for Patient 2, a 14-year-old female and sibling to Patient 1. In the exemption form submitted to CDPH, Respondent alleged encephalopathy as the basis for the

¹ Patients are referred to herein by numbers to address privacy concerns.

exemption. Respondent treated Patient 2 from approximately 2017 through 2021. Throughout the course of care, Respondent failed to document in the medical record any legitimate medical condition in Patient 2 that was a contraindication to vaccines. Respondent did not document any discussion of an alleged encephalopathy that was caused by a vaccine. On or about May 20, 2021, Respondent documented "vaccine exemption due to adverse reaction," however, there was no description or discussion of the alleged adverse reaction.

13. Respondent committed an extreme departure from the standard of care when he issued a permanent medical exemption from the Tdap immunization for Patient 2 without an adequate justification.

Patient 3

- 14. On or about August 17, 2021, Respondent issued a permanent medical exemption from the DTaP and MMR immunizations for Patient 3, a 10-year-old female and sibling to Patients 6 and 7. In the exemption form submitted to CDPH, Respondent alleged anaphylaxis as the basis for the exemption. Respondent treated Patient 3 from approximately 2015 through 2021. Throughout the course of care, Respondent failed to document in the medical record any legitimate medical condition in Patient 3 that was a contraindication to vaccines. There is also no documentation in Patient 3's medical record of an anaphylactic reaction to a prior vaccine. There is also no documentation in the medical record that Respondent was delaying the aforementioned vaccines and/or his rationale for doing so.
- 15. Respondent committed an extreme departure from the standard of care when he issued a permanent medical exemption from the DTaP and MMR immunizations for Patient 3 without an adequate justification.

Patient 4

16. On or about July 27, 2021 and July 29, 2021, Respondent issued permanent medical exemptions from the DTaP and Tdap immunizations, respectively, for Patient 4, a 14-year-old female. In the exemption form submitted to CDPH, Respondent alleged encephalopathy as the basis for the exemption. Respondent treated Patient 4 from approximately 2015 through 2021. Throughout the course of care, Respondent failed to document in the medical record any

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legitimate medical condition in Patient 4 that was a contraindication to vaccines. Respondent failed to adequately document a discussion of the alleged encephalopathy or neurologic condition that was caused by a vaccine. There is also no documentation in the medical record that Respondent was delaying the aforementioned vaccines and/or his rationale for doing so.

Respondent committed an extreme departure from the standard of care when he issued a permanent medical exemption from the DTaP and Tdap immunizations for Patient 4 without an adequate justification.

Patient 5

- On or about August 10, 2021, Respondent issued a permanent medical exemption from the DTaP, HepF, Hib, IPV, MMR, Tdap, and VAR/VZV immunizations for Patient 5, an 18-year-old male. In the exemption form submitted to CDPH, Respondent alleged paralysis as the basis for the exemption. Respondent treated Patient 5 from approximately 2015 through 2021. Throughout the course of care, Respondent failed to document in the medical record any medical condition in Patient 5 that was a contraindication to vaccines. There is also no documentation in Patient 5's medical record of the alleged paralysis following a vaccine. There is also no documentation in the medical record that Respondent was delaying the aforementioned vaccines and/or his rationale for doing so.
- Respondent committed an extreme departure from the standard of care when he 19. issued a permanent medical exemption from DTaP, HepF, Hib, IPV, MMR, Tdap, and VAR/VZV immunizations for Patient 5 without an adequate justification.

Patient 6

On or about August 17, 2021, Respondent issued a permanent medical exemption from the MMR immunization for Patient 6, a 16-year-old female and sibling to Patients 3 and 7. In the exemption form submitted to CDPH, Respondent alleged anaphylaxis as the basis for the exemption. Respondent treated Patient 6 from approximately 2017 through 2021. Throughout the course of care, Respondent failed to document in the medical record any medical condition in Patient 6 that was a contraindication to vaccines. There is also no documentation in Patient 6's medical record of an anaphylactic reaction to a prior vaccine. In his interview with Board

representatives, Respondent acknowledged that the reason for the exemption was parental concerns about vaccines and that he "didn't mean" to write anaphylaxis as the reason for the exemption. There is also no documentation in the medical record that Respondent was delaying the MMR vaccine and/or his rationale for doing so.

21. Respondent committed an extreme departure from the standard of care when he issued a permanent medical exemption from the MMR immunization for Patient 6 without an adequate justification.

Patient 7

- 22. On or about August 17, 2021, Respondent issued a permanent medical exemption from the MMR and Tdap immunizations for Patient 7, an 8-year-old male and sibling to Patients 3 and 6. In the exemption form submitted to CDPH, Respondent alleged anaphylaxis as the basis for the exemption. Respondent treated Patient 7 from approximately 2015 through 2021. Throughout the course of care, Respondent failed to document in the medical record any medical condition in Patient 7 that was a contraindication to vaccines. There is also no documentation in Patient 7's medical record of an anaphylactic reaction to a prior vaccine. There is also no documentation in the medical record that Respondent was delaying the MMR and Tdap vaccines and/or his rationale for doing so.
- 23. Respondent committed an extreme departure from the standard of care when he issued a permanent medical exemption from the MMR and Tdap immunizations for Patient 7 without an adequate justification.

SECOND CAUSE FOR DISCIPLINE

(Repeated Negligent Acts)

- 24. Respondent is subject to disciplinary action under section 2234, subdivision (c), of the Code in that he committed repeated negligent acts in the course of his care and treatment of Patients 1 through 7, inclusive. The circumstances are as follows:
- 25. Complainant refers to and, by this reference, incorporates paragraphs 8 through 23, above, as though set forth fully herein.
 - 26. Respondent's treatment of Patients 1 through 7, inclusive, includes the following acts

(JEFFREY SCOTT THOMPSON, M.D.) ACCUSATION NO. 800-2021-081308