

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

In the Matter of the Accusation
Against:

Chadron Rose, M.D.

Physician's and Surgeon's
Certificate No. A 133207

Case No.: 800-2023-098636

Respondent.

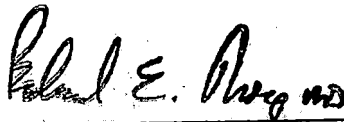
DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on March 14, 2025.

IT IS SO ORDERED: February 13, 2025.

MEDICAL BOARD OF CALIFORNIA



Richard Thorpe, M.D., Chair
Panel B

1 ROB BONTA
Attorney General of California
2 STEVE DIEHL
Supervising Deputy Attorney General
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9 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

12 **CHADRON ROSE, M.D.**
13 **Department of Anesthesia**
14 **1400 E Church Street**
Santa Maria, CA 93454-5906

15 **Physician's and Surgeon's Certificate No. A**
16 **133207**

17 Respondent.

Case No. 800-2023-098636

OAH No. 2024091081

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

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

21 **PARTIES**

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

26 2. Respondent Chadron Rose, M.D. (Respondent) is represented in this proceeding by
27 attorney Mark B. Connely, Esq., whose address is: 444 Higuera Street, Third Floor
28 San Luis Obispo, CA 93401.

1 3. On or about November 17, 2014, the Board issued Physician's and Surgeon's
2 Certificate No. A 133207 to Chadron Rose, M.D. (Respondent). The Physician's and Surgeon's
3 Certificate was in full force and effect at all times relevant to the charges brought in Accusation
4 No. 800-2023-098636, and will expire on November 30, 2026, unless renewed.

5 **JURISDICTION**

6 4. Accusation No. 800-2023-098636 was filed before the Board, and is currently
7 pending against Respondent. The Accusation and all other statutorily required documents were
8 properly served on Respondent on July 19, 2024. Respondent timely filed his Notice of Defense
9 contesting the Accusation.

10 5. A copy of Accusation No. 800-2023-098636 is attached as exhibit A and incorporated
11 herein by reference.

12 **ADVISEMENT AND WAIVERS**

13 6. Respondent has carefully read, fully discussed with counsel, and understands the
14 charges and allegations in Accusation No. 800-2023-098636. Respondent has also carefully read,
15 fully discussed with his counsel, and understands the effects of this Stipulated Settlement and
16 Disciplinary Order.

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

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

25 **CULPABILITY**

26 9. Respondent understands and agrees that the charges and allegations in Accusation
27 No. 800-2023-098636, if proven at a hearing, constitute cause for imposing discipline upon his
28 Physician's and Surgeon's Certificate.

10. Respondent does not contest that, at an administrative hearing, Complainant could establish a *prima facie* case with respect to the charges and allegations in Accusation No. 800-2023-098636, and Respondent hereby gives up his rights to contest those charges. Respondent further agrees that he has thereby subjected his Physician's and Surgeon's Certificate No. A 133207 to disciplinary action.

11. ACKNOWLEDGMENT. Respondent acknowledges the Disciplinary Order below, requiring the disclosure of probation pursuant to Business and Professions Code section 2228.1, serves to protect the public interest.

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

CONTINGENCY

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

14. This Stipulated Settlement and Disciplinary Order is intended by the parties herein to be an integrated writing representing the complete, final and exclusive embodiment of the agreement of the parties in this above entitled matter.

15. Respondent agrees that if he ever petitions for early termination or modification of probation, or if an accusation and/or petition to revoke probation is filed against him before the Board, all of the charges and allegations contained in Accusation No. 800-2023-098636 shall be

1 deemed true, correct and fully admitted by Respondent for purposes of any such proceeding or
2 any other licensing proceeding involving Respondent in the State of California.

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

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

9 **DISCIPLINARY ORDER**

10 **IT IS HEREBY ORDERED** that Physician's and Surgeon's Certificate No. A 133207
11 issued to Respondent Chadron Rose, M.D. is revoked. However, the revocation is stayed and
12 Respondent is placed on probation for five (5) years on the following terms and conditions:

13 1. **PATIENT DISCLOSURE.** Before a patient's first visit following the effective date
14 of this order and while the Respondent is on probation, the Respondent must provide all patients,
15 or patient's guardian or health care surrogate, with a separate disclosure that includes the
16 Respondent's probation status, the length of the probation, the probation end date, all practice
17 restrictions placed on the Respondent by the board, the board's telephone number, and an
18 explanation of how the patient can find further information on the Respondent's probation on the
19 Respondent's profile page on the board's website. Respondent shall obtain from the patient, or
20 the patient's guardian or health care surrogate, a separate, signed copy of that disclosure.
21 Respondent shall not be required to provide a disclosure if any of the following applies: (1) The
22 patient is unconscious or otherwise unable to comprehend the disclosure and sign the copy of the
23 disclosure and a guardian or health care surrogate is unavailable to comprehend the disclosure
24 and sign the copy; (2) The visit occurs in an emergency room or an urgent care facility or the visit
25 is unscheduled, including consultations in inpatient facilities; (3) Respondent is not known to the
26 patient until immediately prior to the start of the visit; (4) Respondent does not have a direct
27 treatment relationship with the patient.

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

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

11 3. ALCOHOL - ABSTAIN FROM USE. Respondent shall abstain completely from the
12 use of products or beverages containing alcohol.

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

20 The psychotherapist shall consider any information provided by the Board or its designee
21 and any other information the psychotherapist deems relevant and shall furnish a written
22 evaluation report to the Board or its designee. Respondent shall cooperate in providing the
23 psychotherapist with any information and documents that the psychotherapist may deem
24 pertinent.

25 Respondent shall have the treating psychotherapist submit quarterly status reports to the
26 Board or its designee. The Board or its designee may require Respondent to undergo psychiatric
27 evaluations by a Board-appointed board certified psychiatrist. If, prior to the completion of
28 probation, Respondent is found to be mentally unfit to resume the practice of medicine without

1 restrictions, the Board shall retain continuing jurisdiction over Respondent's license and the
2 period of probation shall be extended until the Board determines that Respondent is mentally fit
3 to resume the practice of medicine without restrictions.

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

5 5. SOLO PRACTICE PROHIBITION. Respondent is prohibited from engaging in the
6 solo practice of medicine. Prohibited solo practice includes, but is not limited to, a practice
7 where: 1) Respondent merely shares office space with another physician but is not affiliated for
8 purposes of providing patient care, or 2) Respondent is the sole physician practitioner at that
9 location.

10 If Respondent fails to establish a practice with another physician or secure employment in
11 an appropriate practice setting within 60 calendar days of the effective date of this Decision,
12 Respondent shall receive a notification from the Board or its designee to cease the practice of
13 medicine within three (3) calendar days after being so notified. The Respondent shall not resume
14 practice until an appropriate practice setting is established.

15 If, during the course of the probation, the Respondent's practice setting changes and the
16 Respondent is no longer practicing in a setting in compliance with this Decision, the Respondent
17 shall notify the Board or its designee within five (5) calendar days of the practice setting change.
18 If Respondent fails to establish a practice with another physician or secure employment in an
19 appropriate practice setting within 60 calendar days of the practice setting change, Respondent
20 shall receive a notification from the Board or its designee to cease the practice of medicine within
21 three (3) calendar days after being so notified. The Respondent shall not resume practice until an
22 appropriate practice setting is established.

23 6. NOTICE OF EMPLOYER OR SUPERVISOR INFORMATION. Within seven (7)
24 days of the effective date of this Decision, Respondent shall provide to the Board the names,
25 physical addresses, mailing addresses, and telephone numbers of any and all employers and
26 supervisors. Respondent shall also provide specific, written consent for the Board, Respondent's
27 worksite monitor, and Respondent's employers and supervisors to communicate regarding
28 Respondent's work status, performance, and monitoring.

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

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

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

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

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

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

28 (c) Its testing locations comply with the Urine Specimen Collection Guidelines published

1 by the United States Department of Transportation without regard to the type of test
2 administered.

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

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

6 (f) Its testing locations shall submit a specimen to a laboratory within one (1) business day
7 of receipt and all specimens collected shall be handled pursuant to chain of custody
8 procedures. The laboratory shall process and analyze the specimens and provide legally
9 defensible test results to the Board within seven (7) business days of receipt of the
10 specimen. The Board will be notified of non-negative results within one (1) business day
11 and will be notified of negative test results within seven (7) business days.

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

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

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

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

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

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

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

28 Prior to changing testing locations for any reason, including during vacation or other travel,

1 alternative testing locations must be approved by the Board and meet the requirements above.

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

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

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

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

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

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

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

27 If the Board confirms that a positive biological fluid test is evidence of use of a prohibited
28 substance, Respondent has committed a major violation, as defined in section 1361.52(a), and the

1 Board shall impose any or all of the consequences set forth in section 1361.52(b), in addition to
2 any other terms or conditions the Board determines are necessary for public protection or to
3 enhance Respondent's rehabilitation.

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

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

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

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

28 The worksite monitor shall not have a current or former financial, personal, or familial

1 relationship with Respondent, or any other relationship that could reasonably be expected to
2 compromise the ability of the monitor to render impartial and unbiased reports to the Board or its
3 designee. If it is impractical for anyone but Respondent's employer to serve as the worksite
4 monitor, this requirement may be waived by the Board or its designee, however, under no
5 circumstances shall Respondent's worksite monitor be an employee or supervisee of the licensee.

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

10 Respondent shall pay all worksite monitoring costs.

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

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

22 The worksite monitor shall complete and submit a written report monthly or as directed by
23 the Board or its designee which shall include the following: (1) Respondent's name and
24 Physician's and Surgeon's Certificate number; (2) the worksite monitor's name and signature; (3)
25 the worksite monitor's license number, if applicable; (4) the location or location(s) of the
26 worksite; (5) the dates Respondent had face-to-face contact with the worksite monitor; (6) the
27 names of worksite staff interviewed, if applicable; (7) a report of Respondent's work attendance;
28 (8) any change in Respondent's behavior and/or personal habits; and (9) any indicators that can

1 lead to suspected substance abuse by Respondent. Respondent shall complete any required
2 consent forms and execute agreements with the approved worksite monitor and the Board, or its
3 designee, authorizing the Board, or its designee, and worksite monitor to exchange information.

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

13 10. VIOLATION OF PROBATION CONDITION FOR SUBSTANCE ABUSING
14 LICENSEES . Failure to fully comply with any term or condition of probation is a violation of
15 probation.

16 A. If Respondent commits a major violation of probation as defined by section
17 1361.52, subdivision (a), of Title 16 of the California Code of Regulations, the Board shall take
18 one or more of the following actions:

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

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

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

3 B. If Respondent commits a minor violation of probation as defined by section
4 1361.52, subdivision (c), of Title 16 of the California Code of Regulations, the Board shall take
5 one or more of the following actions:

6 (1) Issue a cease-practice order;

7 (2) Order practice limitations;

8 (3) Order or increase supervision of Respondent;

9 (4) Order increased documentation;

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

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

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

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

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

1 calendar days.

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

3 12. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE
4 NURSES. During probation, Respondent is prohibited from supervising physician assistants and
5 advanced practice nurses.

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

9 14. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby
10 ordered to reimburse the Board its costs of investigation and enforcement, including, but not
11 limited to, expert review, amended accusations, legal reviews, investigation(s), and subpoena
12 enforcement, as applicable, in the amount of \$35,218.63 (thirty-five thousand two hundred
13 eighteen dollars and sixty-three cents). Costs shall be payable to the Medical Board of California.
14 Failure to pay such costs shall be considered a violation of probation.

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

19 The filing of bankruptcy by Respondent shall not relieve respondent of the responsibility to
20 repay investigation and enforcement costs, including expert review costs.

21 15. QUARTERLY DECLARATIONS. Respondent shall submit quarterly declarations
22 under penalty of perjury on forms provided by the Board, stating whether there has been
23 compliance with all the conditions of probation.

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

26 16. GENERAL PROBATION REQUIREMENTS.

27 Compliance with Probation Unit

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

1 Address Changes

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

7 Place of Practice

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

11 License Renewal

12 Respondent shall maintain a current and renewed California Physician's and Surgeon's
13 license.

14 Travel or Residence Outside California

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

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

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

24 18. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
25 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
26 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is
27 defined as any period of time Respondent is not practicing medicine as defined in Business and
28 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct

1 patient care, clinical activity or teaching, or other activity as approved by the Board. If
2 Respondent resides in California and is considered to be in non-practice, Respondent shall
3 comply with all terms and conditions of probation. All time spent in an intensive training
4 program which has been approved by the Board or its designee shall not be considered non-
5 practice and does not relieve Respondent from complying with all the terms and conditions of
6 probation. Practicing medicine in another state of the United States or Federal jurisdiction while
7 on probation with the medical licensing authority of that state or jurisdiction shall not be
8 considered non-practice. A Board-ordered suspension of practice shall not be considered as a
9 period of non-practice.

10 In the event Respondent's period of non-practice while on probation exceeds 18 calendar
11 months, Respondent shall successfully complete the Federation of State Medical Board's Special
12 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program
13 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model
14 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

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

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

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

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

28 ///

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

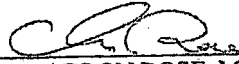
8 21. LICENSE SURRENDER. Following the effective date of this Decision, if
9 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy
10 the terms and conditions of probation, Respondent may request to surrender his or her license.
11 The Board reserves the right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

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

23 23. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for
24 a new license or certification, or petition for reinstatement of a license, by any other health care
25 licensing action agency in the State of California, all of the charges and allegations contained in
26 Accusation No. 800-2023-098636 shall be deemed to be true, correct, and admitted by
27 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or
28 restrict license.

1 ACCEPTANCE

2 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
3 discussed it with my attorney, Mark B. Connely, Esq. I understand the stipulation and the effect
4 it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement
5 and Disciplinary 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: 01/07/2025 
9 CHADRON ROSE, M.D.
Respondent

10 I have read and fully discussed with Respondent Chadron Rose, M.D. the terms and
11 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
12 I approve its form and content.

13
14 DATED: 1/7/2025 
15 MARK B. CONNELLY, ESQ.
16 Attorney for Respondent

17 ENDORSEMENT

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

20 DATED: January 8, 2025

21 Respectfully submitted,

22 ROB BONTA
23 Attorney General of California
24 STEVE DIEHL
25 Supervising Deputy Attorney General

26 

27 WENDY WIDLUS
28 Deputy Attorney General
Attorneys for Complainant

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Attorney General of California
2 JUDITH T. ALVARADO
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3 LATRICE R. HEMPHILL
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5 Los Angeles, CA 90013
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6 Facsimile: (916) 731-2117
Attorneys for Complainant
7

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. 800-2023-098636

13 **CHADRON ROSE, M.D.**
14 **1400 E Church Street**
Santa Maria, CA 93454-5906

ACCUSATION

15 **Physician's and Surgeon's Certificate**
16 **No. A 133207,**

Respondent.

17
18
19 **PARTIES**

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

23 2. On or about November 17, 2014, the Medical Board issued Physician's and Surgeon's
24 Certificate Number A 133207 to Chadron Rose, M.D. (Respondent). The Physician's and
25 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
26 herein and will expire on November 30, 2024, unless renewed.

27 ///

28 ///

JURISDICTION

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

4. Section 2227 of the Code states:

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

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

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

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

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

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

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

5. Section 2004 of the Code states:

The board shall have the responsibility for the following:

(a) The enforcement of the disciplinary and criminal provisions of the Medical Practice Act.

(b) The administration and hearing of disciplinary actions.

(c) Carrying out disciplinary actions appropriate to findings made by a panel or an administrative law judge.

(d) Suspending, revoking, or otherwise limiting certificates after the conclusion of disciplinary actions.

(e) Reviewing the quality of medical practice carried out by physician and surgeon certificate holders under the jurisdiction of the board.

- 1 (f) Approving undergraduate and graduate medical education programs.
- 2 (g) Approving clinical clerkship and special programs and hospitals for the
programs in subdivision (f).
- 3 (h) Issuing licenses and certificates under the board's jurisdiction.
- 4 (i) Administering the board's continuing medical education program.

5 **STATUTORY PROVISIONS**

6 6. Section 2234 of the Code states, in pertinent part:

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

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

10

11 7. Section 2239 of the Code states:

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

17 (b) A plea or verdict of guilty or a conviction following a plea of nolo
contendere is deemed to be a conviction within the meaning of this section. The
18 Medical Board may order discipline of the licensee in accordance with Section 2227
or the Medical Board may order the denial of the license when the time for appeal has
19 elapsed or the judgment of conviction has been affirmed on appeal or when an order
granting probation is made suspending imposition of sentence, irrespective of a
20 subsequent order under the provisions of Section 1203.4 of the Penal Code allowing
such person to withdraw his or her plea of guilty and to enter a plea of not guilty, or
21 setting aside the verdict of guilty, or dismissing the accusation, complaint,
information, or indictment.

22

23 8. Section 822 of the Code states:

24 If a licensing agency determines that its licensee's ability to practice his or her
profession safely is impaired because the licensee is mentally ill, or physically ill
25 affecting competency, the licensing agency may take action by any one of the
following methods:

- 26 (a) Revoking the licensee's certificate or license.
- 27 (b) Suspending the licensee's right to practice.
- 28

1 (c) Placing the licentiate on probation.

2 (d) Taking such other action in relation to the licentiate as the licensing agency
3 in its discretion deems proper.

4 The licensing section shall not reinstate a revoked or suspended certificate or
5 license until it has received competent evidence of the absence or control of the
6 condition which caused its action and until it is satisfied that with due regard for the
7 public health and safety the person's right to practice his or her profession may be
8 safely reinstated.

9 COST RECOVERY

10 9. Section 125.3 of the Code states:

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

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

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

25 (d) The administrative law judge shall make a proposed finding of the amount
26 of reasonable costs of investigation and prosecution of the case when requested
27 pursuant to subdivision (a). The finding of the administrative law judge with regard
28 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.

FACTUAL ALLEGATIONS

10. Respondent is a board-certified anesthesiologist who practices at Marian Regional Medical Center (Marian Medical) in Santa Maria, California.

11. On or about June 2, 2023, the Board's Central Complaint Unit received a complaint from Marian Medical indicating that Respondent had his clinical privileges suspended following allegations of possible impairment and a pending investigation.

12. In or about June 2023, investigators with the Department of Consumer Affairs, Division of Investigation, Health Quality Investigation Unit (HQIU), began their investigation into the complaint. According to Marian Medical's records, sources reported that Respondent was visibly impaired during his shift on or about May 4, 2023. Marian Medical staff directed Respondent to the emergency department (ED) to submit to drug and alcohol tests. However, Respondent left the hospital before the tests could be administered, which was concerning because Respondent failed to submit to testing a year prior when there were similar concerns. As a result, Marian Medical suspended Respondent's privileges.

13. On or about June 20, 2023, HQIU investigators conducted an unannounced visit to Respondent's home. Investigators interviewed Respondent regarding the complaint. Respondent indicated that on or about May 4, 2023, he drank approximately one and a half beers at a restaurant. Upon leaving the restaurant, and before his work shift was to begin, he felt anxious. Consequently, Respondent took half of a trazodone¹ pill, then headed to Marian Medical to begin his shift.

¹ Trazodone is an antidepressant used to treat major depressive disorder and anxiety disorders.

1 14. Upon arriving for his shift at Marian Medical, another physician took note of
2 Respondent's demeanor and determined that Respondent did not seem himself. Respondent was
3 relieved from his shift and sent home. Subsequently, Marian Medical began an investigation into
4 Respondent's actions and suspended Respondent's privileges pending evaluations.

5 15. Following the interview, the Board asked Respondent to voluntarily submit to a
6 physical and mental examination.

7 16. On or about June 20, 2023, Respondent agreed to undergo physical and mental
8 examinations to determine if he could safely practice medicine.

9 17. On or about July 6, 2023, Respondent informed Marian Medical that he completed a
10 22-day inpatient treatment program, and he enrolled in the Physician Assessment and Clinical
11 Education (PACE) Program.

12 18. On or about September 27, 2023, Respondent underwent a forensic psychiatric
13 evaluation, as a part of the PACE program. The examiner found that Respondent suffered from
14 alcohol use disorder, in full sustained recovery, and generalized anxiety disorder. The examiner
15 found that Respondent was fit to practice, but he should participate in a targeted physician health
16 program. Specifically, the examiner recommended that Respondent completely abstain from
17 alcohol and controlled substances, be monitored for an extended period, submit to random and
18 regular drug and alcohol testing, participate in self-help groups, and be subject to swift
19 consequences for violations.

20 19. On or about December 13, 2023, Respondent underwent a physical examination, as
21 requested by the Board. During the examination, Respondent stated that he has a long history of
22 anxiety and insomnia. Respondent also explained that he had an episode of acute pancreatitis
23 while vacationing. The examiner found that Respondent did not have a physical illness or
24 condition that would render him unable to safely practice medicine. However, the examiner
25 opined that Respondent's recent episode of pancreatitis is indicative of at least one episode of
26 significant binge drinking. As such, the examiner opined that Respondent does require
27 monitoring in order to practice medicine safely. Specifically, the examiner recommended that
28 Respondent submit to breathalyzer testing for at least six months before each shift. The examiner

1 also recommended that Respondent submit to random and periodic breathalyzer testing for an
2 additional six months, totaling at least one year of tests. Lastly, the examiner recommended that,
3 even after the first year of tests, Respondent be subject to breathalyzer tests if staff suspects he is
4 under the influence.

5 20. Following his participation in the PACE program, in or about January 2024,
6 Respondent was allowed to return to Marian Medical with conditions in place.

7 **FIRST CAUSE FOR DISCIPLINE**

8 **(Inability to Practice Medicine Safely Without Restrictions)**

9 21. Respondent Chadron Rose, M.D. is subject to action under Code section 822 in that
10 his ability to practice medicine safely is impaired due to a mental and/or physical illness or
11 condition that requires monitoring, treatment, and practice restrictions. The circumstances are as
12 follows:

13 22. Complainant refers to and, by this reference, incorporates paragraphs 10 through 20,
14 above, as though set forth fully herein.

15 **SECOND CAUSE FOR DISCIPLINE**

16 **(Use of Alcohol and/or Controlled Substances in a Dangerous Manner)**

17 23. Respondent Chadron Rose, M.D. is subject to disciplinary action under Code section
18 2239, subdivision (a), in that he used alcohol and/or controlled substances in such a manner as to
19 be dangerous to himself, and to the extent that such use impaired his ability to practice medicine
20 safely, as more particularly alleged in paragraphs 10 through 20, above, which are incorporated
21 herein by reference as if fully set forth.

22 **THIRD CAUSE FOR DISCIPLINE**

23 **(Unprofessional Conduct)**

24 24. Respondent Chadron Rose, M.D. is subject to disciplinary action under Code section
25 2334 in that he engaged in unprofessional conduct. The circumstances are as follows:

26 25. The allegations in the Second Cause for Discipline, in paragraph 23, above, are
27 incorporated herein by reference as if fully set forth.

28 ///

PRAYER

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

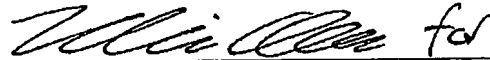
1. Revoking or suspending Physician's and Surgeon's Certificate Number A 133207, issued to Respondent Chadron Rose, M.D.;

2. Revoking, suspending or denying approval of Respondent Chadron Rose, M.D.'s authority to supervise physician assistants and advanced practice nurses;

3. Ordering Respondent Chadron Rose, M.D., to pay the Board the costs of the investigation and enforcement of this case, and if placed on probation, the costs of probation monitoring; and

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

DATED: JUL 19 2024


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

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