

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

In the Matter of the Accusation
Against:

Jerrold Polterock, M.D.

Case No. 800-2022-087919

Physician's and Surgeon's
Certificate No. G 16347

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 September 4,

2025. IT IS SO ORDERED August 28, 2025.

MEDICAL BOARD OF CALIFORNIA



Reji Varghese
Executive Director

1 ROB BONTA
2 Attorney General of California
3 MICHAEL C. BRUMMEL
4 Supervising Deputy Attorney General
5 JADE WOLANSKY
6 Deputy Attorney General
7 State Bar No. 349302
8 California Department of Justice
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Attorneys for Complainant

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

12 In the Matter of the Accusation Against:

Case No. 800-2022-087919

13 **JERROLD POLTEROCK, M.D.**

STIPULATED SURRENDER OF
LICENSE AND ORDER

14 **2625 Kersten Ct.**
15 **Oakdale, CA 95361-9297**

16 **Physician's and Surgeon's Certificate**
No. G 16347

17 **Respondent.**

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

22 **PARTIES**

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 Jade Wolansky, Deputy
26 Attorney General.

27 2. JERROLD POLTEROCK, M.D. (Respondent) is represented in this proceeding by
28 attorney Matthew Hawkins, whose address is: 1125 I Street, Suite 1, Modesto, California, 95354.

1 3. On or about April 28, 1969, the Board issued Physician's and Surgeon's Certificate
2 No. G 16347 to Respondent. That license expired on January 31, 2024, and has not been renewed.

JURISDICTION

4 4. Accusation No. 800-2022-087919 was filed before the Board and is currently pending
5 against Respondent. The Accusation and all other statutorily required documents were properly
6 served on Respondent on April 17, 2025. Respondent timely filed his Notice of Defense
7 contesting the Accusation. A copy of Accusation No. 800-2022-087919 is attached as Exhibit A
8 and incorporated by reference.

ADVISEMENT AND WAIVERS

10 5. Respondent has carefully read, fully discussed with counsel, and understands the
11 charges and allegations in Accusation No. 800-2022-087919. Respondent also has carefully read,
12 fully discussed with counsel, and understands the effects of this Stipulated Surrender of License
13 and Order.

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

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

CULPABILITY

23 8. Respondent admits the truth of each and every charge and allegation in Accusation
24 No. 800-2022-087919, agrees that cause exists for discipline and hereby surrenders his
25 Physician's and Surgeon's Certificate No. G 16347 for the Board's formal acceptance.

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

CONTINGENCY

5 10. Business and Professions Code section 2224, subdivision (b), provides, in pertinent
6 part, that the Medical Board "shall delegate to its executive director the authority to adopt a ...
7 stipulation for surrender of a license."

8 11. Respondent understands that, by signing this stipulation, he enables the Executive
9 Director of the Board to issue an order, on behalf of the Board, accepting the surrender of his
10 Physician's and Surgeon's Certificate No. G 16347 without further notice to, or opportunity to be
11 heard by, Respondent.

12. This Stipulated Surrender of License and Disciplinary Order shall be subject to the
13 approval of the Executive Director on behalf of the Board. The parties agree that this Stipulated
14 Surrender of License and Disciplinary Order shall be submitted to the Executive Director for his
15 consideration in the above-entitled matter and, further, that the Executive Director shall have a
16 reasonable period of time in which to consider and act on this Stipulated Surrender of License and
17 Disciplinary Order after receiving it. By signing this stipulation, Respondent fully understands
18 and agrees that he may not withdraw his agreement or seek to rescind this stipulation prior to the
19 time the Executive Director, on behalf of the Medical Board, considers and acts upon it.

20 13. The parties agree that this Stipulated Surrender of License and Disciplinary Order
21 shall be null and void and not binding upon the parties unless approved and adopted by the
22 Executive Director on behalf of the Board, except for this paragraph, which shall remain in full
23 force and effect. Respondent fully understands and agrees that in deciding whether or not to
24 approve and adopt this Stipulated Surrender of License and Disciplinary Order, the Executive
25 Director and/or the Board may receive oral and written communications from its staff and/or the
26 Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the
27 Executive Director, the Board, any member thereof, and/or any other person from future
28 participation in this or any other matter affecting or involving respondent. In the event that the

1 Executive Director on behalf of the Board does not, in his discretion, approve and adopt this
2 Stipulated Surrender of License and Disciplinary Order, with the exception of this paragraph, it
3 shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied
4 upon or introduced in any disciplinary action by either party hereto. Respondent further agrees
5 that should this Stipulated Surrender of License and Disciplinary Order be rejected for any reason
6 by the Executive Director on behalf of the Board, Respondent will assert no claim that the
7 Executive Director, the Board, or any member thereof, was prejudiced by its/his/her review,
8 discussion and/or consideration of this Stipulated Surrender of License and Disciplinary Order or
9 of any matter or matters related hereto.

10 **ADDITIONAL PROVISIONS**

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

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

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

20 **ORDER**

21 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 16347, issued
22 to Respondent JERROLD POLTEROCK, M.D., is surrendered and accepted by the Board.

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

27 2. Respondent shall lose all rights and privileges as a Physician in California as of the
28 effective date of the Board's Decision and Order.

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

3 4. If Respondent ever files an application for licensure or a petition for reinstatement in
4 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
5 comply with all the laws, regulations and procedures for reinstatement of a revoked or
6 surrendered license in effect at the time the petition is filed, and all of the charges and allegations
7 contained in Accusation No. 800-2022-087919 shall be deemed to be true, correct and admitted
8 by Respondent when the Board determines whether to grant or deny the petition.

9 5. Respondent shall pay the agency its costs of investigation and enforcement in the
10 amount of \$39,161.50 (thirty-nine thousand one hundred sixty-one dollars and fifty cents) prior to
11 the issuance of a new or reinstated license.

12 6. If Respondent should ever apply or reapply for a new license or certification, or
13 petition for reinstatement of a license, by any other health care licensing agency in the State of
14 California, all of the charges and allegations contained in Accusation No. 800-2022-087919 shall
15 be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
16 Issues or any other proceeding seeking to deny or restrict licensure.

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ACCEPTANCE

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

DATED:

July 30, 2025

WERNER Poltorak, M.D.

JERROLD POLTEROCK, M.D.

Respondent

I have read and fully discussed with Respondent JERROLD POLTEROCK, M.D. the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED:

8 | 5 | 25

Matthew K Hawkins

Matthew Hawkins

Attorney for Respondent

ENDORSEMENT

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

DATED: August 7, 2025

Respectfully submitted,

ROB BONTA

Attorney General of California

MICHAEL C. BRUMMEL

Supervising Deputy Attorney General

Yadie Wolansky

JADE WOLANSKY

Deputy Attorney General

Attorneys for Complainant

Exhibit A

Accusation No. 800-2022-087919

1 ROB BONTA
2 Attorney General of California
2 MICHAEL C. BRUMMEL
3 Supervising Deputy Attorney General
3 JADE WOLANSKY
4 Deputy Attorney General
4 State Bar No. 349302
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7 Facsimile: (916) 327-2247
8 *Attorneys for Complainant*

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13 In the Matter of the Accusation Against:
14 **Jerrold Polterock, M.D.**
15 **2625 Kersten Ct.**
15 **Oakdale, CA 95361**
16 **Physician's and Surgeon's Certificate**
17 **No. G 16347,**

Case No. 800-2022-087919

ACCUSATION

18 **Respondent.**

19
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 April 28, 1969, the Medical Board issued Physician's and Surgeon's
25 Certificate Number G 16347 to Jerrold Polterock, M.D. (Respondent). The Physician's and
26 Surgeon's Certificate expired on January 31, 2024, and has not been 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 states:

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

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

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

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

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

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

5 Section 2234 of the Code states in pertinent part:

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

11. *Leucosia* (Leucosia) *leucostoma* (Fabricius) (Fig. 11)

(b) Gross negligence.

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(d) Incompetence.

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

COST RECOVERY

6. Section 125.3 of the Code states:

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

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

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

(d) The administrative law judge shall make a proposed finding of the amount of reasonable costs of investigation and prosecution of the case when requested pursuant to subdivision (a). The finding of the administrative law judge with regard to costs shall not be reviewable by the board to increase the cost award. The board may reduce or eliminate the cost award, or remand to the administrative law judge if the proposed decision fails to make a finding on costs requested pursuant to subdivision (a).

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

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

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

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

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

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

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

FIRST CAUSE FOR DISCIPLINE

(Gross Negligence)

7. Respondent Jerrold Polterock, M.D. is subject to disciplinary action under sections 2227 and 2234, as defined by section 2234, subdivision (b), of the Code, in that Respondent was grossly negligent in his care and treatment of Patient A by failing to search for Patient A's pathology report during multiple patient follow-up visits, as more particularly alleged hereafter:

8. At all times relevant to the charges brought herein, Respondent worked as a surgeon at a hospital in Oakdale, California.

9. On or about August 6, 2019, Respondent performed a biopsy surgery on Patient A,¹ a then 59-year-old patient with a history of smoking. Respondent performed the biopsy to remove Patient A's persistent tongue ulcer and leukoplakia² on the left side of her tongue. Patient A's sample was sent for a pathology analysis.

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¹ Patient A is being used in place of the patient's name or initials to maintain patient confidentiality. Respondent is aware of the identity of the patient referred to herein.

² Lesions in the mouth that present as thickened white patches that cannot be rubbed off.

1 10. On or about August 7, 2019, Respondent saw Patient A for a post-operation visit.
2 11. On or about August 9, 2019, Patient A's pathology report diagnosed Patient A with
3 invasive, well differentiated squamous cell carcinoma with keratinization.³ In Patient A's
4 pathology report, the comment section states that a recorded message was left with Respondent's
5 office regarding the malignant diagnosis.⁴ That same day, an employee at Respondent's hospital
6 scanned the pathology report into Patient A's electronic medical records. During the Board
7 investigation, the Patient Safety Manager at Respondent's hospital stated that Patient A's
8 pathology report was also faxed to Respondent's private office, which may have been in the
9 process of closing.

10 12. On or about August 14, 2019, another employee at Respondent's hospital scanned
11 Patient A's pathology report into Patient A's electronic medical records.

12 13. On or about October 7, 2019; October 28, 2019; November 20, 2019; February 19,
13 2020; and September 29, 2021, Patient A had follow-up visits with Respondent. During her
14 patient visits, Patient A stated that her ulceration was not healing properly and appeared to return
15 on her tongue. However, Respondent did not inform Patient A about her pathology report during
16 her follow-up patient visits.

17 14. Patient A states that when she asked about the pathology report at a follow-up patient
18 visit, Respondent informed her that "no news is good news."

19 15. On or about January 17, 2022, after Patient A complained again of tongue pain,
20 Respondent finally discovered Patient A's pathology report and informed Patient A about the
21 malignant diagnosis. Patient A states that on that day, Respondent said he did not sign off on the
22 pathology report and he did not receive a phone message regarding the pathology report. During
23 the Board investigation, Respondent stated that he assumed Patient A's report had benign results
24 because the pathologist did not call him. He also stated that the pathologist sent Patient A's

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26 27 ³ Invasive squamous cell carcinoma (SCC) is a type of skin cancer. Well differentiated
28 SCC has tumor cells that appear similar to normal squamous skin cells.

27 ⁴ The comment in Patient A's report states: "A recorded message is left with Dr.
28 Polterock's office on 8/9/19 regarding the malignant diagnosis."

1 pathology report to an unused email and did not present Patient A's pathology report to
2 Respondent for Respondent to sign.

3 16. On or about March 21, 2022, Patient A had another biopsy with a different physician.
4 The pathology report stated Patient A had squamous cell carcinoma of the tongue.

5 17. As a result, on or about May 3, 2022, Patient A underwent surgery. Patient A had a
6 left partial glossectomy,⁵ left selective neck dissection,⁶ and a left tongue acellular dermal matrix
7 allograft placement.⁷

8 18. Respondent's failure to search for Patient A's pathology report during multiple
9 patient follow-up visits constitutes an extreme departure from the standard of care.

10 **SECOND CAUSE FOR DISCIPLINE**

11 **(Incompetence)**

12 19. Respondent Jerrold Polterock, M.D. is subject to disciplinary action under sections
13 2227 and 2234, as defined by section 2234, subdivision (d), of the Code, in that Respondent was
14 incompetent in his care and treatment of Patient A by failing to search for Patient A's pathology
15 report during multiple patient follow-up visits, as more particularly alleged in paragraphs 8 to 18
16 above, which are hereby incorporated by reference and realleged as if fully set forth herein.

17 **THIRD CAUSE FOR DISCIPLINE**

18 **(Failure to Participate in an Interview)**

19 20. Respondent Jerrold Polterock, M.D. is subject to disciplinary action under section
20 2234, subdivision (g), of the Code, in that Respondent failed to participate in an investigative
21 interview. The circumstances are as follows:

22 21. On or about June 19, 2023, Respondent agreed to participate in an interview
23 scheduled on or about July 7, 2023. On or about July 6, 2023, Respondent cancelled his
24 investigative interview.

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26 ⁵ A partial glossectomy is the surgical removal of a portion of the tongue.

27 ⁶ A selective neck dissection is the removal of lymph nodes where tumors are more likely
28 to spread.

⁷ An acellular dermal matrix allograft is grafted human tissue that is used in medical
procedures to support tissue regeneration and repair.

1 22. On or about December 27, 2023, Respondent agreed to participate in an interview
2 scheduled on or about January 12, 2024. On or about January 4, 2024, Respondent cancelled his
3 investigative interview.

PRAYER

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

7 1. Revoking or suspending Physician's and Surgeon's Certificate Number G 16347,
8 issued to Respondent Jerrold Polterock, M.D.;

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

11 3. Ordering Respondent Jerrold Polterock, M.D., to pay the Board the costs of the
12 investigation and enforcement of this case, and if placed on probation, the costs of probation
13 monitoring; and

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

16 DATED: APR 17 2025

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

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