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

In the Matter of the Accusation Against:

Donald Fredric Mills, M.D.

Physician's and Surgeon's Certificate No. G 54273

Respondent.

Case No.: 800-2023-101938

ORDER CORRECTING NUNC PRO TUNC CLERICAL ERROR IN DECISION

On its own motion, the Medical Board of California (hereafter "Board") finds that there is a clerical error in the Decision of the above-entitled matter, and that such clerical error shall be corrected.

IT IS HEREBY ORDERED that the Decision in the above-entitled matter be and is hereby amended and corrected nunc pro tunc as of the date of entry of the Order to reflect on Page 2, Line 1, the Respondent's name is *Donald Fredric Mills*, *M.D.*

March 27, 2025

Reji Varghese Executive Director

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

In the Matter	r of	the	Accu	sation
Against:				

Donald Fredric Mills, M.D.

Case No. 800-2023-101938

Physician's and Surgeon's Certificate No. G 54273

Respondent.

DECISION

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

This Decision shall become effective at 5:00 p.m. on March 21, 2025.

IT IS SO ORDERED March 14, 2025.

MEDICAL BOARD OF CALIFORNIA

Reji Varghese

Executive Director

1	ROB BONTA					
2	Attorney General of California ALEXANDRA M. ALVAREZ					
3	Supervising Deputy Attorney General KAROLYN M. WESTFALL					
4	Deputy Attorney General State Bar No. 234540					
5	600 West Broadway, Suite 1800 San Diego, CA 92101					
6	P.O. Box 85266 San Diego, CA 92186-5266					
7	Telephone: (619) 738-9465 Facsimile: (619) 645-2061					
8	Attorneys for Complainant					
9						
10	BEFORE THE					
11	MEDICAL BOARD OF CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS					
12	STATE OF CA	ALIFORNIA				
13	In the Matter of the Accusation Against:	Case No. 800-2023-101938				
14	DONALD FREDRIC MILLS, M.D.	STIPULATED SURRENDER OF LICENSE AND DISCIPLINARY ORDER				
15	20 Black Falcon Irvine, CA 92603-0420	LICENSE AND DISCIPLINARY ORDER				
16	Physician's and Surgeon's Certificate					
17	No. G 54273,	,				
18	Respondent.					
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20	IT IS HEREBY STIPULATED AND AGR	EED by and between the parties to the above-				
21	entitled proceedings that the following matters are true:					
22	<u>PARTIES</u>					
23	1. Reji Varghese (Complainant) is the Executive Director of the Medical Board of					
24	California (Board). He brought this action solely in his official capacity and is represented in this					
25	matter by Rob Bonta, Attorney General of the State of California, by Karolyn M. Westfall,					
26	Deputy Attorney General.	•				
27	2. On or about December 17, 2024, in the matter of the Conservatorship of Donald					
28	Fredric Mills, M.D., Superior Court County of Or	range, Case No. 30-2024-01388539-PR-CP-				
		1				

CMC, Donald Frederic Mills, M.D. (Respondent) was determined to be unable to properly provide for his personal needs for physical health, food, clothing, or shelter. On that same date, the Superior Court ordered Zachary Tyler Mills as the Conservator of Respondent and of Respondent's estate.

- 3. Respondent, but way of his Conservator Zachary Tyler Mills, is represented in this proceeding by attorney Raymond J. McMahon, Esq., whose address is: 5440 Trabuco Road, Irvine, CA 92620.
- 4. On or about February 4, 1985, the Board issued Physician's and Surgeon's Certificate No. G 54273 to Respondent. That license expired on May 31, 2024, and has not been renewed.
- 5. On or about December 4, 2024, following a noticed hearing, an Interim Order of Suspension was issued by the Office of Administrative Hearings, immediately suspending Physician's and Surgeon's Certificate No. G 54273, and prohibiting Respondent from practicing medicine in the State of California. As a result, Respondent remains suspended from the practice of medicine pending the issuance of a final decision on the Accusation.

JURISDICTION

6. On or about September 6, 2024, Accusation No. 800-2023-101938 was filed before the Board and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on September 6, 2024. Respondent and/or his Conservator timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 800-2023-101938 is attached hereto as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

- 7. Respondent and/or his Conservator has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2023-101938. Respondent and/or his Conservator also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Disciplinary Order.
- 8. Respondent and/or his Conservator is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify

on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

9. Having the benefit of counsel, Respondent and/or his Conservator voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

- 10. Respondent and/or his Conservator admits that, at an administrative hearing, Complainant could establish a *prima facie* case with respect to the charges and allegations contained in Accusation No. 800-2023-101938, agrees that Respondent has thereby subjected his Physician's and Surgeon's Certificate No. G 54273 to discipline, and hereby surrenders his Physician's and Surgeon's Certificate No. G 54273 for the Board's formal acceptance.
- 11. Respondent and/or his Conservator understands that if Respondent ever petitions for reinstatement of his Physician's and Surgeon's Certificate No. G 54273, all of the charges and allegations contained in Accusation No. 800-2023-101938, shall be deemed true, correct, and fully admitted by Respondent for purposes of any such proceeding or any other licensing proceeding involving Respondent in the State of California or elsewhere.
- 12. Respondent and/or his Conservator understands that by signing this stipulation, Respondent and/or his Conservator enables the Executive Director of the Board to issue an order, on behalf of the Board, accepting the surrender of Respondent's Physician's and Surgeon's Certificate No. G 54273 without further process.

CONTINGENCY

- 13. Business and Professions Code section 2224, subdivision (b), provides, in pertinent part, that the Medical Board "shall delegate to its executive director the authority to adopt a ... stipulation for surrender of a license."
- 14. Respondent and/or his Conservator understands that, by signing this stipulation,
 Respondent enables the Executive Director of the Board to issue an order, on behalf of the Board,

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accepting the surrender of Respondent's Physician's and Surgeon's Certificate No. G 54273 without further notice to, or opportunity to be heard by, Respondent.

- 15. This Stipulated Surrender of License and Disciplinary Order shall be subject to the approval of the Executive Director on behalf of the Board. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be submitted to the Executive Director for his consideration in the above-entitled matter and, further, that the Executive Director shall have a reasonable period of time in which to consider and act on this Stipulated Surrender of License and Disciplinary Order after receiving it. By signing this stipulation, Respondent and/or his Conservator fully understands and agrees that Respondent may not withdraw his agreement or seek to rescind this stipulation prior to the time the Executive Director, on behalf of the Medical Board, considers and acts upon it.
- The parties agree that this Stipulated Surrender of License and Disciplinary Order 16. shall be null and void and not binding upon the parties unless approved and adopted by the Executive Director on behalf of the Board, except for this paragraph, which shall remain in full force and effect. Respondent and/or his Conservator fully understands and agrees that in deciding whether or not to approve and adopt this Stipulated Surrender of License and Disciplinary Order, the Executive Director and/or the Board may receive oral and written communications from its staff and/or the Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the Executive Director, the Board, any member thereof, and/or any other person from future participation in this or any other matter affecting or involving Respondent. In the event that the Executive Director on behalf of the Board does not, in his discretion, approve and adopt this Stipulated Surrender of License and Disciplinary Order, with the exception of this paragraph, it shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied upon or introduced in any disciplinary action by either party hereto. Respondent and/or his Conservator further agrees that should this Stipulated Surrender of License and Disciplinary Order be rejected for any reason by the Executive Director on behalf of the Board, Respondent and/or his Conservator will assert no claim that the Executive Director, the Board, or any member ///

thereof, was prejudiced by its/his/her review, discussion and/or consideration of this Stipulated Surrender of License and Disciplinary Order or of any matter or matters related hereto.

ADDITIONAL PROVISIONS

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

ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 54273, issued to Respondent Donald Fredric Mills, M.D., is surrendered and accepted by the Board.

- 1. The surrender of Respondent's Physician's and Surgeon's Certificate and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.
- 2. Respondent shall lose all rights and privileges as a physician and surgeon in California as of the effective date of the Board's Decision and Order.
- 3. Respondent shall cause to be delivered to the Board his pocket license and, if one was issued, his wall certificate on or before the effective date of the Decision and Order.
- 4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked or surrendered license in effect at the time the petition is filed, and all of the charges and allegations

contained in Accusation No. 800-2023-101938 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

- 5. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$19,088.25 (nineteen thousand eighty-eight dollars and twenty-five cents) prior to issuance of a new or reinstated license.
- 6. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation No. 800-2023-101938 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Disciplinary Order and have fully discussed it with my attorney Raymond J. McMahon, Esq. I understand the stipulation and the effect it will have on Respondent's Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of License and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 02/12/2025

ZACHARY TYLER MILLS

Conservator on behalf of

DONALD FREDRIC MILLS, M.D.

Respondent

I have read and fully discussed with Zachary Tyler Mills, Conservator on behalf of Respondent Donald Fredric Mills, M.D., the terms and conditions and other matters contained in this Stipulated Surrender of License and Disciplinary Order. I approve its form and content.

DATED: February 12, 2025

RAYMOND J. MCMAHON, ESQ.

Attorney for Respondent

1	ENDORSEMENT						
2	The foregoing Stipulated Surrender of License and Disciplinary Order is hereby						
3	respectfully submitted for consideration by the Medical Board of California of the Department of						
4	Consumer Affairs.						
5	DATED: <u>2/12/25</u>	Respectfully submitted,					
6		ROB BONTA Attorney General of California					
7		ALEXANDRA M. ALVAREZ Supervising Deputy Attorney General					
8 9		Culliotfall					
10 ^f	O ₁	KAROLYN M. WESTFALL Deputy Attorney General					
11	1	Deputy Attorney General Attorneys for Complainant					
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Exhibit A

Accusation No. 800-2023-101938

1	ROB BONTA						
2	Attorney General of California ALEXANDRA M. ALVAREZ Supervising Deputy Attorney General KAROLYN M. WESTFALL						
3							
4	Deputy Attorney General State Bar No. 234540						
5	600 West Broadway, Suite 1800						
	San Diego, CA 92101 P.O. Box 85266 P.O. Box 85266						
6	San Diego, CA 92186-5266 Telephone: (619) 738-9465						
7	Facsimile: (619) 645-2061						
8	Attorneys for Complainant						
9							
10	BEFORE THE MEDICAL BOARD OF CALIFORNIA						
11	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA						
12	GIATE OF CALIFORNIA						
13	In the Matter of the Accusation Against: Case No. 800-2023-101938						
14	DONALD FREDRIC MILLS, M.D. A C C U S A T I O N						
15	20 Black Falcon Irvine, CA 92603-0420						
16	Physician's and Surgeon's Certificate No. G 54273,						
17	Respondent.						
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20	PARTIES						
21	1. Reji Varghese (Complainant) brings this Accusation solely in his official capacity as						
22	the Executive Director of the Medical Board of California, Department of Consumer Affairs						
23	(Board).						
24	2. On or about February 4, 1985, the Medical Board issued Physician's and Surgeon's						
25	Certificate No. G 54273 to Donald Fredric Mills, M.D. (Respondent). The Physician's and						
26	Surgeon's Certificate expired on May 31, 2024, and has not been renewed.						
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(DONALD FREDRIC MILLS, M.D.) ACCUSATION NO. 800-2023-101938

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

4. Section 118 of the Code states:

- (a) The withdrawal of an application for a license after it has been filed with a board in the department shall not, unless the board has consented in writing to such withdrawal, deprive the board of its authority to institute or continue a proceeding against the applicant for the denial of the license upon any ground provided by law or to enter an order denying the license upon any such ground.
- (b) The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground.
- (c) As used in this section, "board" includes an individual who is authorized by any provision of this code to issue, suspend, or revoke a license, and "license" includes "certificate," "registration," and "permit."

5. Section 822 of the Code states:

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

- (a) Revoking the licentiate's certificate or license.
- (b) Suspending the licentiate's right to practice.
- (c) Placing the licentiate on probation.
- (d) Taking such other action in relation to the licentiate as the licensing agency in its discretion deems proper.

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

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(DONALD FREDRIC MILLS, M.D.) ACCUSATION NO. 800-2023-101938

of alcohol and spoke with rapid speech. Respondent admitted drinking wine prior to driving. After performing poorly on field sobriety tests, Respondent was placed under arrest for driving under the influence of alcohol. At approximately 9:13 p.m., a blood sample was obtained from Respondent that revealed a blood alcohol concentration of 0.16 percent.

- 13. On or about July 20, 2022, the Orange County District Attorney filed a criminal complaint against Respondent in the matter of *The People of the State of California v. Donald Fredric Mills*, County of Orange Superior Court Case No. 22HM06222. The complaint charged Respondent with two misdemeanors, including (1) driving under the influence of alcohol, in violation of Vehicle Code section 23152, subdivision (a), and (2) driving with a blood alcohol content level of 0.08 percent or more, in violation of Vehicle Code section 23152, subdivision (b). Both counts were charged with a further allegation that Respondent's blood alcohol concentration was 0.15 percent or more, within the meaning of Vehicle Code section 23578.
- 14. On or about August 18, 2023, Respondent pled guilty to driving under the influence of alcohol, in violation of Vehicle Code section 23152, subdivision (a), and driving with a blood alcohol content level of 0.08 percent or more, in violation of Vehicle Code section 23152, subdivision (b). On that same date, the Superior Court sentenced Respondent to three years of probation subject to various terms and conditions.
- 15. On or about March 15, 2024, Respondent was diagnosed with a permanent mental illness.
- 16. On or about April 18, 2024, a temporary conservator was appointed for Respondent due to his inability to properly provide for his personal needs for physical health, food, clothing, and shelter.

SECOND CAUSE FOR DISCIPLINE

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

17. Respondent has further subjected his Physician's and Surgeon's Certificate No. G 54273 to disciplinary action under sections 2227 and 2234, as defined by section 2236, of the Code, in that he has been convicted of a crime substantially related to the qualifications,