

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

In the Matter of the Accusation Against:

Helen Louise Krell, M.D.

**Physician's and Surgeon's
Certificate No. G 26399**

Case No. 800-2022-086824

Respondent.

DECISION

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

This Decision shall become effective at 5:00 p.m. on JUN 01 2025

IT IS SO ORDERED

MEDICAL BOARD OF CALIFORNIA

Mr. *Reji Varghese* for

ROB BONTA
Attorney General of California
STEVE DIEHL
Supervising Deputy Attorney General
SARAH J. JACOBS
Deputy Attorney General
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Attorneys for Complainant

Attorneys for Complainant

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

In the Matter of the Accusation Against:
HELEN LOUISE KRELL, M.D.
PO Box 145
Davis, CA 95617-0145

Physician's and Surgeon's Certificate No. G
26399

Case No. 800-2022-086824

OAH No. 2025021030

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

Respondent.

Whereas Accusation No. 800-2022-086824 is pending against Respondent Helen Louise Krell, she decided to retire from the practice of medicine following a 51-year career in medicine. In the interest of a prompt and speedy settlement of this matter, consistent with the public interest and the responsibility of the Medical Board of California of the Department of Consumer Affairs, the parties hereby agree to the following Stipulated Surrender of License shall be the final disposition of Accusation No. 800-2022-086824.

PARTIES

1. Reji Varghese (Complainant) is the Executive Director of the Medical Board of California (Board). He brought this action solely in his official capacity and is represented in this matter by Rob Bonta, Attorney General of the State of California, by Sarah J. Jacobs, Deputy Attorney General.

1 2. Helen Louise Krell, M.D. (Respondent) is represented in this proceeding by attorney
2 Ian A. Scharg, Esq., whose address is: 400 University Avenue, Sacramento, CA 95825-6502.

3 3. On or about February 14, 1974, the Board issued Physician's and Surgeon's
4 Certificate No. G 26399 to Respondent. That license was in full force and effect at all times
5 relevant to the charges brought in Accusation No. 800-2022-086824 and will expire on November
6 30, 2026, unless renewed.

JURISDICTION

8 4. Accusation No. 800-2022-086824 was filed before the Board and is currently pending
9 against Respondent. The Accusation and all other statutorily required documents were properly
10 served on Respondent on January 30, 2025. Respondent timely filed her Notice of Defense
11 contesting the Accusation. A copy of Accusation No. 800-2022-086824 is attached as Exhibit A
12 and incorporated by reference.

ADVISEMENT AND WAIVERS

14 5. Respondent has carefully read, fully discussed with counsel, and understands the
15 charges and allegations in Accusation No. 800-2022-086824. Respondent also has carefully read,
16 fully discussed with counsel, and understands the effects of this Stipulated Surrender of License
17 and Order.

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

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

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CULPABILITY

8. Respondent understands that the charges and allegations in Accusation No. 800-2022-086824, if proven at a hearing, constitute cause for imposing discipline upon her Physician's and Surgeon's Certificate No. G 26399.

9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, and because she wishes to retire from the practice of medicine, Respondent agrees that, at a hearing, Complainant could establish a *prima facie* case for the charges in the Accusation and that those charges constitute cause for discipline. Respondent hereby gives up her right to contest that cause for discipline exists based on those charges.

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

RESERVATION

11. The admissions made by Respondent herein are only for the purposes of this proceeding, or any other proceedings in which the Medical Board of California or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

CONTINGENCY

12. 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.”

13. Respondent understands that, by signing this stipulation, she enables the Executive Director of the Board to issue an order, on behalf of the Board, accepting the surrender of her Physician's and Surgeon's Certificate No. G 26399 without further notice to, or opportunity to be heard by, Respondent.

14. 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

1 consideration in the above-entitled matter and, further, that the Executive Director shall have a
2 reasonable period of time in which to consider and act on this Stipulated Surrender of License and
3 Disciplinary Order after receiving it. By signing this stipulation, Respondent fully understands
4 and agrees that she may not withdraw her agreement or seek to rescind this stipulation prior to the
5 time the Executive Director, on behalf of the Medical Board, considers and acts upon it.

6 15. The parties agree that this Stipulated Surrender of License and Disciplinary Order
7 shall be null and void and not binding upon the parties unless approved and adopted by the
8 Executive Director on behalf of the Board, except for this paragraph, which shall remain in full
9 force and effect. Respondent fully understands and agrees that in deciding whether or not to
10 approve and adopt this Stipulated Surrender of License and Disciplinary Order, the Executive
11 Director and/or the Board may receive oral and written communications from its staff and/or the
12 Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the
13 Executive Director, the Board, any member thereof, and/or any other person from future
14 participation in this or any other matter affecting or involving respondent. In the event that the
15 Executive Director on behalf of the Board does not, in his discretion, approve and adopt this
16 Stipulated Surrender of License and Disciplinary Order, with the exception of this paragraph, it
17 shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied
18 upon or introduced in any disciplinary action by either party hereto. Respondent further agrees
19 that should this Stipulated Surrender of License and Disciplinary Order be rejected for any reason
20 by the Executive Director on behalf of the Board, Respondent will assert no claim that the
21 Executive Director, the Board, or any member thereof, was prejudiced by its/his/her review,
22 discussion and/or consideration of this Stipulated Surrender of License and Disciplinary Order or
23 of any matter or matters related hereto.

24 **ADDITIONAL PROVISIONS**

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

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

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

ORDER

8 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 26399, issued
9 to Respondent Helen Louise Krell, M.D., is surrendered and accepted by the Board effective June
10 1, 2025.

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

15 2. Respondent shall lose all rights and privileges as a physician and surgeon in
16 California as of the effective date of the Board's Decision and Order.

17 3. Respondent shall cause to be delivered to the Board her pocket license and, if one was
18 issued, her wall certificate on or before the effective date of the Decision and Order.

19 4. If Respondent ever files an application for licensure or a petition for reinstatement in
20 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
21 comply with all the laws, regulations and procedures for reinstatement of a revoked or
22 surrendered license in effect at the time the petition is filed, and all of the charges and allegations
23 contained in Accusation No. 800-2022-086824 shall be deemed to be true, correct and admitted
24 by Respondent when the Board determines whether to grant or deny the petition.

25 5. Respondent shall pay the agency its costs of investigation and enforcement in the
26 amount of \$38,474.50 prior to issuance of a new or reinstated license.

27 6. If Respondent should ever apply or reapply for a new license or certification, or
28 petition for reinstatement of a license, by any other health care licensing agency in the State of

1 California, all of the charges and allegations contained in Accusation No. 800-2022-086824 shall
2 be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
3 Issues or any other proceeding seeking to deny or restrict licensure.

4 **ACCEPTANCE**

5 I have carefully read the above Stipulated Surrender of License and Order and have fully
6 discussed it with my attorney Ian A. Scharg, Esq. I understand the stipulation and the effect it
7 will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of
8 License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the
9 Decision and Order of the Medical Board of California.

10 DATED: 5/06/2025


11 HELEN LOUISE KRELL, M.D.
12 *Helen Louise Krell, M.D.*
13 Respondent

14 I have read and fully discussed with Respondent Helen Louise Krell, M.D. the terms and
15 conditions and other matters contained in this Stipulated Surrender of License and Order. I
16 approve its form and content.

17 DATED: 05/06/2025


18 IAN A. SCHARG, ESQ.
19 Attorney for Respondent

20 **ENDORSEMENT**

21 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted
22 for consideration by the Medical Board of California of the Department of Consumer Affairs.

23 DATED: _____

24 Respectfully submitted,

25 ROB BONTA
26 Attorney General of California
27 STEVE DIEHL
28 Supervising Deputy Attorney General

SARAH J. JACOBS
Deputy Attorney General
Attorneys for Complainant

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1 California, all of the charges and allegations contained in Accusation No. 800-2022-086824 shall
2 be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
3 Issues or any other proceeding seeking to deny or restrict licensure.

4 **ACCEPTANCE**

5 I have carefully read the above Stipulated Surrender of License and Order and have fully
6 discussed it with my attorney Ian A. Scharg, Esq. I understand the stipulation and the effect it
7 will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of
8 License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the
9 Decision and Order of the Medical Board of California.

10 DATED: _____

11 HELEN LOUISE KRELL, M.D.
Respondent

12 I have read and fully discussed with Respondent Helen Louise Krell, M.D. the terms and
13 conditions and other matters contained in this Stipulated Surrender of License and Order. I
14 approve its form and content.

15 DATED: _____

16 IAN A. SCHARG, ESQ.
Attorney for Respondent

18 **ENDORSEMENT**

19 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted
20 for consideration by the Medical Board of California of the Department of Consumer Affairs.

21 DATED: May 6, 2025

Respectfully submitted,

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


26 SARAH J. JACOBS
27 Deputy Attorney General
Attorneys for Complainant

Exhibit A

Accusation No. 800-2022-086824

1 ROB BONTA
2 Attorney General of California
3 STEVE DIEHL
4 Supervising Deputy Attorney General
5 SARAH J. JACOBS
6 Deputy Attorney General
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13 *Attorneys for Complainant*

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

In the Matter of the Accusation Against: Case No. 800-2022-086824
Helen Louise Krell, M.D.
PO Box 145
Davis, CA 95617-0145
Physician's and Surgeon's Certificate
No. G 26399,
Respondent.

ACCUSATION

PARTIES

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

2. On or about February 14, 1974, the Medical Board issued Physician's and Surgeon's Certificate Number G 26399 to Helen Louise Krell, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on November 30, 2026, unless renewed.

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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.

4. Section 2227 of the Code provides that a licensee who is found guilty under the
5 Medical Practice Act may have his or her license revoked, suspended for a period not to exceed
6 one year, placed on probation and required to pay the costs of probation monitoring, or such other
7 action taken in relation to the discipline as the Board deems proper.
8

STATUTORY PROVISIONS

10 5. Section 2234 of the Code states:

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

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

(b) Gross negligence.

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

23 |

COST RECOVERY

25 6. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
26 administrative law judge to direct a licensee found to have committed a violation or violations of
27 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
28 enforcement of the case, with failure of the licensee to comply subjecting the license to not being

1 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
2 included in a stipulated settlement.

3 **DEFINITIONS**

4 7. "Benzodiazepines" are a class of drugs that produce central nervous system (CNS)
5 depression. They are used therapeutically to produce sedation, induce sleep, relieve anxiety and
6 muscle spasms, and to prevent seizures. In general, benzodiazepines act as hypnotics in high
7 doses, anxiolytics in moderate doses, and sedatives in low doses, and are used for a limited time
8 period. Benzodiazepines are commonly misused and taken in combination with other drugs of
9 abuse. Commonly prescribed benzodiazepines include alprazolam (Xanax®), lorazepam
10 (Ativan®), clonazepam (Klonopin®), diazepam (Valium®), and temazepam (Restoril®). Risks
11 associated with use of benzodiazepines include: 1) tolerance and dependence, 2) potential
12 interactions with alcohol and pain medications, and 3) possible impairment of driving.
13 Benzodiazepines can cause dangerous deep unconsciousness. When combined with other CNS
14 depressants such as alcoholic drinks and opioids, the potential for toxicity and fatal overdose
15 increases. Before initiating a course of treatment, patients should be explicitly advised about the
16 following: the goal and duration of benzodiazepine use; its risks and side effects, including risk of
17 dependence and respiratory depression; and alternative treatment options. In general,
18 benzodiazepines are considered high-risk medications in the elderly and are identified in the
19 Beers Criteria as potentially inappropriate medications to be avoided in patients sixty-five (65)
20 years and older due to risk of abuse, misuse, physical dependence, and addiction, as well as risks
21 of impaired cognition, delirium, falls, fractures, and motor vehicle accidents with benzodiazepine
22 use.

23 **FACTUAL ALLEGATIONS**

24 8. On or about March 18, 2022, the Board received an online complaint from Patient
25 A's¹ ex-girlfriend alleging that Respondent provided negligent care to Patient A, excessively
26 prescribed benzodiazepines, over-billed for services, and that Respondent appeared to "nod off"
27

28 ¹ The patient's name is redacted for privacy and confidentiality purposes.

1 during online sessions and had slow speech. Patient A's ex-girlfriend made this complaint
2 approximately ten days after Patient A's suicide.

3 9. Respondent began treating Patient A in September of 2003. He sought assistance
4 with work stress and wanting to find a stable, healthy, romantic relationship with a woman. He
5 was a successful attorney working at a large law firm, but would go into crisis due to work
6 pressure or when a relationship ended.

7 10. Patient A was prescribed Valium for help with sleep and occasional use during the
8 day for anxiety by his primary care physician prior to working with Respondent. He was taking a
9 5mg dosage, up to 20 mg per day. Respondent decreased his dosage to 2mg. Patient A reported
10 that he felt better on the lower dose, and he did not always fill his Valium prescriptions.
11 Respondent monitored Patient A's medication usage at every visit.

12 11. At the end of January 2022, Patient A was not sleeping well, and Respondent changed
13 his Valium to Klonopin .5mg. Patient A called the next day stating that it did not work, and
14 Respondent changed the medication to Trazadone 50 mg, which also did not work so they
15 switched back to Valium. Respondent prescribed Cymbalta to help with sleep; however, Patient
16 A had a bad reaction, including mania, so the medication was stopped.

17 12. On or about February 11, 2022, Patient A sought care at an Emergency Room
18 because he felt overwhelmed and was not coping well due to the side effects of the Cymbalta.
19 Patient A was admitted overnight for observation and was placed in a padded room. Respondent
20 spoke to Patient A on the phone and Patient A stated that he was concerned a mental commitment
21 would hurt his legal career. Patient A was released the following morning.

22 13. Patient A's legal firm was financially struggling, and he was having continued issues
23 with his ex-girlfriend.

24 14. On February 27, 2022, Patient A decided to take a 5-week leave of absence with the
25 hopes of retiring soon. Respondent wrote a medical excuse note for Patient A. Patient A planned
26 to go to the office and prepare for retirement. No suicidal thoughts or ideation were expressed.
27 Respondent reported that at no point was Patient A suicidal.

28 15. Patient A committed suicide on March 8, 2022.

1 16. Respondent told Board investigators that Patient A was "very stubborn,"
2 "opinionated," and "impulsive" and that she knew Patient A was not compliant with his
3 prescription orders by taking more benzodiazepine pills than directed. Respondent prescribed 300
4 tablets of 2 mg of (Valium) benzodiazepine pills per 30-day prescription. When asked why she
5 prescribed such a large amount, she responded because "that's what [Patient A] wanted. . . ." Respondent
6 explained that they discussed safety, and she never had an issue and that it made
7 Patient A "feel safe" to have extra medication. She also stated that Patient A could go a whole
8 year without refilling the prescription. Respondent did not attempt to investigate the primary
9 causes of insomnia.

17. Respondent diagnosed Patient A with generalized anxiety disorder, insomnia, and
18 panic disorder. There was no effort to refer the patient to a psychologist for psychotherapy.
19 There was no effort to get a second opinion once it was clear that the patient's symptoms were
20 not improving. There was no effort to detox Patient A from benzodiazepines before trying other
21 classes of medications. There was no effort to refer Patient A to a sleep study clinic.

15 18. Autopsy results showed that Patient A had three different benzodiazepines in his
16 system at the time of death.

FIRST CAUSE FOR DISCIPLINE

(Gross Negligence)

19 19. Respondent Helen Louise Krell, M.D. is subject to disciplinary action under section
20 2234, subdivision (b), of the Code, in that she committed gross negligence in the manner in which
21 she treated Patient A. The circumstances are set forth in paragraphs 8 through 18 above, which
22 are incorporated here by reference. Further circumstances are as follows:

23 20. Respondent's continued prescribing of benzodiazepines to a patient who was
24 noncompliant with prescription instructions constituted gross negligence. Benzodiazepines
25 should be prescribed in limited quantities on a short-term basis as an adjunct to psychiatric
26 medications in treatment of depression, anxiety, and insomnia.

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SECOND CAUSE FOR DISCIPLINE

(Repeated Negligent Acts)

3 21. Respondent Helen Louise Krell, M.D. is subject to disciplinary action under section
4 2234, subdivision (c), of the Code, in that she committed repeated negligent acts in the manner in
5 which she treated Patient A. The circumstances are set forth in paragraphs 8 through 18 above,
6 which are incorporated here by reference. Further circumstances are as follows:

7 22. Respondent's repeated prescribing of benzodiazepines to a patient who was
8 noncompliant with prescription instructions constituted repeated negligence.

PRAYER

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

12 1. Revoking or suspending Physician's and Surgeon's Certificate Number G 26399,
13 issued to Respondent Helen Louise Krell, M.D.;

14 2. Revoking, suspending or denying approval of Respondent Helen Louise Krell, M.D.'s
15 authority to supervise physician assistants and advanced practice nurses;

16 3. Ordering Respondent Helen Louise Krell, M.D., to pay the Board the costs of the
17 investigation and enforcement of this case, and if placed on probation, the costs of probation
18 monitoring; and

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

DATED: JAN 30 2025

Willis Clark for

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

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