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

13 In the Matter of the Accusation Against:

Case No. 800-2023-101640

14 **CLINTON RUHL COLLINS, M.D.**
15 **3104 Ponte Morino Dr.**
16 **Cameron Park, CA 95682-8282**

A C C U S A T I O N

17 **Physician's and Surgeon's Certificate**
18 **No. G 63520,**

Respondent.

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 August 1, 1988, the Medical Board issued Physician's and Surgeon's
24 Certificate Number G 63520 to Clinton Ruhl Collins, 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 April 30, 2026, unless renewed.

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1 **JURISDICTION**

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

5 4. Section 2227 of the Code states:

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

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

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

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

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

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

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

27 5. Section 2234 of the Code states:

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

(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.

(b) Gross negligence.

(c) Repeated negligent acts. To be repeated, there must be two or more
negligent acts or omissions. An initial negligent act or omission followed by a
separate and distinct departure from the applicable standard of care shall constitute
repeated negligent acts.

1 (1) An initial negligent diagnosis followed by an act or omission medically
2 appropriate for that negligent diagnosis of the patient shall constitute a single
3 negligent act.

4 (2) When the standard of care requires a change in the diagnosis, act, or
5 omission that constitutes the negligent act described in paragraph (1), including, but
6 not limited to, a reevaluation of the diagnosis or a change in treatment, and the
7 licensee's conduct departs from the applicable standard of care, each departure
8 constitutes a separate and distinct breach of the standard of care.

9 (d) Incompetence.

10 (e) The commission of any act involving dishonesty or corruption that is
11 substantially related to the qualifications, functions, or duties of a physician and
12 surgeon.

13 (f) Any action or conduct that would have warranted the denial of a certificate.

14 (g) The failure by a certificate holder, in the absence of good cause, to attend
15 and participate in an interview by the board no later than 30 calendar days after being
16 notified by the board. This subdivision shall only apply to a certificate holder who is
17 the subject of an investigation by the board.

18 (h) Any action of the licensee, or another person acting on behalf of the
19 licensee, intended to cause their patient or their patient's authorized representative to
20 rescind consent to release the patient's medical records to the board or the
21 Department of Consumer Affairs, Health Quality Investigation Unit.

22 (i) Dissuading, intimidating, or tampering with a patient, witness, or any person
23 in an attempt to prevent them from reporting or testifying about a licensee.

24 6. Section 2241 of the Code states:

25 (a) A physician and surgeon may prescribe, dispense, or administer prescription
26 drugs, including prescription controlled substances, to a person with substance use
27 disorder under the physician and surgeon's treatment for a purpose other than
28 maintenance on, or detoxification from, prescription drugs or controlled substances.

(b) A physician and surgeon may prescribe, dispense, or administer prescription
drugs or prescription controlled substances to a person with substance use disorder for
purposes of maintenance on, or detoxification from, prescription drugs or controlled
substances only as set forth in subdivision (c) or in Sections 11215, 11217, 11217.5,
11218, 11219, and 11220 of the Health and Safety Code. Nothing in this subdivision
shall authorize a physician and surgeon to prescribe, dispense, or administer
dangerous drugs or controlled substances to a person they know or reasonably believe
is using or will use the drugs or substances for a nonmedical purpose.

(c) Notwithstanding subdivision (a), prescription drugs or controlled substances
may also be administered or applied by a physician and surgeon, or by a registered
nurse acting under their instruction and supervision, under the following
circumstances:

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1 (1) Emergency treatment of a patient whose addiction is complicated by the
2 presence of incurable disease, acute accident, illness, or injury, or the infirmities
3 attendant upon age.

4 (2) Treatment of persons with substance use disorder in state-licensed
5 institutions where the patient is kept under restraint and control, or in city or county
6 jails or state prisons.

7 (3) Treatment of persons with substance use disorder as provided for by Section
8 11217.5 of the Health and Safety Code.

9 (d)(1) For purposes of this section and Section 2241.5, "person with substance
10 use disorder" means a person whose actions are characterized by craving in
11 combination with one or more of the following:

12 (A) Impaired control over drug use.

13 (B) Compulsive use.

14 (C) Continued use despite harm.

15 (2) Notwithstanding paragraph (1), a person whose drug-seeking behavior is
16 primarily due to the inadequate control of pain is not a person with substance use
17 disorder within the meaning of this section or Section 2241.5.

18 7. Section 2241.5 of the Code states:

19 (a) A physician and surgeon may prescribe for, or dispense or administer to, a
20 person under their treatment for a medical condition dangerous drugs or prescription
21 controlled substances for the treatment of pain or a condition causing pain, including,
22 but not limited to, intractable pain.

23 (b) No physician and surgeon shall be subject to disciplinary action for
24 prescribing, dispensing, or administering dangerous drugs or prescription controlled
25 substances in accordance with this section.

26 (c) This section shall not affect the power of the board to take any action
27 described in Section 2227 against a physician and surgeon who does any of the
28 following:

(1) Violates subdivision (b), (c), or (d) of Section 2234 regarding gross
negligence, repeated negligent acts, or incompetence.

(2) Violates Section 2241 regarding treatment of person with substance use
disorder.

(3) Violates Section 2242 or 2525.3 regarding performing an appropriate prior
examination and the existence of a medical indication for prescribing, dispensing, or
furnishing dangerous drugs or recommending medical cannabis.

(4) Violates Section 2242.1 regarding prescribing on the Internet.

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1 (5) Fails to keep complete and accurate records of purchases and disposals of
2 substances listed in the California Uniform Controlled Substances Act (Division 10
3 (commencing with Section 11000) of the Health and Safety Code) or controlled
4 substances scheduled in the federal Comprehensive Drug Abuse Prevention and
5 Control Act of 1970 (21 U.S.C. Sec. 801 et seq.), or pursuant to the federal
6 Comprehensive Drug Abuse Prevention and Control Act of 1970. A physician and
7 surgeon shall keep records of their purchases and disposals of these controlled
8 substances or dangerous drugs, including the date of purchase, the date and records of
9 the sale or disposal of the drugs by the physician and surgeon, the name and address
10 of the person receiving the drugs, and the reason for the disposal or the dispensing of
11 the drugs to the person, and shall otherwise comply with all state recordkeeping
12 requirements for controlled substances.

13 (6) Writes false or fictitious prescriptions for controlled substances listed in the
14 California Uniform Controlled Substances Act or scheduled in the federal
15 Comprehensive Drug Abuse Prevention and Control Act of 1970.

16 (7) Prescribes, administers, or dispenses in violation of this chapter, or in
17 violation of Chapter 4 (commencing with Section 11150) or Chapter 5 (commencing
18 with Section 11210) of Division 10 of the Health and Safety Code.

19 (d) A physician and surgeon shall exercise reasonable care in determining
20 whether a particular patient or condition, or the complexity of a patient's treatment,
21 including, but not limited to, a current or recent pattern of drug abuse, requires
22 consultation with, or referral to, a more qualified specialist.

23 (e) Nothing in this section shall prohibit the governing body of a hospital from
24 taking disciplinary actions against a physician and surgeon pursuant to Sections
25 809.05, 809.4, and 809.5.

26 8. Section 2242 of the Code states:

27 (a) Prescribing, dispensing, or furnishing dangerous drugs as defined in Section
28 4022 without an appropriate prior examination and a medical indication, constitutes
unprofessional conduct. An appropriate prior examination does not require a
synchronous interaction between the patient and the licensee and can be achieved
through the use of telehealth, including, but not limited to, a self-screening tool or a
questionnaire, provided that the licensee complies with the appropriate standard of
care.

(b) No licensee shall be found to have committed unprofessional conduct within
the meaning of this section if, at the time the drugs were prescribed, dispensed, or
furnished, any of the following applies:

(1) The licensee was a designated physician and surgeon or podiatrist serving in
the absence of the patient's physician and surgeon or podiatrist, as the case may be,
and if the drugs were prescribed, dispensed, or furnished only as necessary to
maintain the patient until the return of the patient's practitioner, but in any case no
longer than 72 hours.

(2) The licensee transmitted the order for the drugs to a registered nurse or to a
licensed vocational nurse in an inpatient facility, and if both of the following
conditions exist:

1 (A) The practitioner had consulted with the registered nurse or licensed
2 vocational nurse who had reviewed the patient's records.

3 (B) The practitioner was designated as the practitioner to serve in the absence
4 of the patient's physician and surgeon or podiatrist, as the case may be.

5 (3) The licensee was a designated practitioner serving in the absence of the
6 patient's physician and surgeon or podiatrist, as the case may be, and was in
7 possession of or had utilized the patient's records and ordered the renewal of a
8 medically indicated prescription for an amount not exceeding the original prescription
9 in strength or amount or for more than one refill.

10 (4) The licensee was acting in accordance with Section 120582 of the Health
11 and Safety Code.

12 9. Section 2266 of the Code states: The failure of a physician and surgeon to maintain
13 adequate and accurate records relating to the provision of services to their patients constitutes
14 unprofessional conduct.

15 10. Section 2228.1 of the Code states.

16 (a) On and after July 1, 2019, except as otherwise provided in subdivision (c),
17 the board and the Podiatric Medical Board of California shall require a licensee to
18 provide a separate disclosure that includes the licensee's probation status, the length
19 of the probation, the probation end date, all practice restrictions placed on the licensee
20 by the board, the board's telephone number, and an explanation of how the patient
21 can find further information on the licensee's probation on the licensee's profile page
22 on the board's online license information internet web site, to a patient or the
23 patient's guardian or health care surrogate before the patient's first visit following the
24 probationary order while the licensee is on probation pursuant to a probationary order
25 made on and after July 1, 2019, in any of the following circumstances:

26 (1) A final adjudication by the board following an administrative hearing or
27 admitted findings or prima facie showing in a stipulated settlement establishing any
28 of the following:

(A) The commission of any act of sexual abuse, misconduct, or relations with a
patient or client as defined in Section 726 or 729.

(B) Drug or alcohol abuse directly resulting in harm to patients or the extent
that such use impairs the ability of the licensee to practice safely.

(C) Criminal conviction directly involving harm to patient health.

(D) Inappropriate prescribing resulting in harm to patients and a probationary
period of five years or more.

(2) An accusation or statement of issues alleged that the licensee committed any
of the acts described in subparagraphs (A) to (D), inclusive, of paragraph (1), and a
stipulated settlement based upon a nolo contendere or other similar compromise that
does not include any prima facie showing or admission of guilt or fact but does
include an express acknowledgment that the disclosure requirements of this section

1 would serve to protect the public interest.

2 (b) A licensee required to provide a disclosure pursuant to subdivision (a) shall
3 obtain from the patient, or the patient's guardian or health care surrogate, a separate,
4 signed copy of that disclosure.

5 (c) A licensee shall not be required to provide a disclosure pursuant to
6 subdivision (a) if any of the following applies:

7 (1) The patient is unconscious or otherwise unable to comprehend the
8 disclosure and sign the copy of the disclosure pursuant to subdivision (b) and a
9 guardian or health care surrogate is unavailable to comprehend the disclosure and
10 sign the copy.

11 (2) The visit occurs in an emergency room or an urgent care facility or the visit
12 is unscheduled, including consultations in inpatient facilities.

13 (3) The licensee who will be treating the patient during the visit is not known to
14 the patient until immediately prior to the start of the visit.

15 (4) The licensee does not have a direct treatment relationship with the patient.

16 (d) On and after July 1, 2019, the board shall provide the following
17 information, with respect to licensees on probation and licensees practicing under
18 probationary licenses, in plain view on the licensee's profile page on the board's
19 online license information internet web site.

20 (1) For probation imposed pursuant to a stipulated settlement, the causes
21 alleged in the operative accusation along with a designation identifying those causes
22 by which the licensee has expressly admitted guilt and a statement that acceptance of
23 the settlement is not an admission of guilt.

24 (2) For probation imposed by an adjudicated decision of the board, the causes
25 for probation stated in the final probationary order.

26 (3) For a licensee granted a probationary license, the causes by which the
27 probationary license was imposed.

28 (4) The length of the probation and end date.

(5) All practice restrictions placed on the license by the board.

(e) Section 2314 shall not apply to this section.

11. Health and Safety Code § 11165 states:

(a) To assist health care practitioners in their efforts to ensure appropriate
prescribing, ordering, administering, furnishing, and dispensing of controlled
substances, law enforcement and regulatory agencies in their efforts to control the
diversion and resultant abuse of Schedule II, Schedule III, Schedule IV and Schedule
V controlled substances, and for statistical analysis, education, and research, the
Department of Justice shall, contingent upon the availability of adequate funds in the
CURES Fund, maintain the Controlled Substance Utilization Review and Evaluation
System (CURES) for the electronic monitoring of, and Internet access to information
regarding, the prescribing and dispensing of Schedule II, Schedule III, Schedule IV,

1 and Schedule V controlled substances by all practitioners authorized to prescribe,
2 order, administer, furnish, or dispense these controlled substances.

3 (b) The Department of Justice may seek and use grant funds to pay the costs
4 incurred by the operation and maintenance of CURES. The department shall annually
5 report to the Legislature and make available to the public the amount and source of
6 funds it receives for support of CURES.

7 (c) (1) The operation of CURES shall comply with all applicable federal and
8 state privacy and security laws and regulations.

9 (2) (A) CURES shall operate under existing provisions of law to safeguard the
10 privacy and confidentiality of patients. Data obtained from CURES shall only be
11 provided to appropriate state, local, and federal public agencies for disciplinary, civil,
12 or criminal purposes and to other agencies or entities, as determined by the
13 Department of Justice, for the purpose of educating practitioners and others in lieu of
14 disciplinary, civil, or criminal actions. Data may be provided to public or private
15 entities, as approved by the Department of Justice, for educational, peer review,
16 statistical, or research purposes, if patient information, including any information that
17 may identify the patient, is not compromised. The University of California shall be
18 provided access to identifiable data for research purposes if the requirements of
19 subdivision (t) of Section 1798.24 of the Civil Code are satisfied. Further, data
20 disclosed to any individual or agency as described in this subdivision shall not be
21 disclosed, sold, or transferred to a third party, unless authorized by, or pursuant to,
22 state and federal privacy and security laws and regulations. The Department of Justice
23 shall establish policies, procedures, and regulations regarding the use, access,
24 evaluation, management, implementation, operation, storage, disclosure, and security
25 of the information within CURES, consistent with this subdivision.

26 (B) Notwithstanding subparagraph (A), a regulatory board whose licensees do
27 not prescribe, order, administer, furnish, or dispense controlled substances shall not
28 be provided data obtained from CURES.

(3) The Department of Justice shall, no later than January 1, 2021, adopt
regulations regarding the access and use of the information within CURES. The
Department of Justice shall consult with all stakeholders identified by the department
during the rulemaking process. The regulations shall, at a minimum, address all of the
following in a manner consistent with this chapter:

(A) The process for approving, denying, and disapproving individuals or
entities seeking access to information in CURES.

(B) The purposes for which a health care practitioner may access information in
CURES.

(C) The conditions under which a warrant, subpoena, or court order is required
for a law enforcement agency to obtain information from CURES as part of a
criminal investigation.

(D) The process by which information in CURES may be provided for
educational, peer review, statistical, or research purposes.

(4) In accordance with federal and state privacy laws and regulations, a health
care practitioner may provide a patient with a copy of the patient's CURES patient
activity report as long as no additional CURES data is provided and keep a copy of

1 the report in the patient's medical record in compliance with subdivision (d) of
2 Section 11165.1.

3 (d) For each prescription for a Schedule II, Schedule III, Schedule IV, or
4 Schedule V controlled substance, as defined in the controlled substances schedules in
5 federal law and regulations, specifically Sections 1308.12, 1308.13, 1308.14 and
6 1308.15, respectively, of Title 21 of the Code of Federal Regulations, the dispensing
7 pharmacy, clinic, or other dispenser shall report the following information to the
8 Department of Justice or contracted prescription data processing vendor as soon as
9 reasonably possible, but not more than one working day after the date a controlled
10 substance is released to the patient or patient's representative, in a format specified by
11 the Department of Justice:

12 (1) Full name, address, and, if available, telephone number of the ultimate user
13 or research subject, or contact information as determined by the Secretary of the
14 United States Department of Health and Human Services, and the gender, and date of
15 birth of the ultimate user.

16 (2) The prescriber's category of licensure, license number, national provider
17 identifier (NPI) number, if applicable, the federal controlled substance registration
18 number, and the state medical license number of any prescriber using the federal
19 controlled substance registration number of a government-exempt facility.

20 (3) Pharmacy prescription number, license number, NPI number, and federal
21 controlled substance registration number.

22 (4) National Drug Code (NDC) number of the controlled substance dispensed.

23 (5) Quantity of the controlled substance dispensed.

24 (6) The International Statistical Classification of Diseases (ICD) Code
25 contained in the most current ICD revision, or any other revision deemed sufficient
26 by the State Board of Pharmacy, if available.

27 (7) Number of refills ordered.

28 (8) Whether the drug was dispensed as a refill of a prescription or as a first-time
request.

(9) Prescribing date of the prescription.

(10) Date of dispensing of the prescription.

(11) The serial number for the corresponding prescription form, if applicable.

(e) The Department of Justice may invite stakeholders to assist, advise, and
make recommendations on the establishment of rules and regulations necessary to
ensure the proper administration and enforcement of the CURES database. A
prescriber and dispenser invitee shall be licensed by one of the boards or committees
identified in subdivision (d) of Section 208 of the Business and Professions Code, in
active practice in California, and a regular user of CURES.

(f) The Department of Justice shall, prior to upgrading CURES, consult with
prescribers licensed by one of the boards or committees identified in subdivision (d)
of Section 208 of the Business and Professions Code, one or more of the boards or

1 committees identified in subdivision (d) of Section 208 of the Business and
2 Professions Code, and any other stakeholder identified by the department, for the
3 purpose of identifying desirable capabilities and upgrades to the CURES Prescription
4 Drug Monitoring Program (PDMP).

5 (g) The Department of Justice may establish a process to educate authorized
6 subscribers of the CURES PDMP on how to access and use the CURES PDMP.

7 (h) (1) The Department of Justice may enter into an agreement with an entity
8 operating an interstate data sharing hub, or any agency operating a prescription drug
9 monitoring program in another state, for purposes of interstate data sharing of
10 prescription drug monitoring program information.

11 (2) Data obtained from CURES may be provided to authorized users of another
12 state's prescription drug monitoring program, as determined by the Department of
13 Justice pursuant to subdivision (c), if the entity operating the interstate data sharing
14 hub, and the prescription drug monitoring program of that state, as applicable, have
15 entered into an agreement with the Department of Justice for interstate data sharing of
16 prescription drug monitoring program information.

17 (3) An agreement entered into by the Department of Justice for purposes of
18 interstate data sharing of prescription drug monitoring program information shall
19 ensure that all access to data obtained from CURES and the handling of data
20 contained within CURES comply with California law, including regulations, and
21 meet the same patient privacy, audit, and data security standards employed and
22 required for direct access to CURES.

23 (4) For purposes of interstate data sharing of CURES information pursuant to
24 this subdivision, an authorized user of another state's prescription drug monitoring
25 program shall not be required to register with CURES, if the authorized user is
26 registered and in good standing with that state's prescription drug monitoring
27 program.

28 (5) The Department of Justice shall not enter into an agreement pursuant to this
subdivision until the department has issued final regulations regarding the access and
use of the information within CURES as required by paragraph (3) of subdivision (c).

(i) Notwithstanding subdivision (d), a veterinarian shall report the information
required by that subdivision to the department as soon as reasonably possible, but not
more than seven days after the date a controlled substance is dispensed.

(j) If the dispensing pharmacy, clinic, or other dispenser experiences a
temporary technological or electrical failure, it shall, without undue delay, seek to
correct any cause of the temporary technological or electrical failure that is
reasonably within its control. The deadline for transmitting prescription information
to the department or contracted prescription data processing vendor pursuant to
subdivision (d) shall be extended until the failure is corrected. If the dispensing
pharmacy, clinic, or other dispenser experiences technological limitations that are not
reasonably within its control, or is impacted by a natural or manmade disaster, the
deadline for transmitting prescription information to the department or contracted
prescription data processing vendor shall be extended until normal operations have
resumed.

1 12. Health and Safety Code § 11165.1 states:

2 (a) (1) (A) (i) A health care practitioner authorized to prescribe, order,

3
4 administer, furnish, or dispense Schedule II, Schedule III, Schedule IV, or Schedule
5 V controlled substances pursuant to Section 11150 shall, upon receipt of a federal
6 Drug Enforcement Administration (DEA) registration, submit an application
7 developed by the Department of Justice to obtain approval to electronically access
8 information regarding the controlled substance history of a patient that is maintained
9 by the Department of Justice. Upon approval, the department shall release to the
10 practitioner or their delegate the electronic history of controlled substances dispensed
11 to an individual under the practitioner's care based on data contained in the CURES
12 Prescription Drug Monitoring Program (PDMP).

13 (ii) A pharmacist shall, upon licensure, submit an application developed by the
14 Department of Justice to obtain approval to electronically access information
15 regarding the controlled substance history of a patient that is maintained by the
16 Department of Justice. Upon approval, the department shall release to the pharmacist
17 the electronic history of controlled substances dispensed to an individual under the
18 practitioner's care based on data contained in the CURES PDMP.

19 (iii) A licensed physician and surgeon who does not hold a DEA registration
20 may submit an application developed by the department to obtain approval to
21 electronically access information regarding the controlled substance history of the
22 patient that is maintained by the department. Upon approval, the department shall
23 release to the physician and surgeon or their delegate the electronic history of
24 controlled substances dispensed to a patient under their care based on data contained
25 in the CURES PDMP.

26 (iv) The department shall implement its duties described in clauses (i), (ii), and
27 (iii) upon completion of any technological changes to the CURES database necessary
28 to support clauses (i), (ii), and (iii), or by October 1, 2022, whichever is sooner.

(B) The department may deny an application or suspend a subscriber, for
reasons that include, but are not limited to, the following:

(i) Materially falsifying an application to access information contained in the
CURES database.

(ii) Failing to maintain effective controls for access to the patient activity
report.

(iii) Having their federal DEA registration suspended or revoked.

(iv) Violating a law governing controlled substances or any other law for which
the possession or use of a controlled substance is an element of the crime.

(v) Accessing information for a reason other than to diagnose or treat his or her
patients, or to document compliance with the law.

(C) An authorized subscriber shall notify the Department of Justice within 30
days of any changes to the subscriber account.

1 (D) An approved health care practitioner, pharmacist, or a person acting on behalf of a
2 health care practitioner or pharmacist pursuant to subdivision (b) of Section 209 of
3 the Business and Professions Code may use the department's online portal or a health
4 information technology system that meets the criteria required in subparagraph (E) to
5 access information in the CURES database pursuant to this section. A subscriber
6 who uses a health information technology system that meets the

7 criteria required in subparagraph (E) to access the CURES database may submit
8 automated queries to the CURES database that are triggered by predetermined
9 criteria.

10 (E) An approved health care practitioner or pharmacist may submit queries to
11 the CURES database through a health information technology system if the entity that
12 operates the health information technology system certifies all of the following:

13 (i) The entity will not use or disclose data received from the CURES database
14 for any purpose other than delivering the data to an approved health care practitioner
15 or pharmacist or performing data processing activities that may be necessary to
16 enable the delivery unless authorized by, and pursuant to, state and federal privacy
17 and security laws and regulations.

18 (ii) The health information technology system will authenticate the identity of
19 an authorized health care practitioner or pharmacist initiating queries to the CURES
20 database and, at the time of the query to the CURES database, the health information
21 technology system submits the following data regarding the query to CURES:

22 (I) The date of the query.

23 (II) The time of the query.

24 (III) The first and last name of the patient queried.

25 (IV) The date of birth of the patient queried.

26 (V) The identification of the CURES user for whom the system is making the
27 query.

28 (iii) The health information technology system meets applicable patient privacy
and information security requirements of state and federal law.

(iv) The entity has entered into a memorandum of understanding with the
department that solely addresses the technical specifications of the health information
technology system to ensure the security of the data in the CURES database and the
secure transfer of data from the CURES database. The technical specifications shall
be universal for all health information technology systems that establish a method of
system integration to retrieve information from the CURES database. The
memorandum of understanding shall not govern, or in any way impact or restrict, the
use of data received from the CURES database or impose any additional burdens on
covered entities in compliance with regulations promulgated pursuant to the federal
Health Insurance Portability and Accountability Act of 1996 found in Parts 160 and
164 of Title 45 of the Code of Federal Regulations.

1 (F) No later than October 1, 2018, the department shall develop a programming
2 interface or other method of system integration to allow health information
3 technology systems that meet the requirements in subparagraph (E) to retrieve
information in the CURES database on behalf of an authorized health care
practitioner or pharmacist.

4 (G) The department shall not access patient-identifiable information in an
5 entity's health information technology system.

6 (H) An entity that operates a health information technology system that is
7 requesting to establish an integration with the CURES database shall pay a reasonable
8 fee to cover the costs of establishing and maintaining integration with the CURES
9 database.

10 (I) The department may prohibit integration or terminate a health information
11 technology system's ability to retrieve information in the CURES database if the
12 health information technology system fails to meet the requirements of subparagraph
13 (E), or the entity operating the health information technology system does not fulfill
14 its obligation under subparagraph (H).

15 (2) A health care practitioner authorized to prescribe, order, administer, furnish,
16 or dispense Schedule II, Schedule III, Schedule IV, or Schedule V controlled
17 substances pursuant to Section 11150 or a pharmacist shall be deemed to have
18 complied with paragraph (1) if the licensed health care practitioner or pharmacist has
19 been approved to access the CURES database through the process developed pursuant
20 to subdivision (a) of Section 209 of the Business and Professions Code.

21 (b) A request for, or release of, a controlled substance history pursuant to this
22 section shall be made in accordance with guidelines developed by the Department of
23 Justice.

24 (c) In order to prevent the inappropriate, improper, or illegal use of Schedule II,
25 Schedule III, Schedule IV, or Schedule V controlled substances, the Department of
26 Justice may initiate the referral of the history of controlled substances dispensed to an
27 individual based on data contained in CURES to licensed health care practitioners,
28 pharmacists, or both, providing care or services to the individual.

(d) The history of controlled substances dispensed to an individual based on
data contained in CURES that is received by a practitioner or pharmacist from the
Department of Justice pursuant to this section is medical information subject to the
provisions of the Confidentiality of Medical Information Act contained in Part 2.6
(commencing with Section 56) of Division 1 of the Civil Code.

(e) Information concerning a patient's controlled substance history provided to
a prescriber or pharmacist pursuant to this section shall include prescriptions for
controlled substances listed in Sections 1308.12, 1308.13, 1308.14, and 1308.15 of
Title 21 of the Code of Federal Regulations.

(f) A health care practitioner, pharmacist, or a person acting on behalf of a
health care practitioner or pharmacist, when acting with reasonable care and in good
faith, is not subject to civil or administrative liability arising from any false,
incomplete, inaccurate, or misattributed information submitted to, reported by, or
relied upon in the CURES database or for any resulting failure of the CURES
database to accurately or timely report that information.

1 (g) For purposes of this sections, the following terms have the following
2 meanings:

3 (1) "Automated basis" means using predefined criteria to trigger an automated
4 query to the CURES database, which can be attributed to a specific health care
5 practitioner or pharmacist.

6 (2) "Department" means the Department of Justice.

7 (3) "Entity" means an organization that operates, or provides or makes
8 available, a health information technology system to health care practitioner or
9 pharmacist.

10 (4) "Health information technology system" means an information processing
11 application using hardware and software for the storage, retrieval, sharing of or use of
12 patient data for communication, decision making, coordination of care, or the quality,
13 safety, or efficiency of the practice of medicine or delivery of health care services,
14 including, but not limited to, electronic medical record applications, health
15 information exchange systems, or other interoperable clinical or health care
16 information system.

17 (h) This section shall become operative on July 1, 2021, or upon the date the
18 department promulgates regulations to implement this section and posts those
19 regulations on its internet website, whichever date is earlier.

20 COST RECOVERY

21 13. Business and Professions Code section 125.3 states that:

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

28 (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).

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

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

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

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

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

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

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

23 DEFINITIONS

24 14. Fentanyl – Generic name for the drug Duragesic. Fentanyl is a potent, synthetic
25 opioid analgesic with a rapid onset and short duration of action used for pain. The fentanyl
26 transdermal patch is used for long-term chronic pain. It has an extremely high danger of abuse
27 and can lead to addiction, as the medication is estimated to be 80 times more potent than
28 morphine and hundreds of times more potent than heroin.¹ Fentanyl is a Schedule II controlled
substance pursuant to Code of Federal Regulations Title 21 section 1308.12. Fentanyl is a
dangerous drug pursuant to California Business and Professions Code section 4022, and is a
Schedule II controlled substance pursuant to California Health and Safety Code section 11055(c).

15. Oxycodone – Generic name for Oxycontin. Oxycodone has a high risk for addiction
and dependence. It can cause respiratory distress and death when taken in high doses or when
combined with other substances, especially alcohol. Oxycodone is a short-acting opioid analgesic

¹ http://www.cdc.gov/niosh/ershdb/EmergencyResponseCard_29750022.html

1 used to treat moderate to severe pain. Oxycodone is a Schedule II controlled substance pursuant
2 to Code of Federal Regulations Title 21 section 1308.12. Oxycodone is a dangerous drug
3 pursuant to California Business and Professions Code section 4022 and is a Schedule II controlled
4 substance pursuant to California Health and Safety Code section 11055(b).

5 16. Alprazolam – Generic name for the drug Xanax. Alprazolam is a short-acting
6 benzodiazepine used to treat anxiety. Alprazolam is a Schedule IV controlled substance pursuant
7 to Code of Federal Regulations Title 21 section 1308.14. Alprazolam is a dangerous drug
8 pursuant to California Business and Professions Code section 4022 and is a Schedule IV
9 controlled substance pursuant to California Health and Safety Code section 11057(d).

10 17. Diazepam – Generic name for Valium. Diazepam is a long-acting member of the
11 benzodiazepine family used for the treatment of anxiety and panic attacks. Diazepam is a
12 Schedule IV controlled substance pursuant to Code of Federal Regulations Title 21 section
13 1308.14(c) and Health and Safety Code section 11057, subdivision (d), and a dangerous drug
14 pursuant to Business and Professions Code section 4022.

15 18. Clonazepam – Generic name for Klonopin. Clonazepam is an anti-anxiety
16 medication in the benzodiazepine family used to prevent seizures, panic disorder, and akathisia.
17 Clonazepam is a Schedule IV controlled substance pursuant to Code of Federal Regulations Title
18 21 section 1308.14(c). It is a Schedule IV controlled substance pursuant to Health and Safety
19 Code section 11057, subdivision (d), and a dangerous drug pursuant to Business and Professions
20 Code section 4022.

21 19. Temazepam – Generic name for Restoril. It is a medication of the benzodiazepine
22 class which is generally used to treat severe or debilitating insomnia. It is a Schedule IV
23 controlled substance pursuant to Code of Federal Regulations Title 21 section 1308.14(c). It is a
24 Schedule IV controlled substance pursuant to Health and Safety Code section 11057, subdivision
25 (d), and a dangerous drug pursuant to Business and Professions Code section 4022.

26 20. Butalbital with caffeine and aspirin – Generic name for Fiorinal. Butalbital is a
27 barbiturate with an immediate duration of action. Often combined with other medications, it is
28 commonly used for the treatment of pain and headache. Fiorinal is a Schedule III controlled

1 substance pursuant to Code of Federal Regulations Title 21 section 1308.13. Fiorinal is a
2 dangerous drug pursuant to Business and Professions Code section 4022.

3 21. Buprenorphine – Generic name for Butrans. Buprenorphine is an opioid used to treat
4 opioid addiction, moderate acute pain, and moderate chronic pain. When used in combination
5 with naloxone for treating opioid addiction, it is known by the trade name Suboxone. As a
6 transdermal patch, Butrans is used for chronic pain. Buprenorphine is a Schedule III controlled
7 substance pursuant to Code of Federal Regulations Title 21 Section 1308.13(e). Buprenorphine is
8 a dangerous drug pursuant to Business and Professions Code section 4022.

9 22. Oxycodone with acetaminophen – Generic name for Percocet and Endocet. Percocet
10 is a short-acting opioid analgesic used to treat moderate to severe pain. Percocet is a Schedule II
11 controlled substance pursuant to Code of Federal Regulations Title 21 section 1308.12. Percocet
12 is a dangerous drug pursuant to California Business and Professions Code section 4022 and is a
13 Schedule II controlled substance pursuant to California Health and Safety Code section 11055(b).

14 23. Hydrocodone with acetaminophen – Generic name for the drugs Vicodin, Norco, and
15 Lortab. Hydrocodone with acetaminophen is classified as an opioid analgesic combination
16 product used to treat moderate to moderately severe pain. Prior to October 6, 2014, hydrocodone
17 with acetaminophen was a Schedule III controlled substance pursuant to Code of Federal
18 Regulations Title 21 section 1308.13(e).² Hydrocodone with acetaminophen is a dangerous drug
19 pursuant to California Business and Professions Code section 4022 and is a Schedule II controlled
20 substance pursuant to California Health and Safety Code section 11055, subdivision (b).

21 24. Hydrocodone with ibuprofen – Sold under the brand name Vicoprofen, hydrocodone
22 with ibuprofen is a fixed-dose combination analgesic medication used in short-term therapy to
23 relieve severe pain. Prior to October 6, 2014, hydrocodone with ibuprofen was a Schedule III
24 controlled substance pursuant to Code of Federal Regulations Title 21 section 1308.13(e).³

25
26 ² On October 6, 2014, Hydrocodone combination products were reclassified as Schedule
27 II controlled substances. Federal Register Volume 79, Number 163. Code of Federal Regulations
28 Title 21 section 1308.12.

³ On October 6, 2014, Hydrocodone combination products were reclassified as Schedule
II controlled substances. Federal Register Volume 79, Number 163. Code of Federal Regulations
Title 21 section 1308.12.

1 Hydrocodone with ibuprofen is a dangerous drug pursuant to California Business and Professions
2 Code section 4022 and is a Schedule II controlled substance pursuant to California Health and
3 Safety Code section 11055, subdivision (b).

4 25. Carisoprodol – Generic name for Soma. Carisoprodol is a centrally acting skeletal
5 muscle relaxant. On January 11, 2012, Carisoprodol was classified as a Schedule IV controlled
6 substance pursuant to Code of Federal Regulations Title 21 section 1308.14(c). It is a dangerous
7 drug pursuant to Business and Professions Code section 4022.

8 26. Tramadol – Generic name for the drug Ultram. Tramadol is an opioid pain
9 medication used to treat moderate to moderately severe pain. Effective August 18, 2014,
10 Tramadol was placed into Schedule IV of the Controlled Substances Act pursuant to Code of
11 Federal Regulations Title 21 section 1308.14(b). It is a dangerous drug pursuant to Business and
12 Professions Code section 4022.

13 27. Bupropion – Generic name for Wellbutrin. Bupropion is an atypical antidepressant
14 that is US FDA-approved to treat major depressive disorder, seasonal affective disorder, and to
15 support smoking cessation. It is a dangerous drug pursuant to Business and Professions Code
16 section 4022.

17 28. Methylphenidate – Generic name for Ritalin and Concerta, it is an FDA-approved
18 central nervous system (CNS) stimulant to treat ADHD and narcolepsy. Methylphenidate is a
19 Schedule II controlled substance pursuant to Code of Federal Regulations Title 21 section
20 1308.12. It is a dangerous drug pursuant to California Business and Professions Code section
21 4022 and is a Schedule II controlled substance pursuant to California Health and Safety Code
22 section 11055(b).

23 29. Amphetamine – Combined with other drugs and sold under the trade name Adderall.
24 Adderall is used in the treatment of ADHD and narcolepsy. Adderall is a Schedule II controlled
25 substance pursuant to Code of Federal Regulations Title 21 section 1308.12. It is a dangerous
26 drug pursuant to California Business and Professions Code section 4022 and is a Schedule II
27 controlled substance pursuant to California Health and Safety Code section 11055(b).

28

1 35. Respondent was at the time of the allegations herein a physician and surgeon Board
2 Certified in Family Medicine and Occupational Medicine, who practiced at the El Dorado
3 Community Health Center (EDCHC) in Cameron Park, California and at Folsom Urgent Care, in
4 Folsom, California.

5 **Patient A**

6 36. Patient A is a 60-year-old male long-term patient, who was first seen by Respondent
7 more than 10 years ago. Patient A was a complex patient who received multiple controlled
8 substances from Respondent and other prescribers. Patient A had a history of degenerative joint
9 disease, disc herniation, spinal stenosis, chronic neck and back pain, Crohn's disease, ulcerative
10 colitis, chronic diarrhea, erosive esophagitis, duodenal ulcer, chronic fatigue, alcohol abuse,
11 headache, history of cervical spine fusion (2007), cholecystectomy (1995), PTSD, opioid
12 dependence, anxiety, severe depression, hallucinogen use when in high school and was
13 documented to have gotten opioids "from the street".

14 37. According to the CURES report for Patient A, during the period of on or about May
15 3, 2017, through on or about September 7, 2017, Patient A filled the following prescriptions for
16 controlled substances:

17

| Date Filled | Drug Name | Strength | Quantity |
|-------------|--------------------------------------|-----------|----------|
| 5/3/2017 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 120 |
| 5/17/2017 | MORPHINE SULFATE | 15 MG | 10 |
| 5/30/2017 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 120 |
| 6/14/2017 | MORPHINE SULFATE | 30 MG | 30 |
| 6/28/2017 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 120 |
| 7/25/2017 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 120 |
| 8/9/2017 | OXYCODONE HYDROCHLORIDE | 10 MG | 120 |
| 9/7/2017 | OXYCODONE HYDROCHLORIDE | 10 MG | 120 |

23

24 38. In January 2017, Respondent saw Patient A for a clinic visit. Patient A's controlled
25 medications utilized were documented as Norco 10 – 325 mg, MS Contin 30 mg, morphine
26 sulfate 30 mg ("not taking"), as well as Prozac 20 mg, Wellbutrin 75 mg ("not taking"), and
27 promethazine ("not taking"). During the visit, Respondent failed to address Patient A's high
28 blood pressure (142/90). Respondent documented no abnormalities in his limited examination of

1 the neck, heart, and abdomen. Respondent's plan was to refill Norco, increase gabapentin to 800
2 mg three times a day, and stop Wellbutrin (however the progress note states Patient A was not taking
3 this medicine.)

4 39. In a follow-up visit in March 2017, Respondent performed a minimal examination
5 including general appearance, neck, lungs, heart, and abdomen. The only abnormality
6 documented was "tender RUQ⁵". Respondent advised Patient A to stop Norco and to start
7 Percocet 10 – 325 mg every eight hours. Laboratory tests were ordered including TSH, CBC, and
8 a comprehensive metabolic panel.

9 40. Respondent next saw Patient A in April 2017. Patient A requested to go back to
10 Norco as Percocet was making him sick. Respondent documented the urine drug test results in
11 the note which revealed that Patient A was negative for all drugs tested with the exception of
12 THC. Respondent failed to address this aberrant test. Respondent stopped Percocet and
13 prescribed Norco 10 – 325 mg every six hours. Respondent also refilled gabapentin.

14 41. Respondent next saw Patient A in May 2017. Patient A stated that gabapentin makes
15 him feel "foggy" at the current dosage. Respondent lowered gabapentin to 600 mg, and refilled
16 Norco, 10 doses of morphine sulfate 15 mg to be used as needed. Respondent documented the results
17 of the urine drug test which revealed that Patient A was positive for alcohol and marijuana but
18 negative for the prescribed benzodiazepines. Respondent failed to address the aberrant results of the
19 urine drug test.

20 42. Respondent next saw Patient A in June 2017 for neck pain and ulcerative colitis with
21 abdominal pain. Respondent did not perform an abdominal examination and only performed a
22 minimal examination of the neck. Respondent performed a neurological examination and stopped
23 morphine. Respondent refilled Norco. The urine drug test revealed that Patient A was positive
24 for THC but negative for opiates and benzodiazepines. Respondent failed to address the aberrant
25 results of the urine drug test.

26 43. Respondent next saw Patient A in September 2017 for neck pain and jaw pain. Patient
27 A reported that oxycodone helped without bothering his gastrointestinal area. Respondent performed

28 ⁵ RUQ = right upper quadrant of abdomen

1 a limited examination and documented "High risk medication use" under his assessment. The
2 September urine drug test revealed that Patient A was positive for marijuana, alcohol,
3 benzodiazepines, and alprazolam, but negative for prescribed opiates. Respondent failed to address
4 the aberrant urine drug test.

5 44. According to the CURES report for Patient A, during the period of on or about April
6 24, 2018, through on or about December 19, 2018, Patient A filled the following prescriptions for
7 controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|---------------------------------------|-----------|----------|
| 4/24/2018 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 5-325 MG | 30 |
| 6/26/2018 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 30 |
| 7/27/2018 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 30 |
| 8/23/2018 | LORAZEPAM | 0.5 MG | 5 |
| 8/24/2018 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 30 |
| 9/6/2018 | OXYCODONE HYDROCHLORIDE ACETAMINOPHEN | 10-325 MG | 30 |
| 9/11/2018 | LORAZEPAM | 0.5 MG | 5 |
| 9/21/2018 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 60 |
| 10/19/2018 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 60 |
| 12/19/2018 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 60 |

15
16 45. In September 2018, Patient A's urine drug test revealed that Patient A was positive
17 for alcohol metabolites but negative for opiates and benzodiazepines. Respondent failed to
18 address Patient A's aberrant urine drug test. Respondent's assessment documented high-risk
19 medication use. Patient A was advised to stop Percocet and gabapentin. Respondent refilled
20 Norco.

21 46. In November 2018, another provider ordered an MRI on Patient A's shoulder and
22 referred Patient A to physical therapy. Patient A's urine drug test was positive for
23 benzodiazepine.

24 47. According to the CURES report for Patient A, during the period of on or about
25 January 18, 2019, through on or about December 2, 2019, Patient A filled the following
26 prescriptions for controlled substances:

27 ///

28 ///

| Date Filled | Drug Name | Strength | Quantity |
|-------------|---------------------------------------|-----------|----------|
| 1/18/2019 | OXYCODONE HYDROCHLORIDE ACETAMINOPHEN | 10-325 MG | 60 |
| 10/1/2019 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 5-325 MG | 60 |
| 11/1/2019 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 5-325 MG | 10 |
| 11/15/2019 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 5-325 MG | 60 |
| 12/2/2019 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 60 |

48. According to the CURES report for Patient A, during the period of on or about February 4, 2020, through on or about December 23, 2020, Patient A filled the following prescriptions for controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|--------------------------------------|-----------|----------|
| 2/4/2020 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 60 |
| 3/24/2020 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 60 |
| 4/7/2020 | PREGABALIN | 25 MG | 30 |
| 4/12/2020 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 90 |
| 5/10/2020 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 90 |
| 5/29/2020 | PREGABALIN | 25 MG | 60 |
| 5/29/2020 | OXYCODONE HYDROCHLORIDE | 5 MG | 90 |
| 6/27/2020 | PREGABALIN | 25 MG | 60 |
| 6/30/2020 | OXYCODONE HYDROCHLORIDE | 5 MG | 90 |
| 7/21/2020 | PREGABALIN | 25 MG | 60 |
| 7/25/2020 | OXYCODONE HYDROCHLORIDE | 5 MG | 120 |
| 8/11/2020 | LORAZEPAM | 0.5 MG | 5 |
| 8/23/2020 | OXYCODONE HYDROCHLORIDE | 10 MG | 60 |
| 8/28/2020 | MORPHINE SULFATE | 15 MG | 30 |
| 9/4/2020 | PREGABALIN | 25 MG | 60 |
| 9/11/2020 | MORPHINE SULFATE | 15 MG | 30 |
| 9/25/2020 | MORPHINE SULFATE | 15 MG | 30 |
| 10/9/2020 | MORPHINE SULFATE | 15 MG | 60 |
| 10/14/2020 | LORAZEPAM | 0.5 MG | 5 |
| 10/28/2020 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 90 |
| 11/13/2020 | PREGABALIN | 25 MG | 90 |
| 11/18/2020 | LORAZEPAM | 0.5 MG | 5 |
| 11/27/2020 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 90 |
| 12/14/2020 | PREGABALIN | 25 MG | 90 |
| 12/23/2020 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 90 |

49. In February 2020, Respondent saw Patient A for a clinic visit. Patient A's urine drug test was positive for benzodiazepine and THC. Respondent refilled Norco, and stopped prescribing bupropion to Patient A. Respondent documented his assessment as high-risk medication use.

1 50. According to the CURES report for Patient A, during the period of on or about
 2 January 13, 2021, through on or about December 27, 2021, Patient A filled the following
 3 prescriptions for controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|---------------------------------------|-----------|----------|
| 1/13/2021 | MORPHINE SULFATE | 15 MG | 6 |
| 1/13/2021 | MORPHINE SULFATE | 15 MG | 54 |
| 2/9/2021 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 90 |
| 3/10/2021 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 90 |
| 4/28/2021 | OXYCODONE HYDROCHLORIDE | 5 MG | 90 |
| 5/28/2021 | OXYCODONE HYDROCHLORIDE | 5 MG | 120 |
| 6/26/2021 | OXYCODONE HYDROCHLORIDE | 5 MG | 120 |
| 7/2/2021 | OXYCODONE HYDROCHLORIDE | 10 MG | 120 |
| 7/9/2021 | LORAZEPAM | 0.5 MG | 10 |
| 7/31/2021 | OXYCODONE HYDROCHLORIDE | 10 MG | 120 |
| 8/4/2021 | LORAZEPAM | 0.5 MG | 10 |
| 8/6/2021 | ALPRAZOLAM | 1 MG | 10 |
| 8/13/2021 | ALPRAZOLAM | 1 MG | 2 |
| 8/13/2021 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 90 |
| 8/14/2021 | ALPRAZOLAM | 1 MG | 30 |
| 9/11/2021 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 90 |
| 9/14/2021 | ALPRAZOLAM | 1 MG | 30 |
| 9/21/2021 | OXYCODONE HYDROCHLORIDE | 5 MG | 81 |
| 9/21/2021 | OXYCODONE HYDROCHLORIDE | 5 MG | 9 |
| 10/5/2021 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 90 |
| 10/29/2021 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 120 |
| 11/2/2021 | ALPRAZOLAM | 1 MG | 30 |
| 11/27/2021 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 120 |
| 12/1/2021 | ALPRAZOLAM | 1 MG | 30 |
| 12/7/2021 | OXYCODONE HYDROCHLORIDE ACETAMINOPHEN | 10-325 MG | 83 |
| 12/7/2021 | OXYCODONE HYDROCHLORIDE ACETAMINOPHEN | 10-325 MG | 7 |
| 12/27/2021 | ALPRAZOLAM | 1 MG | 30 |

22 51. Patient A continued with regular visits with Respondent and other providers, and on
 23 or about April 18, 2021, Respondent had a telephone visit with Patient A. Patient A indicated
 24 that he was willing to wean off opioids. Respondent documented pharmacy concerns about early
 25 refills. Respondent increased the prescription of Xanax from 10 per month to 30 per month.
 26 Respondent did not feel there was substance abuse and approved an early refill for gabapentin.

27 ///

28 ///

1 52. A pharmacy form dated in or around August 2021, provided that Patient A was
2 planning on weaning opiates in the next 3 months. Patient A was prescribed Norco 10-25 mg tid ⁶
3 and Xanax 1 mg daily.

4 53. According to the CURES report for Patient A, during the period of on or about
5 January 6, 2022, through on or about December 11, 2022, Patient A filled the following
6 prescriptions for controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|---------------------------------------|-----------|----------|
| 1/6/2022 | OXYCODONE HYDROCHLORIDE ACETAMINOPHEN | 10-325 MG | 90 |
| 2/4/2022 | OXYCODONE HYDROCHLORIDE | 10 MG | 90 |
| 2/9/2022 | ALPRAZOLAM | 1 MG | 30 |
| 2/16/2022 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 45 |
| 3/1/2022 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 90 |
| 3/24/2022 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 120 |
| 4/22/2022 | ALPRAZOLAM | 1 MG | 30 |
| 4/22/2022 | HYDROCODONE BITARTRATE ACETAMINOPHEN | 10-325 MG | 120 |
| 4/28/2022 | OXYCODONE HYDROCHLORIDE ACETAMINOPHEN | 10-325 MG | 120 |
| 5/21/2022 | ALPRAZOLAM | 1 MG | 30 |
| 5/31/2022 | OXYCONTIN | 20 MG | 60 |
| 6/28/2022 | ALPRAZOLAM | 1 MG | 10 |
| 6/30/2022 | OXYCONTIN | 20 MG | 90 |
| 7/28/2022 | OXYCODONE HYDROCHLORIDE ACETAMINOPHEN | 10-325 MG | 120 |
| 7/28/2022 | ALPRAZOLAM | 1 MG | 10 |
| 8/26/2022 | OXYCODONE HYDROCHLORIDE | 10 MG | 120 |
| 8/26/2022 | ALPRAZOLAM | 1 MG | 10 |
| 9/25/2022 | OXYCODONE HYDROCHLORIDE | 10 MG | 120 |
| 9/25/2022 | ALPRAZOLAM | 1 MG | 10 |
| 10/14/2022 | ALPRAZOLAM | 1 MG | 10 |
| 10/24/2022 | OXYCODONE HYDROCHLORIDE | 15 MG | 120 |
| 11/12/2022 | ALPRAZOLAM | 1 MG | 10 |
| 11/22/2022 | OXYCODONE HYDROCHLORIDE | 15 MG | 48 |
| 11/22/2022 | OXYCODONE HYDROCHLORIDE | 15 MG | 12 |
| 12/11/2022 | ALPRAZOLAM | 1 MG | 10 |

24 54. In a telephone visit in August 2022, Respondent documented that Patient A had
25 severe depression, a PHQ-9 score 17. Respondent referred Patient A to physical therapy for neck
26 and back pain and ordered cervical and lumbar spine imaging.

27
28 ⁶ Tid – medical abbreviation for “three times a day.”

1 55. In November 2022, Patient A was seen by another provider for a chronic pain
2 consultation. Respondent referred Patient A to STEPS for chronic pain. The chronic pain
3 provider documented that Patient A's pain was 8/10, currently taking oxycodone 15 mg and
4 gabapentin 800 mg. He documented that Patient A had a history of anxiety and panic attacks,
5 PTSD, ulcerative colitis, and headaches. Patient A reported taking cannabis for PTSD since
6 age 12. The chronic pain provider also documented that Patient A took opioids for abdominal
7 pain either prescribed or from the street; including the use of hallucinogens when in high school.
8 The chronic pain provider performed a very thorough evaluation and examination and diagnosed
9 Patient A with opioid dependence and anxiety. The urine drug test tested positive for
10 benzodiazepine but negative for opioids and other drugs tested. Patient A admitted that "in the
11 past used opioids to get high." Patient A had "tolerance, dependence and withdrawal symptoms."

12 56. According to the CURES report for Patient A, during the period of on or about
13 January 10, 2023, through on or about March 12, 2023, Patient A filled the following
14 prescriptions for controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|------------|----------|----------|
| 1/10/2023 | ALPRAZOLAM | 1 MG | 10 |
| 2/9/2023 | ALPRAZOLAM | 1 MG | 10 |
| 3/12/2023 | ALPRAZOLAM | 1 MG | 10 |

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16
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18
19 57. Respondent next saw Patient A in February and July 2023. Respondent failed to
20 address Patient A's aberrant urine drug screen.

21 58. Patient A had aberrant urine drug test results on April 7, May 17, June 14, June 28,
22 September 6, September 7, December 14, 2017; June 26, September 21, November 21, 2018;
23 February 4, 2022, February 16, March 14, 23, June 25, 28, 2023; and April 8, 2024.

24 59. During his interview with the Board investigator on or about August 27, 2024,
25 Respondent stated that he only started using CURES⁷ five or six years ago. When asked if other
26 modalities of treatment were attempted to manage Patient A's pain. Respondent stated he had not

27 ⁷ Controlled Substance Utilization Review and Evaluation System (CURES). Section
28 11165.4 of the Health and Safety Code sets forth the requirements for mandatory consultation of
CURES.

1 used other modalities. Respondent stated that Patient A was never very active and was caring for his
2 daughter and mother. Respondent stated that he was not aware that prior to 2017, Patient A was
3 diagnosed with opiate use disorder, and was prescribed Suboxone. Respondent could not explain why
4 between 2017 and 2022, Patient A was generally getting two different short-acting opiates at the same
5 time, including a combination of oxycodone, hydrocodone, and short-acting morphine. The
6 prescriptions overlapped on the CURES report. When asked about the gaps in opiate prescribing
7 including December 2017 through April 2018, and January 2019 to October 2019, Respondent stated
8 that Patient A likely decided to “put up with the pain”, and took Tylenol, Advil, and gabapentin.
9 Between April 2021 and July 2021, the MME⁸ dosing more than doubled. In October 2021, Patient A
10 had been on oxycodone for years but then told Respondent he was allergic to oxycodone and threw
11 his medication away. By May 2022, Patient A was started on OxyContin. Patient A’s MME totaled
12 60 mg per day and one month later it was increased to 90 mg per day. Respondent could not recall
13 why this occurred. When Patient A saw another provider in November 2022, Patient A
14 acknowledged that he was “getting high on opiates, developed a tolerance, and having withdrawal
15 symptoms”. Respondent stated he could not recall knowing this.

16 60. Respondent committed gross negligence in his care and treatment of Patient A which
17 included, but was not limited to, the following:

- 18 a. Respondent prescribed and refilled dangerous combinations of controlled substances.
- 19 b. Respondent failed to check CURES for Patient A.
- 20 c. Respondent failed to address Patient A’s history of substance abuse and other red flags
21 for diversion or abuse.
- 22 d. Respondent failed to address the aberrant urine drug tests.
- 23 e. Respondent failed to perform an adequate periodic review of the controlled substances
24 prescribed to Patient A.
- 25 f. Respondent failed to address Patient A’s high blood pressure.

27 _____
28 ⁸ Morphine milligram equivalent are values that represent the potency of an opioid dose relative to morphine.

SECOND CAUSE FOR DISCIPLINE
(Repeated Negligent Acts)

61. Respondent is further subject to disciplinary action under sections 2227 and 2234, as defined by section 2234, subdivision (c), of the Code, in that he committed repeated negligent acts in his care and treatment of Patients B, C, D, E, 1, 2, 3, 4, 5, 6, and 7 as more particularly alleged hereinafter: Paragraphs 34 through 60, above, are hereby incorporated by reference and realleged as if fully set forth herein.

Patient B

62. Patient B is a 65-year-old female patient who had a history of anxiety, anemia, central sleep apnea, chronic nonspecific lung disease, chronic pain, cirrhosis, depression, diastolic heart failure, history of scleroderma, hyperlipidemia, history of Roux-en-Y gastric bypass, hypertension, hypoglycemia, migraine headaches, narcolepsy, peptic ulcer disease, supraventricular tachycardia, history of cholecystectomy, history of left shoulder surgery, history of cigarette smoking (one pack per day times 20 years, quit in 1998), alcohol use (wine occasionally), history of cervical and lumbar fusions, seizures, intractable vomiting, cervical radiculopathy, abdominal pain, chronic diarrhea, and chronic pancreatitis.

63. In February 2017, Respondent saw Patient B for obstructive sleep apnea. Patient B was using Ritalin and BiPAP⁹. Patient B had a medication list of more than 25 medications.

64. According to the CURES report for Patient B, during the period of on or about April 10, 2017, through on or about December 19, 2017, Patient B filled the following prescriptions for controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|-------------------------------|----------|----------|
| 4/10/2017 | DIAZEPAM | 10 MG | 90 |
| 4/12/2017 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 4/18/2017 | TEMAZEPAM | 30 MG | 30 |
| 5/15/2017 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 5/15/2017 | DIAZEPAM | 10 MG | 90 |
| 5/16/2017 | TEMAZEPAM | 30 MG | 30 |
| 6/15/2017 | DIAZEPAM | 10 MG | 90 |

⁹ BiPap is a noninvasive ventilator that helps people breathe when they have medical conditions that make breathing difficult.

| Date Filled | Drug Name | Strength | Quantity |
|-------------|-------------------------------|----------|----------|
| 6/16/2017 | TEMAZEPAM | 30 MG | 30 |
| 6/16/2017 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 6/16/2017 | TRAMADOL HYDROCHLORIDE | 50 MG | 120 |
| 7/14/2017 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 7/15/2017 | DIAZEPAM | 10 MG | 90 |
| 7/20/2017 | TRAMADOL HYDROCHLORIDE | 50 MG | 120 |
| 8/8/2017 | TEMAZEPAM | 30 MG | 30 |
| 8/11/2017 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 8/12/2017 | DIAZEPAM | 10 MG | 90 |
| 8/22/2017 | TRAMADOL HYDROCHLORIDE | 50 MG | 120 |
| 9/11/2017 | TEMAZEPAM | 30 MG | 30 |
| 9/12/2017 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 9/12/2017 | DIAZEPAM | 10 MG | 90 |
| 10/12/2017 | DIAZEPAM | 10 MG | 90 |
| 10/12/2017 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 10/13/2017 | TEMAZEPAM | 30 MG | 30 |
| 11/9/2017 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 11/9/2017 | DIAZEPAM | 10 MG | 90 |
| 11/10/2017 | TEMAZEPAM | 30 MG | 30 |
| 12/11/2017 | TEMAZEPAM | 30 MG | 30 |
| 12/11/2017 | DIAZEPAM | 10 MG | 90 |
| 12/19/2017 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |

65. According to the CURES report for Patient B, during the period of on or about January 11, 2018, through on or about December 21, 2018, Patient B filled the following prescriptions for controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|-------------------------------|----------|----------|
| 1/11/2018 | DIAZEPAM | 10 MG | 90 |
| 1/11/2018 | TEMAZEPAM | 30 MG | 30 |
| 1/23/2018 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 2/15/2018 | DIAZEPAM | 10 MG | 90 |
| 2/15/2018 | TEMAZEPAM | 30 MG | 30 |
| 2/20/2018 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 3/17/2018 | TEMAZEPAM | 30 MG | 30 |
| 3/17/2018 | DIAZEPAM | 10 MG | 90 |
| 4/17/2018 | DIAZEPAM | 10 MG | 90 |
| 4/17/2018 | TEMAZEPAM | 30 MG | 30 |
| 4/27/2018 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 5/15/2018 | DIAZEPAM | 10 MG | 90 |
| 5/15/2018 | TEMAZEPAM | 30 MG | 30 |
| 6/2/2018 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |

| Date Filled | Drug Name | Strength | Quantity |
|-------------|-------------------------------|----------|----------|
| 6/13/2018 | DIAZEPAM | 10 MG | 90 |
| 6/13/2018 | TEMAZEPAM | 30 MG | 30 |
| 7/3/2018 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 7/13/2018 | DIAZEPAM | 10 MG | 90 |
| 7/23/2018 | TEMAZEPAM | 30 MG | 30 |
| 8/15/2018 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 8/16/2018 | DIAZEPAM | 10 MG | 90 |
| 8/22/2018 | TEMAZEPAM | 30 MG | 30 |
| 9/12/2018 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 9/13/2018 | DIAZEPAM | 10 MG | 90 |
| 9/19/2018 | TEMAZEPAM | 30 MG | 30 |
| 10/18/2018 | TEMAZEPAM | 30 MG | 30 |
| 10/18/2018 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 10/18/2018 | DIAZEPAM | 10 MG | 90 |
| 11/15/2018 | TEMAZEPAM | 30 MG | 30 |
| 11/15/2018 | DIAZEPAM | 10 MG | 90 |
| 11/24/2018 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 12/13/2018 | DIAZEPAM | 10 MG | 90 |
| 12/13/2018 | TEMAZEPAM | 30 MG | 30 |
| 12/21/2018 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |

66. According to the CURES report for Patient B, during the period of on or about January 11, 2019, through on or about December 19, 2019, Patient B filled the following prescriptions for controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|-------------------------------|----------|----------|
| 1/11/2019 | TEMAZEPAM | 30 MG | 30 |
| 1/11/2019 | DIAZEPAM | 10 MG | 90 |
| 1/18/2019 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 2/14/2019 | TEMAZEPAM | 30 MG | 30 |
| 2/14/2019 | DIAZEPAM | 10 MG | 60 |
| 2/15/2019 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 3/14/2019 | DIAZEPAM | 10 MG | 60 |
| 3/14/2019 | TEMAZEPAM | 30 MG | 30 |
| 3/15/2019 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 4/11/2019 | TEMAZEPAM | 30 MG | 30 |
| 4/11/2019 | DIAZEPAM | 10 MG | 60 |
| 4/18/2019 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 5/9/2019 | DIAZEPAM | 5 MG | 90 |
| 5/9/2019 | TEMAZEPAM | 30 MG | 30 |
| 5/16/2019 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 6/6/2019 | DIAZEPAM | 5 MG | 90 |

| Date Filled | Drug Name | Strength | Quantity |
|-------------|-------------------------------|----------|----------|
| 6/6/2019 | TEMAZEPAM | 30 MG | 30 |
| 7/2/2019 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 7/3/2019 | TEMAZEPAM | 30 MG | 30 |
| 7/3/2019 | DIAZEPAM | 5 MG | 90 |
| 7/31/2019 | DIAZEPAM | 5 MG | 90 |
| 7/31/2019 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 7/31/2019 | TEMAZEPAM | 30 MG | 30 |
| 8/28/2019 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 8/28/2019 | DIAZEPAM | 5 MG | 90 |
| 8/28/2019 | TEMAZEPAM | 30 MG | 30 |
| 9/25/2019 | TEMAZEPAM | 30 MG | 30 |
| 9/25/2019 | DIAZEPAM | 5 MG | 80 |
| 9/27/2019 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 10/23/2019 | DIAZEPAM | 5 MG | 80 |
| 10/23/2019 | TEMAZEPAM | 30 MG | 30 |
| 11/20/2019 | DIAZEPAM | 5 MG | 80 |
| 11/20/2019 | TEMAZEPAM | 30 MG | 30 |
| 12/12/2019 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 12/19/2019 | TEMAZEPAM | 30 MG | 30 |
| 12/19/2019 | DIAZEPAM | 5 MG | 90 |

67. In April 2019, Patient B went to the emergency department for abdominal pain, ongoing after gastric bypass. Patient B left without being seen and declined to talk to the medical staff.

68. In October 2019, during an emergency room visit, Patient B tested positive for benzodiazepine and opiates screen, but negative for other drugs tested. Patient B was admitted for abdominal pain, nausea, vomiting, chronic diarrhea, chronic pancreatitis, and chronic back pain.

69. In December 2019, during an emergency room visit, Patient B tested positive for methadone and benzodiazepines, but negative for amphetamines, and barbiturates.

70. According to the CURES report for Patient B, during the period of on or about January 14, 2020, through on or about December 16, 2020, Patient B filled the following prescriptions for controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|-------------------------------|----------|----------|
| 1/14/2020 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 1/16/2020 | DIAZEPAM | 5 MG | 90 |
| 1/22/2020 | TEMAZEPAM | 30 MG | 30 |
| 2/11/2020 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |

| Date Filled | Drug Name | Strength | Quantity |
|-------------|-------------------------------|----------|----------|
| 2/13/2020 | DIAZEPAM | 5 MG | 90 |
| 2/24/2020 | TEMAZEPAM | 30 MG | 30 |
| 3/23/2020 | TEMAZEPAM | 30 MG | 30 |
| 4/7/2020 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 4/20/2020 | TEMAZEPAM | 30 MG | 30 |
| 5/12/2020 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 90 |
| 5/18/2020 | TEMAZEPAM | 30 MG | 30 |
| 6/17/2020 | TEMAZEPAM | 30 MG | 30 |
| 6/17/2020 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 7/17/2020 | TEMAZEPAM | 30 MG | 30 |
| 7/17/2020 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 8/17/2020 | TEMAZEPAM | 30 MG | 30 |
| 8/17/2020 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 9/15/2020 | TEMAZEPAM | 30 MG | 30 |
| 9/15/2020 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 10/16/2020 | TEMAZEPAM | 30 MG | 30 |
| 10/21/2020 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 11/18/2020 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 11/18/2020 | TEMAZEPAM | 30 MG | 30 |
| 12/16/2020 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 12/16/2020 | TEMAZEPAM | 30 MG | 30 |

71. In July 2021, Patient B was seen for acute metabolic encephalopathy, possibly substance-induced. Patient B was suspected to have fallen asleep before the accident as a result of her history of narcolepsy, opiate, and benzodiazepine use. The diagnosis included bilateral low back pain without sciatica.

72. According to the CURES report for Patient B, during the period of on or about January 13, 2021, through on or about December 16, 2021, Patient B filled the following prescriptions for controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|-------------------------------|----------|----------|
| 1/13/2021 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 1/13/2021 | TEMAZEPAM | 30 MG | 30 |
| 2/6/2021 | METHADONE HYDROCHLORIDE | 10 MG | 60 |
| 2/6/2021 | HYDROMORPHONE HYDROCHLORIDE | 2 MG | 60 |
| 2/10/2021 | TEMAZEPAM | 30 MG | 30 |
| 2/10/2021 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 3/10/2021 | TEMAZEPAM | 30 MG | 30 |
| 3/10/2021 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 3/10/2021 | HYDROMORPHONE HYDROCHLORIDE | 2 MG | 60 |

| | | | | |
|----|------------|-------------------------------|--------|-----|
| 1 | 3/30/2021 | HYDROMORPHONE HYDROCHLORIDE | 2 MG | 90 |
| | 4/6/2021 | LORAZEPAM | 1 MG | 30 |
| 2 | 4/21/2021 | LORAZEPAM | 1 MG | 60 |
| | 4/21/2021 | METHADONE HYDROCHLORIDE | 10 MG | 60 |
| 3 | 4/29/2021 | HYDROMORPHONE HYDROCHLORIDE | 2 MG | 90 |
| | 5/5/2021 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 4 | 5/5/2021 | TEMAZEPAM | 30 MG | 30 |
| | 5/19/2021 | LORAZEPAM | 1 MG | 60 |
| 5 | 5/20/2021 | METHADONE HYDROCHLORIDE | 10 MG | 60 |
| 6 | 5/27/2021 | HYDROMORPHONE HYDROCHLORIDE | 2 MG | 90 |
| | 6/2/2021 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 7 | 6/2/2021 | TEMAZEPAM | 30 MG | 30 |
| | 6/25/2021 | HYDROMORPHONE HYDROCHLORIDE | 2 MG | 90 |
| 8 | 6/30/2021 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 9 | 6/30/2021 | TEMAZEPAM | 30 MG | 30 |
| 10 | 7/17/2021 | METHADONE HYDROCHLORIDE | 10 MG | 60 |
| | 7/20/2021 | LORAZEPAM | 1 MG | 60 |
| 11 | 7/23/2021 | HYDROMORPHONE HYDROCHLORIDE | 2 MG | 90 |
| | 7/28/2021 | TEMAZEPAM | 15 MG | 30 |
| 12 | 8/19/2021 | LORAZEPAM | 1 MG | 60 |
| 13 | 8/20/2021 | HYDROMORPHONE HYDROCHLORIDE | 2 MG | 90 |
| | 8/20/2021 | TEMAZEPAM | 15 MG | 30 |
| 14 | 9/13/2021 | METHADONE HYDROCHLORIDE | 10 MG | 60 |
| 15 | 9/13/2021 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| | 9/18/2021 | TEMAZEPAM | 7.5 MG | 30 |
| 16 | 10/12/2021 | METHADONE HYDROCHLORIDE | 10 MG | 60 |
| 17 | 10/16/2021 | TEMAZEPAM | 7.5 MG | 15 |
| | 10/19/2021 | HYDROMORPHONE HYDROCHLORIDE | 2 MG | 90 |
| 18 | 10/19/2021 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| | 10/19/2021 | LORAZEPAM | 1 MG | 60 |
| 19 | 11/11/2021 | METHADONE HYDROCHLORIDE | 10 MG | 60 |
| 20 | 11/13/2021 | TEMAZEPAM | 7.5 MG | 15 |
| | 11/16/2021 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 21 | 11/16/2021 | LORAZEPAM | 1 MG | 60 |
| | 11/18/2021 | HYDROMORPHONE HYDROCHLORIDE | 2 MG | 90 |
| 22 | 12/9/2021 | METHADONE HYDROCHLORIDE | 10 MG | 60 |
| 23 | 12/11/2021 | TEMAZEPAM | 7.5 MG | 10 |
| | 12/14/2021 | LORAZEPAM | 1 MG | 60 |
| 24 | 12/16/2021 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |

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26 73. According to the CURES report for Patient B, during the period of on or about

27 January 10, 2022, through on or about December 12, 2022, Patient B filled the following

28 prescriptions for controlled substances:

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| Date Filled | Drug Name | Strength | Quantity |
|-------------|-------------------------------|----------|----------|
| 1/10/2022 | METHADONE HYDROCHLORIDE | 10 MG | 60 |
| 1/11/2022 | TEMAZEPAM | 7.5 MG | 10 |
| 1/11/2022 | LORAZEPAM | 1 MG | 60 |
| 1/13/2022 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 1/13/2022 | HYDROMORPHONE HYDROCHLORIDE | 2 MG | 90 |
| 2/8/2022 | TEMAZEPAM | 7.5 MG | 10 |
| 2/8/2022 | LORAZEPAM | 1 MG | 60 |
| 2/10/2022 | HYDROMORPHONE HYDROCHLORIDE | 2 MG | 90 |
| 2/11/2022 | METHADONE HYDROCHLORIDE | 10 MG | 60 |
| 2/11/2022 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 3/8/2022 | LORAZEPAM | 1 MG | 60 |
| 3/10/2022 | HYDROMORPHONE HYDROCHLORIDE | 2 MG | 90 |
| 3/11/2022 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 3/11/2022 | METHADONE HYDROCHLORIDE | 10 MG | 60 |
| 4/5/2022 | TEMAZEPAM | 7.5 MG | 10 |
| 4/5/2022 | LORAZEPAM | 1 MG | 60 |
| 4/15/2022 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 5/3/2022 | TEMAZEPAM | 7.5 MG | 10 |
| 5/3/2022 | LORAZEPAM | 1 MG | 60 |
| 5/14/2022 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 5/31/2022 | TEMAZEPAM | 7.5 MG | 10 |
| 5/31/2022 | LORAZEPAM | 1 MG | 60 |
| 6/12/2022 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 48 |
| 6/21/2022 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 6/28/2022 | TEMAZEPAM | 7.5 MG | 10 |
| 6/28/2022 | LORAZEPAM | 1 MG | 60 |
| 7/19/2022 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 7/26/2022 | TEMAZEPAM | 7.5 MG | 10 |
| 7/26/2022 | LORAZEPAM | 1 MG | 60 |
| 8/16/2022 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 8/23/2022 | LORAZEPAM | 1 MG | 60 |
| 9/13/2022 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 9/16/2022 | TEMAZEPAM | 7.5 MG | 10 |
| 9/20/2022 | LORAZEPAM | 1 MG | 60 |
| 10/14/2022 | TEMAZEPAM | 7.5 MG | 10 |
| 10/15/2022 | METHYLPHENIDATE HYDROCHLORIDE | 20 MG | 120 |
| 10/18/2022 | LORAZEPAM | 1 MG | 60 |
| 11/12/2022 | TEMAZEPAM | 7.5 MG | 10 |
| 11/15/2022 | LORAZEPAM | 1 MG | 60 |
| 12/2/2022 | TEMAZEPAM | 7.5 MG | 10 |
| 12/12/2022 | TEMAZEPAM | 7.5 MG | 10 |

1 74. In April 2022, during a pain management visit, Patient B tested positive for opiates,
2 methadone, benzodiazepines, and tricyclic antidepressants but negative for other drugs.

3 75. In June 2022, Patient B was brought in by EMS¹⁰ for altered mental status starting the
4 night prior. Patient B initially refused CT scan and blood work. Patient B ultimately agreed. CT
5 scan of the head was negative, chest x-ray negative, EKG unremarkable, potassium 5.6 – mild
6 elevation, AST¹¹ and ALT¹² mildly elevated. Symptoms felt to be secondary to narcolepsy, with
7 mild acute kidney injury and dehydration as well as COVID-19.

8 76. According to the CURES report for Patient B, during the period of on or about
9 January 5, 2023, through on or about January 24, 2023, Patient B filled the following
10 prescriptions for controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|-----------|----------|----------|
| 1/5/2023 | TEMAZEPAM | 7.5 MG | 10 |
| 1/24/2023 | TEMAZEPAM | 7.5 MG | 10 |

13 77. Respondent committed repeated negligent acts in the care and treatment of Patient B
14 which includes, but is not limited to, the following:

- 15 a. Respondent prescribed multiple controlled substances concurrently. Respondent
16 prescribed Patient B a stimulant and multiple benzodiazepines, which were used
17 concurrently with opioids at times.
- 18 b. Respondent failed to address multiple “red flags” for possible controlled substance
19 abuse in the treatment of Patient B.
- 20 c. Respondent failed to appropriately consider Patient B’s history of substance abuse
21 disorder.
- 22 d. Respondent escalated controlled substances over time.
- 23 e. Respondent failed to document adequate informed consent relating to the prescription
24 of controlled medication.
- 25 f. Respondent failed to adequately perform urine drug tests.

26 ¹⁰ Emergency Medical Services

27 ¹¹ Aspartate Aminotransferase, a liver enzyme that’s also known as serum glutamic-
oxaloacetic transaminase (SGOT). An AST blood test measures the amount of AST in your
28 blood, which can help diagnose or monitor liver problems.

¹² Alanine Aminotransferase, an enzyme that helps the liver convert food into energy.

1 g. Respondent failed to consider Patient B's chronic diseases which increases the risk of
2 use of controlled substances.

3 h. Respondent prescribed benzodiazepines while Patient B was taking opioids.

4 i. Respondent failed to perform periodic review of Patient B's treatment.

5 **Patient C**

6 78. Patient C is a 37-year-old female who had a history of ADHD (presumed¹³), anxiety,
7 and partner abuse.

8 79. In April 2017, Patient C tested negative for all drugs tested.

9 80. Despite failing to document a diagnosis of ADHD, according to the CURES report
10 for Patient C, during the period of on or about April 13, 2017, through on or about December 29,
11 2017, Patient C filled the following prescriptions for controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|---|----------|----------|
| 4/13/2017 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 5/12/2017 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 6/13/2017 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 7/12/2017 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 8/9/2017 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 9/7/2017 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 10/6/2017 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 11/3/2017 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 12/29/2017 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |

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19 81. According to the CURES report for Patient C, during the period of on or about
20 January 26, 2018, through on or about December 13, 2018, Patient C filled the following
21 prescriptions for controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|---|----------|----------|
| 1/26/2018 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 2/27/2018 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 3/28/2018 | AMPHETAMINE SALT COMBO | 20 MG | 60 |
| 4/27/2018 | AMPHETAMINE SALT COMBO | 20 MG | 60 |
| 5/17/2018 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 6/22/2018 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 7/24/2018 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |

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28 ¹³ Respondent treated Patient B for ADHD without verifying or performing tests to
confirm the ADHD diagnosis.

| Date Filled | Drug Name | Strength | Quantity |
|-------------|---|----------|----------|
| 8/25/2018 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 9/11/2018 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 10/10/2018 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 11/6/2018 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 12/5/2018 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 12/13/2018 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 35 |
| 12/13/2018 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 25 |

82. According to the CURES report for Patient C, during the period of on or about January 11, 2019, through on or about October 16, 2019, Patient C filled the following prescriptions for controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|---|----------|----------|
| 1/11/2019 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 2/8/2019 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 3/5/2019 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 4/2/2019 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 4/27/2019 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 5/7/2019 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 6/6/2019 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 9/20/2019 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 10/16/2019 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 10/16/2019 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |

83. On or about June 16, 2020, Respondent saw Patient C for a telephone visit. Patient C wanted to restart amphetamine – dextroamphetamine. Patient C was taking this prior to her pregnancy and wanted to restart.

84. On or about July 16, 2020, Respondent saw Patient C for a telephone visit. Patient C lost her medications on a trip to Idaho. Patient C was advised that there would be no replacement of lost medications, but the CURES reports reveal that Patient C was prescribed thirty days of amphetamine 20 mg #60 (usual dosing) on July 16, 2020, and another thirty days on August 5, 2020.

85. On or about September 9, 2020, Respondent saw Patient C for a telephone visit. Patient C complained the Adderall was wearing off too quickly. Patient C requested and, according to CURES, received 180 tablets of Adderall 20 mg in the month of September 2020, and 60 tablets each in the months of October, November, and December 2020.

1 86. According to the CURES report for Patient C, during the period of on or about June
2 16, 2020, through on or about December 10, 2020, Patient C filled the following prescriptions for
3 controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|---|----------|----------|
| 6/16/2020 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 6/30/2020 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 7/16/2020 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 8/5/2020 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 9/3/2020 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 9/12/2020 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 54 |
| 9/12/2020 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 6 |
| 9/29/2020 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 10/27/2020 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 54 |
| 10/27/2020 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 6 |
| 11/11/2020 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 12/10/2020 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |

13 87. On or about March 6, 2021, Respondent saw Patient C for a telephone visit. Patient
14 C requested a higher dose of Adderall. Respondent increased Adderall to 30 mg twice daily.

15 88. On or about August 6, 2021, Respondent saw Patient C for an office visit.
16 Respondent documented a minimal examination and noted that Patient C appeared anxious and at
17 high risk for medication use and ADHD. Patient C's urine drug test results were not documented.
18 Patient C was living in a motel under county protection.

19 89. On or about August 31, 2021, Respondent saw Patient C for a telephone visit.
20 Respondent documented that Patient C was planning on driving to Idaho to stay with her sister.
21 Patient C requested a refill of her Adderall. The refill was approved; however, the medication
22 was again refilled at the regular time interval – September 30, 2021, October 24, 2021, and
23 November 21, 2021.

24 90. In August of 2021, Patient C saw another provider for a telephone visit. The provider
25 documented a drug or alcohol risk assessment.

26 91. On or about November 18, 2021, Respondent saw Patient C for an office visit.
27 Respondent documented that Patient C needed a urine drug test and a letter proving that she is
28 taking Adderall. The results of the urine drug tests were not documented.

92. According to the CURES report for Patient C, during the period of on or about January 9, 2021, through on or about December 16, 2021, Patient C filled the following prescriptions for controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|---|----------|----------|
| 1/9/2021 | LORAZEPAM | 1 MG | 2 |
| 1/27/2021 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 2/6/2021 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 20 MG | 60 |
| 3/6/2021 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |
| 4/2/2021 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |
| 4/30/2021 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |
| 6/23/2021 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |
| 7/6/2021 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 30 |
| 7/20/2021 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |
| 8/18/2021 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |
| 8/31/2021 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |
| 9/30/2021 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |
| 10/24/2021 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |
| 11/21/2021 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |
| 12/16/2021 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |

93. On or about February 24, 2022, Respondent saw Patient C for a telephone visit. Patient C would reportedly stop by the next day for a urine drug test. Respondent documented his assessment as ADHD and high-risk medication use.

94. According to the CURES report for Patient C, during the period of on or about January 7, 2022, through on or about December 13, 2022, Patient C filled the following prescriptions for controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|-------------|----------|----------|
| 1/7/2022 | ADDERALL | 30 MG | 60 |
| 2/5/2022 | ADDERALL | 30 MG | 40 |
| 2/10/2022 | ADDERALL | 30 MG | 20 |
| 2/24/2022 | ADDERALL | 30 MG | 60 |
| 3/23/2022 | ADDERALL | 30 MG | 60 |
| 4/16/2022 | ADDERALL | 30 MG | 60 |
| 5/14/2022 | ADDERALL | 30 MG | 60 |
| 5/24/2022 | ADDERALL XR | 30 MG | 60 |
| 6/11/2022 | ADDERALL | 30 MG | 60 |
| 7/9/2022 | ADDERALL | 30 MG | 60 |
| 7/28/2022 | ADDERALL | 30 MG | 60 |

| Date Filled | Drug Name | Strength | Quantity |
|-------------|---|----------|----------|
| 8/24/2022 | ADDERALL | 30 MG | 60 |
| 10/19/2022 | ADDERALL | 30 MG | 60 |
| 11/17/2022 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |
| 12/13/2022 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |

95. In October 2023, Patient C was seen by another provider. Patient C was referred by her primary for a new consult. Patient C stated that she started stimulant medication at age 15 or 16. Patient C reported that her father and brother both had ADHD. The patient reported improvement on the medication. The provider performed a chart review and found several early refill requests “too numerous to count.” Examples of early refills included May 14, 2018, February 6, 2019, February 27, 2019, May 5, 2019 and June 29, 2019. The provider noted that Patient C initially received Adderall 20 mg twice daily and increased to 30 mg twice daily. The provider noted that there was no formal ADHD assessment/diagnosis documented in the records. He also noted that Patient C’s heart rate was elevated at the majority of the visits.

96. On or about November 14, 2023, Patient C was seen by another provider. Patient C tested positive for amphetamine and methamphetamines. Patient C denied use of methamphetamines, but did vape and thought she might have had marijuana. A subsequent urine drug test was negative for the presence of methamphetamines. The provider noted that a psychiatry assessment was needed.

97. According to the CURES report for Patient C, during the period of on or about January 11, 2023, through on or about September 6, 2023, Patient C filled the following prescriptions for controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|---|----------|----------|
| 1/11/2023 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |
| 2/10/2023 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |
| 3/12/2023 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |
| 4/12/2023 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 40 |
| 4/12/2023 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 20 |
| 5/12/2023 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |
| 6/14/2023 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |
| 7/12/2023 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |
| 8/9/2023 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |
| 9/6/2023 | AMPHETAMINE ASPARTATE AMPHETAMINE SULFATE D | 30 MG | 60 |

1 98. During his interview with the Board investigator on or about August 27, 2024,
2 Respondent stated that “I think overuse... was an ongoing issue.”

3 99. Respondent committed repeated negligent acts in the treatment of Patient C,
4 specifically:

- 5 a. Respondent prescribed and/or provided early refills of controlled medication despite no
6 justification for the medication. Respondent provided early refills because Patient C
7 reported she was moving away, but provided Patient C her extra refills at regular
8 intervals, resulting in excess controlled substances being distributed to Patient C.
9 Respondent documented “no replacement,” when Patient C reported lost medication but
10 refilled the medication anyway.
- 11 b. Respondent prescribed controlled medication to Patient C without an initial or ongoing
12 evaluation. Respondent failed to confirm Patient C’s ADHD via query or ongoing
13 standardized forms or monitoring questions.
- 14 c. Respondent increased Patient C’s controlled medication prescriptions based on Patient
15 C’s request, without an appropriate examination or justification.
- 16 d. Respondent failed to maintain appropriate documentation in the care and treatment of
17 Patient C.

18 **Patient D**

19 100. Patient D is a female 42-year-old patient who had a history of menstrual period
20 headaches, migraine/tension/daily headaches, anxiety, and PTSD.

21 101. On or about October 15, 2020, Patient D was initially seen by another provider. The
22 documentation of the visit noted: “Patient with anxiety, seeing Dr. [K], started on clonazepam,
23 continuing sertraline, feeling better on the medications.” The documentation provided that for
24 Patient D’s headaches, she used butalbital and used all 20 by the end of the day. Other
25 medications included clonazepam for anxiety which Patient D started in 2014. The
26 documentation noted no refills until urine drug tests were performed. In an interview with Board
27 investigators, Respondent denied seeing this provider’s note prior to the interview.

1 102. Patient D was continued under her current medication regimen by other doctors who
2 saw Patient D for headaches, and anxiety. Respondent first saw Patient D on a telephone
3 appointment on or about December 18, 2020. Patient D had a menstrual migraine that lasted up
4 to 10 days. Respondent noted that Patient D had a good response to the current medication
5 regimen. Respondent refilled Patient D's prescription for butalbital.

6 103. According to the CURES report for Patient D, during the period of on or about June
7 26, 2020, through on or about December 18, 2020, Patient D filled the following prescriptions for
8 controlled substances:

9

| Date Filled | Drug Name | Strength | Quantity |
|-------------|-----------------------------------|--------------|----------|
| 6/26/2020 | BUTALBITAL ACETAMINOPHEN CAFFEINE | 50-325-40 MG | 20 |
| 6/29/2020 | BUTALBITAL ACETAMINOPHEN CAFFEINE | 50-325-40 MG | 20 |
| 7/29/2020 | BUTALBITAL ACETAMINOPHEN CAFFEINE | 50-325-40 MG | 20 |
| 12/18/2020 | BUTALBITAL ACETAMINOPHEN CAFFEINE | 50-325-40 MG | 30 |

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13 104. On or about March 18, 2021, Patient D requested an early refill since she was going
14 out of town. Respondent refilled the butalbital.

15 105. In April 2021, Respondent saw Patient D for a telephone visit. Respondent noted that
16 Patient D was referred to behavioral health for an assessment. Patient D was diagnosed with
17 anxiety, and migraine headaches. Patient D was started on 60 tablets of butalbital with codeine.

18 106. On or about April 27, 2021, Safeway pharmacy called and wanted clarification since
19 Patient D had been prescribed butalbital with no codeine in the past, and now was attempting to
20 pick up butalbital with codeine. Respondent clarified that it was okay for early release of the
21 medication and that Patient D had been changed to the combination of butalbital with codeine.

22 107. On or about May 13, 2021, the pharmacy left a message documenting that Patient D
23 picked up prescriptions for butalbital on April 19, 2021, and butalbital with codeine on April 28,
24 2021. The pharmacy wanted to clarify which medicine Patient D was to be taking. Patient D was
25 requesting refills on both drugs, 16 days and 14 days respectively. In response, Respondent
26 approved refills on both medications.

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1 108. On or about May 19, 2021, Patient D was seen by another provider. Patient D
2 presented with some depression symptoms and met the criteria for PTSD. The provider noted
3 that she wanted to notify Respondent.

4 109. On or about July 7, 2021, Respondent saw Patient D for a video visit. Respondent
5 documented "Difficult interactions with neighbors recent trip to Vegas – bad time – two kids got
6 carsick and there was a heat wave. Anxiety now working with a long-term counselor – helping.
7 Still struggles with anxiety and a few panic attacks. Headaches now daily, persistent, responding
8 well to medications." Respondent refilled clonazepam and butalbital with codeine.

9 110. On or about November 23, 2021, Respondent saw Patient D for a telephone visit.
10 Respondent documented that the visit was to discuss medications. Respondent documented that
11 Patient D had frequent headaches, and was bothered by her neighbors. Patient D also had
12 difficulty getting butalbital monthly from the pharmacy as a result of stocking issues. Patient D's
13 anxiety continued due to problems with the neighbors. Respondent prescribed an early refill of
14 butalbital with codeine and increased the quantity to 90 pills. Respondent prescribed clonazepam
15 and noted that Patient D was visiting a relative in Las Vegas.

16 111. According to the CURES report for Patient D, during the period of on or about March
17 19, 2021, through on or about November 29, 2021, Patient D filled the following prescriptions for
18 controlled substances:

19

| Date Filled | Drug Name | Strength | Quantity |
|-------------|---|--------------|----------|
| 3/19/2021 | BUTALBITAL ACETAMINOPHEN CAFFEINE | 50-325-40 MG | 30 |
| 4/19/2021 | BUTALBITAL ACETAMINOPHEN CAFFEINE | 50-325-40 MG | 30 |
| 4/28/2021 | BUTALBITAL ACETAMINOPHEN CAFFEINE CODEINE | UNKNOWN | 60 |
| 5/18/2021 | CLONAZEPAM | 0.25 MG | 60 |
| 5/26/2021 | BUTALBITAL ACETAMINOPHEN CAFFEINE CODEINE | UNKNOWN | 18 |
| 5/26/2021 | BUTALBITAL ACETAMINOPHEN CAFFEINE CODEINE | UNKNOWN | 42 |
| 6/11/2021 | BUTALBITAL ACETAMINOPHEN CAFFEINE CODEINE | UNKNOWN | 24 |
| 6/11/2021 | BUTALBITAL ACETAMINOPHEN CAFFEINE CODEINE | UNKNOWN | 46 |
| 6/30/2021 | CLONAZEPAM | 0.25 MG | 60 |
| 7/7/2021 | BUTALBITAL ACETAMINOPHEN CAFFEINE CODEINE | UNKNOWN | 70 |
| 8/5/2021 | BUTALBITAL ACETAMINOPHEN CAFFEINE CODEINE | UNKNOWN | 70 |
| 9/4/2021 | BUTALBITAL ACETAMINOPHEN CAFFEINE CODEINE | UNKNOWN | 70 |
| 10/4/2021 | BUTALBITAL ACETAMINOPHEN CAFFEINE CODEINE | UNKNOWN | 70 |
| 11/2/2021 | BUTALBITAL ACETAMINOPHEN CAFFEINE CODEINE | UNKNOWN | 60 |

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| Date Filled | Drug Name | Strength | Quantity |
|-------------|---|----------|----------|
| 11/2/2021 | BUTALBITAL ACETAMINOPHEN CAFFEINE CODEINE | UNKNOWN | 10 |
| 11/23/2021 | CLONAZEPAM | 0.25 MG | 60 |
| 11/24/2021 | BUTALBITAL ACETAMINOPHEN CAFFEINE CODEINE | UNKNOWN | 36 |
| 11/29/2021 | BUTALBITAL ACETAMINOPHEN CAFFEINE CODEINE | UNKNOWN | 234 |

112. On or about February 22, 2022, Respondent conducted a telephone visit with Patient D. Respondent documented that Patient D continued to experience anxiety as a result of difficulty with neighbors. Patient D was seeing a psychiatrist. The psychiatrist advised Patient D to take clonazepam regularly, as needed. Patient D reported chronic headaches – frequent, fairly well controlled with sumatriptan and butalbital.

113. On or about June 30, 2022, Respondent saw Patient D for an office visit. Respondent documented Patient D continued to have anxiety as a result of issues with neighbors. Patient D complained of 20-pound weight loss due to stress. Patient D was started on Adderall. Respondent performed a limited general examination which was normal except the patient being anxious and tearful. The assessment included high-risk medication use and anxiety disorder. Respondent ordered a urine drug test.

114. According to the CURES report for Patient D, during the period of on or about February 19, 2022, through on or about September 2, 2022, Patient D filled the following prescriptions for controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|---|----------|----------|
| 2/19/2022 | BUTALBITAL ACETAMINOPHEN CAFFEINE CODEINE | UNKNOWN | 234 |
| 5/13/2022 | BUTALBITAL ACETAMINOPHEN CAFFEINE CODEINE | UNKNOWN | 234 |
| 7/12/2022 | BUTALBITAL ACETAMINOPHEN CAFFEINE CODEINE | UNKNOWN | 127 |
| 7/27/2022 | BUTALBITAL ACETAMINOPHEN CAFFEINE CODEINE | UNKNOWN | 234 |
| 9/2/2022 | BUTALBITAL ACETAMINOPHEN CAFFEINE CODEINE | UNKNOWN | 234 |

115. In July 2022, Patient D received an early refill of 127 pills. Patient D had received 234 pills just over two months prior. In his interview with the Board, Respondent felt this might have been the time that Patient D was gone quite a bit. Two weeks later, Patient D received another 234 pills. Patient D received another 234 pills in September 2022. In his interview with the Board, Respondent stated that Patient D was having increased stress. Respondent was asked whether Patient D was seen by a neurologist to assist in managing Patient D's headaches.

1 Respondent stated she had not. Respondent stated he did not believe Patient D had analgesic
2 rebound headaches when queried.

3 116. Respondent committed repeated negligent acts in the care and treatment of Patient D
4 in that:

- 5 a. Respondent failed to address Patient D's early refills and potential overuse when Patient
6 D used up all 20 tablets in her initial visit with another provider.
- 7 b. Respondent prescribed increasing dosages of controlled substances which may have
8 contributed to Patient D's exacerbation of her headaches.
- 9 c. Respondent prescribed dangerous combinations of controlled medication.
- 10 d. Respondent failed to provide accurate, complete documentation required when
11 prescribing controlled substances and managing potentially serious medical problems.

12 **Patient E**

13 117. Patient E is a 71-year-old male patient who has a history of arthritis, chronic pain,
14 hiatal hernia, hypertension, osteoporosis, steatohepatitis, history of splenectomy, history of
15 appendectomy, history of umbilical hernia repair, history of vasectomy, history of excessive
16 alcohol use, history of drug use prior to 1976, peripheral polyneuropathy, multiple pulmonary
17 emboli (2023), upper gastrointestinal bleed (2023), and a history of alcoholism.

18 118. In 2018, Patient E was seen by an endocrinology specialist. The specialist
19 documented diagnoses including osteoporosis, lumbar spondylosis with radiculopathy, and a history
20 of alcoholism resolved. Patient E denied current use of alcohol.

21 119. In December 2018, Respondent saw Patient E for an office visit. Respondent
22 documented diagnoses including lumbago with sciatica – resolved, neck pain, facet arthritis
23 lumbar region. Respondent started Patient D on fentanyl patch 25 mcg/hr every three days.

24 120. According to the CURES report for Patient E, on or about December 31, 2018,
25 Patient E filled the following prescription for controlled substances:

26

| Date Filled | Drug Name | Strength | Quantity |
|-------------|-----------|----------|----------|
| 12/31/2018 | FENTANYL | 25 MCG | 10 |

27

1 121. In January 2019, Respondent saw Patient E for an office visit. Patient E stated that
2 pain control was not sufficient. Respondent referred Patient E for physical therapy and increased
3 fentanyl patch to 50 mcg/hr.

4 122. In May 2019, Respondent saw Patient E for an office visit. Respondent documented
5 Patient E's history of alcohol use and noted that Patient E drinks two glasses of wine with dinner,
6 which Respondent advised against, and suggested use of only one glass of wine with dinner.
7 Respondent documented Patient E may need to get along without the opiate however it is helping
8 a lot.

9 123. In June 2019, Respondent saw Patient E for an office visit. Respondent documented
10 that Patient E wanted to get off of fentanyl.

11 124. In October 2019, Respondent saw Patient E for an office visit. The urine drug test
12 referenced "Lab: Pain MGMT, alcohol metab w. conf." Respondent failed to address this
13 aberrant urine drug test.

14 125. According to the CURES report for Patient E, during the period of on or about
15 February 4, 2019, through on or about December 31, 2019, Patient E filled the following
16 prescriptions for controlled substances:

17

| Date Filled | Drug Name | Strength | Quantity |
|-------------|-----------|----------|----------|
| 2/4/2019 | FENTANYL | 50 MCG | 10 |
| 3/8/2019 | FENTANYL | 50 MCG | 10 |
| 5/8/2019 | FENTANYL | 50 MCG | 5 |
| 5/23/2019 | FENTANYL | 50 MCG | 10 |
| 10/23/2019 | FENTANYL | 50 MCG | 5 |
| 11/6/2019 | FENTANYL | 50 MCG | 5 |
| 11/20/2019 | FENTANYL | 50 MCG | 5 |
| 12/4/2019 | FENTANYL | 50 MCG | 5 |
| 12/18/2019 | FENTANYL | 50 MCG | 5 |
| 12/31/2019 | FENTANYL | 50 MCG | 5 |

25 126. According to the CURES report for Patient E, during the period of on or about
26 January 14, 2020, through on or about December 22, 2020, Patient E filled the following
27 prescriptions for controlled substances:
28

| Date Filled | Drug Name | Strength | Quantity |
|-------------|-----------|----------|----------|
| 1/14/2020 | FENTANYL | 50 MCG | 5 |
| 1/28/2020 | FENTANYL | 50 MCG | 5 |
| 2/11/2020 | FENTANYL | 50 MCG | 10 |
| 3/21/2020 | FENTANYL | 50 MCG | 5 |
| 4/4/2020 | FENTANYL | 50 MCG | 5 |
| 4/18/2020 | FENTANYL | 50 MCG | 5 |
| 5/2/2020 | FENTANYL | 50 MCG | 5 |
| 5/16/2020 | FENTANYL | 50 MCG | 5 |
| 5/30/2020 | FENTANYL | 50 MCG | 5 |
| 6/13/2020 | FENTANYL | 50 MCG | 5 |
| 6/27/2020 | FENTANYL | 50 MCG | 5 |
| 7/11/2020 | FENTANYL | 50 MCG | 5 |
| 7/24/2020 | FENTANYL | 50 MCG | 5 |
| 8/7/2020 | FENTANYL | 50 MCG | 5 |
| 8/19/2020 | FENTANYL | 50 MCG | 5 |
| 9/1/2020 | FENTANYL | 50 MCG | 5 |
| 9/15/2020 | FENTANYL | 50 MCG | 5 |
| 9/29/2020 | FENTANYL | 50 MCG | 5 |
| 10/13/2020 | FENTANYL | 50 MCG | 5 |
| 10/27/2020 | FENTANYL | 50 MCG | 5 |
| 11/10/2020 | FENTANYL | 50 MCG | 5 |
| 11/24/2020 | FENTANYL | 50 MCG | 5 |
| 12/8/2020 | FENTANYL | 50 MCG | 5 |
| 12/22/2020 | FENTANYL | 50 MCG | 5 |

127. In April 2020, Respondent saw Patient E for a telephone visit. Respondent continued to refill fentanyl at 50 mcg/hr. despite failing to address Patient E's alcohol use.

128. Respondent saw Patient E for telephone visits in June 2020, September 2020, November 2020, December 2020, and April 2021.

129. According to the CURES report for Patient E, during the period of on or about January 5, 2021, through on or about December 15, 2021, Patient E filled the following prescriptions for controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|-----------|----------|----------|
| 1/5/2021 | FENTANYL | 50 MCG | 5 |
| 1/19/2021 | FENTANYL | 50 MCG | 5 |
| 2/2/2021 | FENTANYL | 50 MCG | 5 |
| 2/16/2021 | FENTANYL | 50 MCG | 5 |
| 3/2/2021 | FENTANYL | 50 MCG | 5 |
| 3/16/2021 | FENTANYL | 50 MCG | 5 |

| Date Filled | Drug Name | Strength | Quantity |
|-------------|---------------|----------|----------|
| 3/30/2021 | FENTANYL | 50 MCG | 5 |
| 4/13/2021 | FENTANYL | 50 MCG | 5 |
| 4/27/2021 | FENTANYL | 50 MCG | 5 |
| 5/11/2021 | FENTANYL | 50 MCG | 5 |
| 5/24/2021 | FENTANYL | 50 MCG | 5 |
| 6/7/2021 | FENTANYL | 50 MCG | 5 |
| 6/21/2021 | FENTANYL | 50 MCG | 5 |
| 7/5/2021 | FENTANYL | 50 MCG | 5 |
| 7/19/2021 | FENTANYL | 50 MCG | 5 |
| 8/2/2021 | FENTANYL | 50 MCG | 5 |
| 8/16/2021 | FENTANYL | 50 MCG | 5 |
| 8/30/2021 | FENTANYL | 50 MCG | 5 |
| 9/17/2021 | BUPRENORPHINE | 20 MCG | 2 |
| 9/21/2021 | FENTANYL | 50 MCG | 5 |
| 10/5/2021 | FENTANYL | 50 MCG | 5 |
| 10/19/2021 | FENTANYL | 50 MCG | 5 |
| 11/1/2021 | FENTANYL | 50 MCG | 5 |
| 11/15/2021 | FENTANYL | 50 MCG | 5 |
| 12/1/2021 | FENTANYL | 50 MCG | 5 |
| 12/15/2021 | FENTANYL | 25 MCG | 5 |

130. In May 2021, Respondent saw Patient E for an office visit. Patient E tested positive for alcohol metabolites and was negative for prescribed opiates. Respondent failed to address Patient E's aberrant urine drug test. Respondent documented that Patient E was no longer taking medications for "G.I." Patient E's neck pain was feeling better, and Patient E was using fentanyl patches 12 hours per day. Respondent documented mild tenderness and limited range of motion. Respondent completed a controlled substance agreement.

131. In September 2021, Respondent saw Patient E for an office visit. Respondent documented that Patient E wanted to wean off opiates, and Patient E stated that wine was medicinal. Patient E tested positive for alcohol metabolites. Respondent failed to address Patient E's aberrant urine drug test. In a subsequent visit, Patient E requested switching his fentanyl patch medication to buprenorphine, stating it would be safer and likely would manage his chronic neck pain. After switching to buprenorphine, Patient E's neck pain felt worse and he went back to fentanyl.

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1 132. In December 2021, Respondent saw Patient E for an office visit. Respondent
2 decreased Patient E's fentanyl patches to 37.5 mcg/hr., down from 50 mcg/hr. Patient E tested
3 positive for alcohol metabolites. Respondent failed to address Patient E's aberrant urine drug
4 test.

5 133. According to the CURES report for Patient E, during the period of on or about
6 January 11 through on or about December 27, 2022, Patient E filled the following prescriptions
7 for controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|------------------|----------|----------|
| 1/11/2022 | FENTANYL | 25 MCG | 5 |
| 1/25/2022 | FENTANYL | 25 MCG | 5 |
| 4/15/2022 | FENTANYL | 12 MCG | 5 |
| 9/1/2022 | MORPHINE SULFATE | 15 MG | 30 |
| 9/13/2022 | FENTANYL | 25 MCG | 5 |
| 10/4/2022 | FENTANYL | 50 MCG | 5 |
| 10/18/2022 | FENTANYL | 50 MCG | 5 |
| 11/1/2022 | FENTANYL | 50 MCG | 5 |
| 11/15/2022 | FENTANYL | 50 MCG | 5 |
| 11/29/2022 | FENTANYL | 50 MCG | 5 |
| 12/13/2022 | FENTANYL | 50 MCG | 5 |
| 12/27/2022 | FENTANYL | 50 MCG | 5 |

17 134. In March 2023, Patient E tested positive for fentanyl and alcohol metabolites.

18 135. In September 2023, Patient E tested positive for alcohol metabolites.

19 136. In November 2023, Patient E tested positive for alcohol metabolites.

20 137. According to the CURES report for Patient E, during the period of on or about
21 January 10, 2023, through on or about September 28, 2023, Patient E filled the following
22 prescriptions for controlled substances:

| Date Filled | Drug Name | Strength | Quantity |
|-------------|-----------|----------|----------|
| 1/10/2023 | FENTANYL | 50 MCG | 5 |
| 1/24/2023 | FENTANYL | 50 MCG | 5 |
| 2/7/2023 | FENTANYL | 50 MCG | 5 |
| 2/21/2023 | FENTANYL | 50 MCG | 5 |
| 3/11/2023 | FENTANYL | 50 MCG | 5 |
| 3/25/2023 | FENTANYL | 50 MCG | 5 |
| 4/12/2023 | FENTANYL | 37.5 MCG | 10 |

| Date Filled | Drug Name | Strength | Quantity |
|-------------|-----------|----------|----------|
| 5/11/2023 | FENTANYL | 37.5 MCG | 10 |
| 6/8/2023 | FENTANYL | 37.5 MCG | 10 |
| 7/6/2023 | FENTANYL | 37.5 MCG | 10 |
| 8/3/2023 | FENTANYL | 37.5 MCG | 10 |
| 8/31/2023 | FENTANYL | 37.5 MCG | 5 |
| 9/14/2023 | FENTANYL | 37.5 MCG | 5 |
| 9/28/2023 | FENTANYL | 37.5 MCG | 5 |

138. In February 2024, Patient E tested positive for alcohol metabolites.

139. Respondent committed repeated negligent acts in the care and treatment of Patient E which include, but are not limited to, the following:

- a. Respondent failed to appropriately address multiple aberrant urine drug tests and red flags for controlled substance abuse or diversion.
- b. Respondent failed to document his plan regarding Patient E's aberrant drug tests.
- c. Respondent failed to document his justification for prescribing controlled medication to a patient over 65 years old.
- d. Respondent prescribed dangerous combinations of controlled substances long term.
- e. Respondent failed to provide appropriate and adequate documentation required for prescribing controlled substances.

Patient 1

140. Patient 1 is a 50-year-old male patient who was homeless at times, had peripheral neuropathy, and had failed carpal tunnel surgery on both hands. Patient 1 had a history of recurrent MRSA face lesions, history of anxiety, carpal tunnel syndrome, chronic pain disorder, Molnar neuropathy – right upper extremity, chronic right groin pain, chronic low back pain, history of panic disorder, history of medical marijuana use, history of bilateral carpal tunnel release, history of inguinal hernia repair, opioid use disorder, opioid withdrawal (September 2023), and periodic homelessness. Patient 1 presented with psychological trauma due to previously finding the mother of his girlfriend deceased. Patient 1 was prescribed both opiates and benzodiazepines.

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1 141. Patient 1 was treated by Respondent with Vicoprofen and Xanax. In 2017, Patient 1
2 was sent a letter from El Dorado Community Health Center (EDCHC) stating that in the future,
3 opiates and benzodiazepines would not be prescribed together. In his interview with the Board,
4 Respondent could not recall the letter.

5 142. In 2018, Patient 1 was discharged from pain management. He was felt to be at high
6 risk for substance abuse disorder. In his interview with the Board, Respondent denied being
7 aware of this.

8 143. In 2019, a “global alert” was issued by another doctor working at EDCHC, stating
9 that Patient 1 “has a volatile behavior, medication seeking, and threats of violence toward staff.”
10 In his interview with the Board, Respondent stated that Patient 1 never acted that way to him.

11 144. In December 2021, Respondent saw Patient 1 for an office visit. Patient 1 was seen
12 for a rash, and an abscess on his face. Respondent documented that Patient 1 had been to the
13 emergency room four times and given three different antibiotics. Respondent’s assessment was
14 severe anxiety with panic, high-risk medication use, cellulitis of the face, chronic pain syndrome,
15 cervical radiculopathy, and neuropathy. Respondent documented but did not address Patient 1’s
16 elevated heart rate of 134 bpm. Patient 1 requested Vicoprofen, not morphine or oxycodone.
17 Respondent prescribed hydrocodone/ibuprofen every six hours, and alprazolam .5 mg twice daily.
18 Respondent requested a referral to pain management.

19 145. In December 2021, the only urine drug test found in Patient 1’s records revealed that
20 Patient 1 was completely negative for all drugs prescribed. In his interview with the Board,
21 Respondent stated that he usually ordered urine drug tests every three months. Respondent added
22 that near the end of his care of Patient 1, the patient tested positive for fentanyl and
23 methamphetamine and was sent to the STEPS Recovery Program¹⁴.

24 146. In January 2022, Respondent saw Patient 1 for a telephone visit. Respondent
25 documented Patient 1 had “rash/cellulitis on face improve, sans dermatology, antibiotic change to
26

27 ¹⁴ STEPS Recovery Program is a comprehensive treatment program for substance use
28 disorders including Medically Assisted Treatment (MAT) for Opioid Use Disorder (OUD)
administered by El Dorado County Community Health Center (EDCHC).

1 doxycycline.” Patient 1 was also referred to Roseville Pain Clinic for chronic pain syndrome and
2 anxiety, but the clinic had a four-month wait at the time. Respondent refilled
3 hydrocodone/ibuprofen 200 mg to be used five times a day, and alprazolam .5 mg to be used
4 twice daily. Respondent documented that Patient 1 used inhaled cannabis.

5 147. In February 2022, Respondent saw Patient 1 for a telephone visit. Patient 1 requested
6 an increase of hydrocodone/ibuprofen to six per day. Respondent’s documented diagnoses were:
7 severe anxiety with panic, cellulitis of the face, and chronic pain syndrome. Respondent
8 increased hydrocodone/ibuprofen up to two tablets three times a day #180.

9 148. In March 2022, Respondent saw Patient 1 for a telephone visit. Respondent
10 documented that Patient 1’s face abscess may need to be lanced again. Patient 1 was on
11 doxycycline¹⁵, and was to return to dermatology. Patient 1 was still waiting to be seen by pain
12 management and still had anxiety. Respondent refilled hydrocodone/ibuprofen and alprazolam.

13 149. Respondent continued to refill hydrocodone/ibuprofen and alprazolam in May and
14 June 2022 after telephone visits.

15 150. In August 2023, Respondent saw Patient 1 for an office visit. Respondent
16 documented that Patient 1 thought he was in withdrawal, and was out of pain medications for two
17 days. Patient 1 also had a recent visit to the emergency room and was positive for fentanyl and
18 methamphetamine. Patient 1 was referred to the STEPS program with an appointment scheduled
19 for the following week in the homeless camp via a mobile unit. Patient 1 had transportation
20 issues and was instead referred to the Marshall CARES program¹⁶ for buprenorphine.

21 151. Patient 1’s medical records reveal that Respondent prescribed alprazolam and
22 hydrocodone in 2021, 2022, and 2023.

23 152. Respondent committed repeated negligent acts in the care and treatment of Patient 1,
24 which include, but are not limited to, the following:

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27 _____
28 ¹⁵ Doxycycline is a tetracycline antibiotic used for bacterial infections.

¹⁶ Community Assisted Recovery and Education Services (CARES).

- 1 a. Respondent prescribed multiple controlled substances concurrently.
- 2 b. Respondent prescribed controlled substances despite multiple red flags of abuse and a
- 3 history of abuse or diversion.
- 4 c. Respondent prescribed controlled substances despite failing to perform periodic reviews
- 5 or ongoing evaluations.
- 6 d. Respondent failed to adequately address the potential overuse of controlled substances.
- 7 e. Respondent failed to check CURES before prescribing controlled substances and failed
- 8 to review Patient 1's CURES at least every six months while treating Patient 1 with
- 9 controlled substances.
- 10 f. Respondent failed to document informed consent related to the prescribing of controlled
- 11 substances.
- 12 g. Respondent failed to perform regular testing for controlled substances.
- 13 h. Respondent failed to address aberrant urine drug test results.
- 14 i. Respondent increased controlled substances prescriptions without an appropriate in-
- 15 person examination. In February 2022, Respondent increased opioid dosing without an
- 16 in-person appointment for nearly six months.
- 17 j. Respondent failed to address significant chronic and cardiac-related diseases.
- 18 k. Respondent prescribed a combination of opioids and benzodiazepines.
- 19 l. Respondent failed to maintain adequate and appropriate documentation.

20 **Patient 2**

21 153. Patient 2 is a 30-year-old male patient who had a history of benign prostatic
22 hyperplasia, mixed hyperlipidemia, hypogonadism, hypopituitarism, Addison's disease,
23 medulloblastoma other temporal lobe – in remission, severe benzodiazepine use disorder, opioid
24 dependency, right temporal encephalomyelitis, history of whole brain radiation, history of
25 multiple drug chemotherapy, mixed age right hemispheric subdural hematoma, seizure disorder,
26 high anxiety levels, epilepsy, cervicgia, mid back pain, lumbar back pain, cigarette smoking,
27 and left shoulder pain.

28 154. In January 2022, Respondent saw Patient 2 for a telephone visit. Respondent

1 discontinued venlafaxine¹⁷, and started Patient 2 on alprazolam 1 mg, 3 times a day for
2 anxiety (cancer induced).

3 155. On or about February 17, 2022, Respondent saw Patient 2 for an office visit. Patient
4 2 requested a letter for CBD/marijuana use. Patient 2 requested more Norco and Xanax.
5 Respondent discouraged and advised against the combination and documented that “we should be
6 tapering meds and not increasing,” then refilled Patient 2’s prescription for alprazolam.

7 156. On or about March 1, 2022, Patient 2 requested refills over the phone. Respondent
8 refilled prescriptions of Xanax and Norco.

9 157. On or about March 16, 2022, Respondent documented that Patient 2 was taking seven
10 psychoactive medications including Norco and Xanax. Patient 2 also wanted to add Effexor.

11 158. On or about March 29, 2022, Patient 2 complained of anxiety, and wanted to restart
12 Effexor. Respondent ordered venlafaxine and advised Patient 2 to stop amitriptyline.

13 159. In April 2022, Patient 2’s urine drug test was positive for opioids, benzodiazepines,
14 nicotine, and marijuana.

15 160. On or about April 14, 2022, Respondent saw Patient 2 for an office visit. Respondent
16 documented that Patient 2 was less anxious after starting Effexor, but still having problems
17 sleeping. Patient 2 wanted to restart temazepam but not stop the Xanax. Respondent
18 recommended melatonin and refilled hydrocodone/acetaminophen 10-325 mg, one-half tablet five
19 times a day.

20 161. On or about April 19, 2022, Patient 2 requested more Norco for low back pain,
21 however, Respondent recommended Patient 2 see a chiropractor.

22 162. In his interview with the Board, Respondent stated that “lots of things that didn’t get
23 ... Captured because of [Patient 2’s] psychological balance or lack of balance”.

24 163. Respondent prescribed hydrocodone and alprazolam in 2022 to 2023.

25 164. Respondent committed repeated negligent acts in the care and treatment of Patient 2,
26 which include, but are not limited to, the following:

27 _____
28 ¹⁷ Venlafaxine is an antidepressant medication of the serotonin–norepinephrine reuptake inhibitor (SNRI) class

- 1 a. Respondent prescribed dangerous combinations of controlled substances without
- 2 adequate periodic assessments.
- 3 b. Respondent prescribed controlled substances despite multiple red flags of abuse and a
- 4 history of abuse or diversion.
- 5 c. Respondent failed to maintain adequate documentation.

6 **Patient 3**

7 165. Patient 3 is a 66-year-old female with a history of back pain, headache, planter
8 fasciitis, gastroesophageal reflux disease, psoriasis, intermittent asthma, chronic depression,
9 insomnia, transient ischemic attack, history of gallbladder surgery, history of shoulder surgery,
10 former smoker, frequent falls, ataxia, lumbar degenerative disc disease, and obstructive sleep
11 apnea syndrome.

12 166. In February 2022, Respondent saw Patient 3 for an office visit. Respondent
13 documented Patient 3's pain in the back and legs, and that she lost her pain pills while flying to
14 Oregon. Respondent documented an assessment of high-risk medication use and back strain.
15 Respondent failed to document a back examination. Respondent documented hydrocodone 40
16 tablets for 10 days and refilled Percocet for 30 days.

17 167. In August 2022, Respondent saw Patient 3 for an office visit. Respondent
18 documented that Patient 3 continued to have low back pain. Respondent failed to document a
19 back examination. Patient 3's heart rate was 108. Respondent refilled Percocet.

20 168. Respondent saw Patient 3 in November 2022, March 2023 (telephone visit), and April
21 2023. Respondent continued to refill Percocet. Respondent failed to perform a back
22 examination.

23 169. In August 2023, Patient 3 tested positive for opiates, Tramadol, and oxycodone.
24 Respondent did not prescribe Patient 3 Tramadol and hydrocodone. Respondent failed to address
25 the aberrant urine drug test. Respondent failed to document a back examination and refilled
26 Percocet.

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28 ///

1 170. In September 2023, Respondent saw Patient 3 for an office visit. Respondent
2 documented that Patient 3 was going to UC Davis for spine surgery soon. Respondent failed to
3 document a back examination. Respondent repeated the urine drug test.

4 171. Respondent prescribed hydrocodone/acetaminophen to Patient 3 in 2022 and 2023.
5 Respondent prescribed oxycodone/acetaminophen to Patient 3 from 2021 through 2023.

6 172. Respondent committed repeated negligent acts in the care and treatment of Patient 3
7 which include, but are not limited to, the following:

- 8 a. Respondent failed to document adequate informed consent in the medical records
9 relating to the prescribing of controlled substances.
- 10 b. Respondent failed to appropriately address multiple aberrant urine drug tests and red
11 flags for controlled substance abuse or diversion.
- 12 c. Respondent failed to perform an appropriate initial and periodic examination to justify
13 ongoing opioid prescriptions.
- 14 d. Respondent prescribed dangerous combinations of controlled substances medications.

15 **Patient 4**

16 173. Patient 4 is a 40-year-old female patient who was related to Patient 3. Patient 4 had a
17 history of dense breast tissue, polycystic ovary disease, chronic fatigue syndrome, fibromyalgia,
18 obstructive sleep apnea syndrome, chronic pain syndrome, pelvic and peroneal pain, fatty liver,
19 bipolar disease, depression, ADHD, and migraine headaches (saw neurology in 2010 - many
20 treatments attempted.) Patient 4 was referred to the STEPS program in October 2023, but Patient
21 4 refused to attend the program.

22 174. In March 2022, Respondent saw Patient 4 for a telephone visit. Respondent
23 documented that Patient 4's pain was stable and that there was numbness in the first and second
24 toes. Respondent documented fibromyalgia and refilled Patient 4's hydrocodone and
25 carisoprodol.

26 175. In July 2022, Respondent documented Patient 4 was feeling ill, and achy, with a
27 cough, and headaches. Respondent documented polycystic ovaries and refilled hydrocodone.
28 Respondent also ordered lab tests for fatty liver.

1 176. In September 2022, Respondent saw Patient 4 for a telephone appointment.
2 Respondent documented yeast vaginitis. Respondent failed to inquire or look into Patient 4's
3 chronic pain. Respondent refilled hydrocodone, zolpidem, and carisoprodol.

4 177. In December 2022, Respondent saw Patient 4 for an office visit. Respondent
5 documented sore throat, body aches, and chills. Respondent ordered follow-up urine drug tests.
6 Respondent documented that Patient 4 continued to have low back pain, and that the medications
7 including carisoprodol helped a lot. Respondent failed to examine Patient 4's pharynx.
8 Respondent refilled hydrocodone, zolpidem, and carisoprodol.

9 178. In April 2023, Respondent saw Patient 4 for an office visit. Respondent documented
10 that Patient 4 continued to have back pain. Patient 4's heart rate was 106 bpm. Respondent
11 failed to document a back examination. Respondent refilled hydrocodone.

12 179. In August 2023, Respondent saw Patient 4 for an office visit. Respondent
13 documented that Patient 4 continued to have back and neck pain and was stable on hydrocodone
14 and carisoprodol. Respondent failed to examine CURES which revealed that Patient 4 obtained
15 Tramadol from veterinarians. The Tramadol was given to Patient 4's mother.

16 180. Respondent prescribed hydrocodone, zolpidem, and carisoprodol to Patient 4 from
17 2021 through 2023.

18 181. Respondent committed repeated negligent acts in the care and treatment of Patient 4
19 which includes, but is not limited to, the following:

- 20 a. Respondent failed to document adequate informed consent from Patient 4 related to the
21 prescribing of controlled substances.
- 22 b. Respondent failed to check Patient 4's CURES and failed to identify two Tramadol
23 prescriptions from veterinarians which were included on the CURES.
- 24 c. Respondent prescribed dangerous combinations of controlled substances.
- 25 d. Respondent failed to perform an adequate periodic review of Patient 4's treatment. He
26 failed to examine and/or adequately document a history regarding the area of
27 symptoms.
- 28 e. Respondent failed to maintain adequate documentation.

1 **Patient 5**

2 182. Patient 5 is a 50-year-old male patient who was seen by multiple providers other than
3 Respondent. Patient 5 had a history of hypertension, colitis, and opioid dependence with opioid-
4 induced disorder. Respondent saw Patient 5 two times in 2023. Respondent saw Patient 5 on or
5 about July 12, 2023, and December 29, 2023. During the July 12, 2023, visit, Patient 5 had an
6 elbow injury. In his interview with the Board, Respondent stated that had been seen in the
7 emergency room, and Respondent thought there was a strong suspicion of a possible occult
8 fracture. Respondent stated that he gave Patient 5, two weeks of medication, Norco, and
9 instructed Patient 5 to follow up with an orthopedist. Respondent admitted that he did not check
10 CURES prior to prescribing hydrocodone to Patient 5.

11 183. Respondent committed repeated negligent acts in the care and treatment of Patient 5
12 in that he failed to check CURES prior to prescribing Norco.

13 **Patient 6**

14 184. Patient 6 is a 30-year-old male patient who had a history of opioid dependence on
15 agonist therapy/opiate abuse, ADHD, anxiety, eating disorder (2013), intermittent insomnia
16 (2013), THC use disorder – moderate, carpal tunnel surgery – right wrist, right surgery ligament
17 repair (2013), adjustment disorder with depressed mood, and history of an eating disorder.

18 185. In December 2021, Respondent saw Patient 6 for an office visit. Respondent
19 documented his assessment as high-risk medication use. Respondent ordered urine drug tests.
20 Respondent documented Patient 6's past medical history to include opioid abuse, THC use
21 disorder– moderate–dependence, anxiety, adjustment disorder with depressed mood, history of
22 eating disorder, and intermittent insomnia with prior surgeries of carpal tunnel syndrome – right
23 wrist and right shoulder ligament repair.

24 186. In May 2022, Patient 6's urine drug test was negative for alcohol and negative for
25 prescribed amphetamines and opiates. Respondent failed to appropriately address the aberrant
26 results.

27 187. In August 2022, Patient 6's urine drug test was negative for prescribed amphetamine
28 and positive for THC. Respondent failed to appropriately address the aberrant results.

1 188. In October 2022, Patient 6's urine drug test was positive for buprenorphine, negative
2 for amphetamine, and positive for THC. Respondent failed to appropriately address the aberrant
3 results.

4 189. In December 2022, Patient 6's urine drug test was negative for alcohol, and negative
5 for prescribed amphetamines and opiates. Respondent failed to appropriately address the aberrant
6 results.

7 190. In February 2023, Respondent saw Patient 6 for a follow-up visit. Patient 6's urine
8 drug test was positive for amphetamine and buprenorphine and positive for THC. Respondent
9 failed to appropriately address the aberrant results.

10 191. In May 2023, Respondent saw Patient 6 for an office visit. Respondent documented
11 that the visit was a three-month recheck. Diagnoses include ADHD, opioid dependence on
12 agonist therapy, and high-risk medication use. Patient 6's urine drug test was positive for
13 amphetamine, positive for codeine, negative for alcohol metabolites, positive for morphine, and
14 positive for opiates. Respondent failed to appropriately address the aberrant results. Respondent
15 changed Adderall 20 mg to Adderall ER 25 mg.

16 192. In July 2023, Respondent saw Patient 6 for an office visit. Patient 6's urine drug test
17 was positive for alcohol metabolites and positive for amphetamines. Respondent failed to
18 appropriately address the aberrant results. The prior urine drug test was positive for codeine and
19 morphine without explanation. Patient 6 stated he was diagnosed with ADHD when in school
20 and was in special ed classes. Respondent ordered Adderall during the office visit.

21 193. Respondent prescribed buprenorphine and amphetamine to Patient 6 from 2021
22 through 2024.

23 194. Respondent committed repeated negligent acts in the care and treatment of Patient 6
24 which include, but are not limited to, the following:

- 25 a. Respondent failed to appropriately address multiple aberrant urine drug tests and red
26 flags for controlled substance abuse or diversion.
- 27 b. Respondent failed to appropriately document informed consent related to the
28 prescription of controlled substances.

1 c. Respondent prescribed dangerous combinations of controlled substances.

2 **Patient 7**

3 195. Patient 7 is a 50-year-old female who had a history of gastritis, benign hyperplastic
4 gastric polyps, morbid obesity, status post-sleeve gastrectomy, nonalcoholic fatty liver disease,
5 dyslipidemia, type II diabetes, hypertension, possible PCOS (polycystic ovary syndrome),
6 androgen excess, suicide attempt (June 2023), moderate depression, and Cushing syndrome
7 (possible).

8 196. In February 2023, Respondent saw Patient 7 for an office visit. Respondent
9 documented “New to PCP,” “very bad” pain in pelvic area, past diagnostic testing “found
10 nothing.” Respondent prescribed hydrocodone and physical therapy.

11 197. On or about June 1, 2023, Respondent saw Patient 7 for an office visit. Respondent
12 documented that Patient 7 had moderate depression. The focus of the visit was Patient 7’s pelvic
13 pain. Respondent refilled hydrocodone and ordered urine drug tests. Patient 7’s urine drug test
14 was positive for alcohol metabolites. Respondent failed to address the aberrant urine drug test.

15 198. On or about July 10, 2023, Patient 7 took an intentional overdose of Norco, morphine
16 and Ativan, and fluoxetine when she had a breakup. Patient 7 spent a week in the hospital and 57
17 days in a mental health rehab facility.

18 199. Respondent prescribed controlled substances to Patient 7 in 2022 through June 2023.

19 200. Respondent committed repeated negligent acts in the care and treatment of Patient 7
20 in that he failed to address the aberrant urine drug test and continued to prescribe hydrocodone.

21 **THIRD CAUSE FOR DISCIPLINE**
22 **(Prescribing Dangerous Drugs without Appropriate Examination or Medical Indication)**

23 201. Respondent is further subject to disciplinary action under sections 2227 and 2234, as
24 defined by section 2242, of the Code, in that he prescribed controlled substances and dangerous
25 drugs to Patients A, B, C, D, E, 1, 2, 3, 4, 5, 6, and 7, without an appropriate medical examination
26 or medical indication, as more particularly alleged hereinafter: Paragraphs 34 through 200,
27 above, are hereby incorporated by reference and realleged as if fully set forth herein.

1 **FOURTH CAUSE FOR DISCIPLINE**
2 **(Prescribing Dangerous Drugs to a Substance Abuser)**

3 202. Respondent is further subject to disciplinary action under sections 2227 and 2234, as
4 defined by sections 2241 and 2241.5, of the Code, in that he prescribed controlled substances and
5 dangerous drugs to Patients A, B, C, D, E, 1, 2, 3, 4, 5, 6, and 7, which Respondent reasonably
6 should have known was for a non-medical purpose, as more particularly alleged hereinafter:
7 Paragraphs 34 through 200, above, are hereby incorporated by reference and realleged as if fully
8 set forth herein.

9 **FIFTH CAUSE FOR DISCIPLINE**
10 **(Failure to Check CURES)**

11 203. Respondent is further subject to disciplinary action under sections 2227 and 2234, as
12 defined by sections 11165 and 11165.1 of the Health and Safety Code, in that he prescribed
13 controlled substances and dangerous drugs to Patients A, B, C, D, E, 1, 2, 3, 4, 5, 6, and 7,
14 without appropriately checking CURES, as more particularly alleged hereinafter: Paragraphs 34
15 through 200, above, are hereby incorporated by reference and realleged as if fully set forth herein.

16 **SIXTH CAUSE FOR DISCIPLINE**
17 **(Failure to Maintain Adequate Records)**

18 204. Respondent is further subject to disciplinary action under sections 2227 and 2234, as
19 defined by section 2266, of the Code, in that he failed to maintain adequate records, as more
20 particularly alleged hereinafter: Paragraphs 34 through 200, above, are hereby incorporated by
21 reference and realleged as if fully set forth herein.

22 **SEVENTH CAUSE FOR DISCIPLINE**
23 **(Patient Harm)**

24 205. Respondent is further subject to disciplinary action under sections 2227 and 2234, as
25 defined by section 2228.1, of the Code, in that he caused patient harm to Patient A. Paragraphs 34
26 through 200, above, are hereby incorporated by reference and realleged as if fully set forth herein.
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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 License No. G 63520, issued to Respondent Clinton Ruhl Collins, M.D.;
2. Revoking, suspending, or denying approval of Respondent Clinton Ruhl Collins, M.D.'s authority to supervise physician assistants and advanced practice nurses;
3. Ordering Respondent Clinton Ruhl Collins, 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;
4. Ordering Respondent Clinton Ruhl Collins, M.D., if placed on probation, to provide patient notification in accordance with Business and Professions Code section 2228.1; and
5. Taking such other and further action as deemed necessary and proper.

DATED: FEB 25 2025



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

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