

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

**In the Matter of the Accusation
Against:**

Karen Lavern Fleming, M.D.

**Physician's and Surgeon's
Certificate No. A 118593**

Respondent.

Case No.: 800-2025-116251

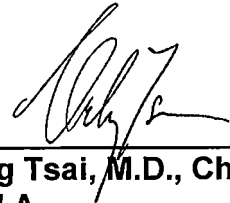
DECISION

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

This Decision shall become effective at 5:00 p.m. on March 9, 2026.

IT IS SO ORDERED: February 6, 2026.

MEDICAL BOARD OF CALIFORNIA

 **MD.**

**Veling Tsai, M.D., Chair
Panel A**

1 ROB BONTA
Attorney General of California
2 GREG W. CHAMBERS
Supervising Deputy Attorney General
3 HARRIET NEWMAN
Deputy Attorney General
4 State Bar No. 189784
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (628) 230-7205
6 Facsimile: (415) 703-1107
E-mail: Harriet.Newman@doj.ca.gov
7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case No. 800-2025-116251

12 **KAREN LAVERN FLEMING, M.D.**
13 **15133 Flying Mist Road**
San Leandro, CA 94579

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

14 **Physician's and Surgeon's Certificate**
15 **No. A 118593**

16 Respondent

17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 **PARTIES**

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

25 2. Respondent Karen Lavern Fleming, M.D. (Respondent) is represented in this
26 proceeding by attorney Nicholas Jurkowitz, Esq., whose address is: 1990 South Bundy Drive,
27 Suite 777, Los Angeles, CA 90025.
28

3. On or about October 5, 2011, the Board issued Physician's and Surgeon's Certificate No. A 118593 to Karen Lavern Fleming, M.D. (Respondent). The Physician's and Surgeon's Certificate was suspended from October 3, 2025, to November 26, 2025, pursuant to an Interim Suspension Order (Order), and suspended again commencing December 19, 2025, pursuant to a second Interim Suspension Order (Order II). Aside from the period the Order and Order II were in effect, the Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2025-116251, and will expire on July 31, 2027, unless renewed.

JURISDICTION

4. Accusation No. 800-2025-116251 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 October 23, 2025. Respondent timely filed her Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2025-116251 is attached as Exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2025-116251. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of her 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 her; the right to present evidence and to testify on her 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.

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

9. Respondent acknowledges the fact that, if adopted by the Board, the Board will report this Stipulated Settlement and Disciplinary Order to the National Practitioner Data Bank (NPDB) and Federation of State Medical Boards (FSMB) and publicly post such enforcement action, and Respondent hereby waives any and all objections thereto.

CULPABILITY

10. Respondent admits the truth of each and every charge and allegation in Accusation No. 800-2025-116251.

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

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

CONTINGENCY

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

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

15. Respondent agrees that if she ever petitions for early termination or modification of probation, or if an accusation and/or petition to revoke probation is filed against her before the Board, all of the charges and allegations contained in Accusation No. 800-2025-116251 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.

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

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

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 118593 issued to Respondent KAREN LAVERN FLEMING, M.D. is revoked. However, the revocation is stayed, and Respondent is placed on probation for ten (10) years on the following terms and conditions:

1. PATIENT DISCLOSURE. Before a patient's first visit following the effective date of this order and while the respondent is on probation, the respondent must provide all patients, or patient's guardian or health care surrogate, with a separate disclosure that includes the respondent's probation status, the length of the probation, the probation end date, all practice restrictions placed on the respondent by the board, the board's telephone number, and an explanation of how the patient can find further information on the respondent's probation on the respondent's profile page on the board's website. Respondent shall obtain from the patient, or the patient's guardian or health care surrogate, a separate, signed copy of that disclosure. Respondent shall not be required to provide a disclosure if any of the following applies: (1) The patient is unconscious or otherwise unable to comprehend the disclosure and sign the copy of the disclosure and a guardian or health care surrogate is unavailable to comprehend the disclosure and sign the copy; (2) The visit occurs in an emergency room or an urgent care facility or the visit is

1 unscheduled, including consultations in inpatient facilities; (3) Respondent is not known to the
2 patient until immediately prior to the start of the visit; (4) Respondent does not have a direct
3 treatment relationship with the patient.

4 2. CONTROLLED SUBSTANCES – PARTIAL RESTRICTION. Respondent shall not
5 order, prescribe, dispense, administer, furnish, or possess any controlled substances as defined in
6 the California Uniform Controlled Substances Act, or Propofol or any substances containing
7 Propofol. However, Respondent may order, prescribe, dispense, administer, furnish, or possess
8 any controlled substances as defined by the California Uniform Controlled Substances Act, or
9 Propofol or any substances containing Propofol when each of the following conditions are met:

- 10 (1) Respondent must be working in a hospital or ambulatory surgery center;
11 (2) Respondent must be working in her capacity as an anesthesiologist; and
12 (3) Respondent must be engaged in the peri-operative care of patients.

13 Respondent shall not issue an oral or written recommendation or approval to a patient or a
14 patient's primary caregiver for the possession or cultivation of marijuana for the personal medical
15 purposes of the patient within the meaning of Health and Safety Code section 11362.5. If
16 Respondent forms the medical opinion, after an appropriate prior examination and a medical
17 indication, that a patient's medical condition may benefit from the use of marijuana, Respondent
18 shall so inform the patient and shall refer the patient to another physician who, following an
19 appropriate prior examination and a medical indication, may independently issue a medically
20 appropriate recommendation or approval for the possession or cultivation of marijuana for the
21 personal medical purposes of the patient within the meaning of Health and Safety Code section
22 11362.5. In addition, Respondent shall inform the patient or the patient's primary caregiver that
23 Respondent is prohibited from issuing a recommendation or approval for the possession or
24 cultivation of marijuana for the personal medical purposes of the patient and that the patient or
25 the patient's primary caregiver may not rely on Respondent's statements to legally possess or
26 cultivate marijuana for the personal medical purposes of the patient. Respondent shall fully
27 document in the patient's chart that the patient or the patient's primary caregiver was so
28 informed. Nothing in this condition prohibits Respondent from providing the patient or the

1 patient's primary caregiver information about the possible medical benefits resulting from the use
2 of marijuana.

3 3. CONTROLLED SUBSTANCES - MAINTAIN RECORDS AND ACCESS TO
4 RECORDS AND INVENTORIES. Respondent shall maintain a record of all controlled
5 substances ordered, prescribed, dispensed, administered, or possessed by Respondent, and any
6 recommendation or approval which enables a patient or patient's primary caregiver to possess or
7 cultivate marijuana for the personal medical purposes of the patient within the meaning of Health
8 and Safety Code section 11362.5, during probation, showing all of the following: 1) the name and
9 address of the patient; 2) the date; 3) the character and quantity of controlled substances involved;
10 and 4) the indications and diagnosis for which the controlled substances were furnished.

11 Respondent shall keep these records in a separate file or ledger, in chronological order. All
12 records and any inventories of controlled substances shall be available for immediate inspection
13 and copying on the premises by the Board or its designee at all times during business hours and
14 shall be retained for the entire term of probation.

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

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

25 5. ALCOHOL - ABSTAIN FROM USE. Respondent shall abstain completely from the
26 use of products or beverages containing alcohol.

27 6. PRESCRIBING PRACTICES COURSE. Within 60 calendar days of the effective
28 date of this Decision, Respondent shall enroll in a course in prescribing practices approved in

1 advance by the Board or its designee. Respondent shall provide the approved course provider
2 with any information and documents that the approved course provider may deem pertinent.
3 Respondent shall participate in and successfully complete the classroom component of the course
4 not later than six (6) months after Respondent's initial enrollment Respondent shall successfully
5 complete any other component of the course within one (1) year of enrollment. The prescribing
6 practices course shall be at Respondent's expense and shall be in addition to the Continuing
7 Medical Education (CME) requirements for renewal of licensure.

8 A prescribing practices course taken after the acts that gave rise to the charges in the
9 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
10 or its designee, be accepted towards the fulfillment of this condition if the course would have
11 been approved by the Board or its designee had the course been taken after the effective date of
12 this Decision.

13 Respondent shall submit a certification of successful completion to the Board or its
14 designee not later than 15 calendar days after successfully completing the course, or not later than
15 15 calendar days after the effective date of the Decision, whichever is later.

16 7. MEDICAL RECORD KEEPING COURSE. Within 60 calendar days of the effective
17 date of this Decision, Respondent shall enroll in a course in medical record keeping approved in
18 advance by the Board or its designee. Respondent shall provide the approved course provider
19 with any information and documents that the approved course provider may deem pertinent.
20 Respondent shall participate in and successfully complete the classroom component of the course
21 not later than six (6) months after Respondent's initial enrollment. Respondent shall successfully
22 complete any other component of the course within one (1) year of enrollment. The medical
23 record keeping course shall be at Respondent's expense and shall be in addition to the Continuing
24 Medical Education (CME) requirements for renewal of licensure.

25 A medical record keeping course taken after the acts that gave rise to the charges in the
26 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
27 or its designee, be accepted towards the fulfillment of this condition if the course would have
28 been approved by the Board or its designee had the course been taken after the effective date of

1 this Decision.

2 Respondent shall submit a certification of successful completion to the Board or its
3 designee not later than 15 calendar days after successfully completing the course, or not later than
4 15 calendar days after the effective date of the Decision, whichever is later.

5 8. PROFESSIONALISM PROGRAM (ETHICS COURSE). Within 60 calendar days of
6 the effective date of this Decision, Respondent shall enroll in a professionalism program, that
7 meets the requirements of Title 16, California Code of Regulations (CCR) section 1358.1.
8 Respondent shall participate in and successfully complete that program. Respondent shall provide
9 any information and documents that the program may deem pertinent. Respondent shall
10 successfully complete the classroom component of the program not later than six (6) months after
11 Respondent's initial enrollment, and the longitudinal component of the program not later than the
12 time specified by the program, but no later than one (1) year after attending the classroom
13 component. The professionalism program shall be at Respondent's expense and shall be in
14 addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

15 A professionalism program taken after the acts that gave rise to the charges in the
16 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
17 or its designee, be accepted towards the fulfillment of this condition if the program would have
18 been approved by the Board or its designee had the program been taken after the effective date of
19 this Decision.

20 Respondent shall submit a certification of successful completion to the Board or its
21 designee not later than 15 calendar days after successfully completing the program or not later
22 than 15 calendar days after the effective date of the Decision, whichever is later.

23 9. PSYCHIATRIC EVALUATION. Within 30 calendar days of the effective date of
24 this Decision, and on whatever periodic basis thereafter may be required by the Board or its
25 designee, Respondent shall undergo and complete a psychiatric evaluation (and psychological
26 testing, if deemed necessary) by a Board-appointed board certified psychiatrist, who shall
27 consider any information provided by the Board or designee and any other information the
28 psychiatrist deems relevant, and shall furnish a written evaluation report to the Board or its

1 designee. Psychiatric evaluations conducted prior to the effective date of the Decision shall not be
2 accepted towards the fulfillment of this requirement. Respondent shall pay the cost of all
3 psychiatric evaluations and psychological testing.

4 Respondent shall comply with all restrictions or conditions recommended by the evaluating
5 psychiatrist within 15 calendar days after being notified by the Board or its designee.

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

13 The psychotherapist shall consider any information provided by the Board or its designee
14 and any other information the psychotherapist deems relevant and shall furnish a written
15 evaluation report to the Board or its designee. Respondent shall cooperate in providing the
16 psychotherapist with any information and documents that the psychotherapist may deem
17 pertinent.

18 Respondent shall have the treating psychotherapist submit quarterly status reports to the
19 Board or its designee. The Board or its designee may require Respondent to undergo psychiatric
20 evaluations by a Board-appointed board-certified psychiatrist. If, prior to the completion of
21 probation, Respondent is found to be mentally unfit to resume the practice of medicine without
22 restrictions, the Board shall retain continuing jurisdiction over Respondent's license and the
23 period of probation shall be extended until the Board determines that Respondent is mentally fit
24 to resume the practice of medicine without restrictions.

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

26 11. MEDICAL EVALUATION AND TREATMENT. Within 30 calendar days of the
27 effective date of this Decision, and on a periodic basis thereafter as may be required by the Board
28 or its designee, Respondent shall undergo a medical evaluation by a Board-appointed physician

1 who shall consider any information provided by the Board or designee and any other information
2 the evaluating physician deems relevant and shall furnish a medical report to the Board or its
3 designee. Respondent shall provide the evaluating physician with any information and
4 documentation that the evaluating physician may deem pertinent.

5 Following the evaluation, Respondent shall comply with all restrictions or conditions
6 recommended by the evaluating physician within 15 calendar days after being notified by the
7 Board or its designee. If Respondent is required by the Board or its designee to undergo medical
8 treatment, Respondent shall within 30 calendar days of the requirement notice, submit to the
9 Board or its designee for prior approval the name and qualifications of a California licensed
10 treating physician of Respondent's choice. Upon approval of the treating physician, Respondent
11 shall within 15 calendar days undertake medical treatment and shall continue such treatment until
12 further notice from the Board or its designee.

13 The treating physician shall consider any information provided by the Board or its designee
14 or any other information the treating physician may deem pertinent prior to commencement of
15 treatment. Respondent shall have the treating physician submit quarterly reports to the Board or
16 its designee indicating whether or not Respondent is capable of practicing medicine safely.
17 Respondent shall provide the Board or its designee with any and all medical records pertaining to
18 treatment that the Board or its designee deems necessary.

19 If, prior to the completion of probation, Respondent is found to be physically incapable of
20 resuming the practice of medicine without restrictions, the Board shall retain continuing
21 jurisdiction over Respondent's license and the period of probation shall be extended until the
22 Board determines Respondent is physically capable of resuming the practice of medicine without
23 restrictions. Respondent shall pay the cost of the medical evaluation(s) and treatment.

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

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

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

14 13. CLINICAL DIAGNOSTIC EVALUATIONS AND REPORTS: Within thirty (30)
15 calendar days of the effective date of this Decision, and on whatever periodic basis thereafter as
16 may be required by the Board or its designee, Respondent shall undergo and complete a clinical
17 diagnostic evaluation, including any and all testing deemed necessary, by a Board-appointed
18 board-certified physician and surgeon. The examiner shall consider any information provided by
19 the Board or its designee and any other information he or she deems relevant and shall furnish a
20 written evaluation report to the Board or its designee.

21 The clinical diagnostic evaluation shall be conducted by a licensed physician and surgeon
22 who holds a valid, unrestricted license, has three (3) years' experience in providing evaluations of
23 physicians and surgeons with substance abuse disorders, and is approved by the Board or its
24 designee. The clinical diagnostic evaluation shall be conducted in accordance with acceptable
25 professional standards for conducting substance abuse clinical diagnostic evaluations. The
26 evaluator shall not have a current or former financial, personal, or business relationship with
27 Respondent within the last five (5) years. The evaluator shall provide an objective, unbiased, and
28 independent evaluation. The clinical diagnostic evaluation report shall set forth, in the

1 evaluator's opinion, whether Respondent has a substance abuse problem, whether Respondent is a
2 threat to himself or herself or others, and recommendations for substance abuse treatment,
3 practice restrictions, or other recommendations related to Respondent's rehabilitation and ability
4 to practice safely. If the evaluator determines during the evaluation process that Respondent is a
5 threat to himself or herself or others, the evaluator shall notify the Board within twenty-four (24)
6 hours of such a determination.

7 In formulating his or her opinion as to whether Respondent is safe to return to either part-
8 time or full-time practice and what restrictions or recommendations should be imposed, including
9 participation in an inpatient or outpatient treatment program, the evaluator shall consider the
10 following factors: Respondent's license type; Respondent's history; Respondent's documented
11 length of sobriety (i.e., length of time that has elapsed since Respondent's last substance use);
12 Respondent's scope and pattern of substance abuse; Respondent's treatment history, medical
13 history and current medical condition; the nature, duration and severity of Respondent's
14 substance abuse problem or problems; and whether Respondent is a threat to himself or herself or
15 the public.

16 For all clinical diagnostic evaluations, a final written report shall be provided to the Board
17 no later than ten (10) days from the date the evaluator is assigned the matter. If the evaluator
18 requests additional information or time to complete the evaluation and report, an extension may
19 be granted, but shall not exceed thirty (30) days from the date the evaluator was originally
20 assigned the matter.

21 The Board shall review the clinical diagnostic evaluation report within five (5) business
22 days of receipt to determine whether Respondent is safe to return to either part-time or full-time
23 practice and what restrictions or recommendations shall be imposed on Respondent based on the
24 recommendations made by the evaluator. Respondent shall not be returned to practice until he or
25 she has at least thirty (30) days of negative biological fluid tests or biological fluid tests indicating
26 that he or she has not used, consumed, ingested, or administered to himself or herself a prohibited
27 substance, as defined in section 1361.51, subdivision (e), of Title 16 of the California Code of
28 Regulations.

1 Clinical diagnostic evaluations conducted prior to the effective date of this Decision shall
2 not be accepted towards the fulfillment of this requirement. The cost of the clinical diagnostic
3 evaluation, including any and all testing deemed necessary by the examiner, the Board or its
4 designee, shall be borne by the licensee.

5 Respondent shall not engage in the practice of medicine until notified by the Board or its
6 designee that he or she is fit to practice medicine safely. The period of time Respondent is not
7 practicing medicine shall not be counted toward completion of the term of probation. Respondent
8 shall undergo biological fluid testing as required in this Decision at least two (2) times per week
9 while awaiting the notification from the Board if he or she is fit to practice medicine safely.

10 Respondent shall comply with all restrictions or conditions recommended by the examiner
11 conducting the clinical diagnostic evaluation within fifteen (15) calendar days after being notified
12 by the Board or its designee.

13 14. NOTICE OF EMPLOYER OR SUPERVISOR INFORMATION. Within seven (7)
14 days of the effective date of this Decision, Respondent shall provide to the Board the names,
15 physical addresses, mailing addresses, and telephone numbers of any and all employers and
16 supervisors. Respondent shall also provide specific, written consent for the Board, Respondent's
17 worksite monitor, and Respondent's employers and supervisors to communicate regarding
18 Respondent's work status, performance, and monitoring.

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

22 15. BIOLOGICAL FLUID TESTING. Respondent shall immediately submit to
23 biological fluid testing, at Respondent's expense, upon request of the Board or its designee.
24 "Biological fluid testing" may include, but is not limited to, urine, blood, breathalyzer, hair
25 follicle testing, or similar drug screening approved by the Board or its designee. Respondent shall
26 make daily contact with the Board or its designee to determine whether biological fluid testing is
27 required. Respondent shall be tested on the date of the notification as directed by the Board or its
28 designee. The Board may order a Respondent to undergo a biological fluid test on any day, at any

1 time, including weekends and holidays. Except when testing on a specific date as ordered by the
2 Board or its designee, the scheduling of biological fluid testing shall be done on a random basis.
3 The cost of biological fluid testing shall be borne by the Respondent.

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

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

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

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

18 (c) Its testing locations comply with the Urine Specimen Collection Guidelines published
19 by the United States Department of Transportation without regard to the type of test
20 administered.

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

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

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

1 and will be notified of negative test results within seven (7) business days.

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

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

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

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

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

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

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

18 Prior to changing testing locations for any reason, including during vacation or other travel,
19 alternative testing locations must be approved by the Board and meet the requirements above.

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

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

26 If a biological fluid test result indicates Respondent has used, consumed, ingested, or
27 administered to herself a prohibited substance, the Board shall order Respondent to cease practice
28 and instruct Respondent to leave any place of work where Respondent is practicing medicine or

1 providing medical services. The Board shall immediately notify all of Respondent's employers,
2 supervisors and work monitors, if any, that Respondent may not practice medicine or provide
3 medical services while the cease-practice order is in effect.

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

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

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

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

17 If the Board confirms that a positive biological fluid test is evidence of use of a prohibited
18 substance, Respondent has committed a major violation, as defined in section 1361.52(a), and the
19 Board shall impose any or all the consequences set forth in section 1361.52(b), in addition to any
20 other terms or conditions the Board determines are necessary for public protection or to enhance
21 Respondent's rehabilitation.

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

28 The facilitator of the substance abuse support group meeting shall have a minimum of three

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

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

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

18 The worksite monitor shall not have a current or former financial, personal, or familial
19 relationship with Respondent, or any other relationship that could reasonably be expected to
20 compromise the ability of the monitor to render impartial and unbiased reports to the Board or its
21 designee. If it is impractical for anyone but Respondent's employer to serve as the worksite
22 monitor, this requirement may be waived by the Board or its designee, however, under no
23 circumstances shall Respondent's worksite monitor be an employee or supervisee of the licensee.

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

28 Respondent shall pay all worksite monitoring costs.

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

5 The worksite monitor shall verbally report any suspected substance abuse to the Board and
6 Respondent's employer or supervisor within one (1) business day of occurrence. If the suspected
7 substance abuse does not occur during the Board's normal business hours, the verbal report shall
8 be made to the Board or its designee within one (1) hour of the next business day a written report
9 that includes the date, time, and location of the suspected abuse; Respondent's actions; and any
10 other information deemed important by the worksite monitor shall be submitted to the Board or
11 its designee within 48 hours of the occurrence.

12 The worksite monitor shall complete and submit a written report monthly or as directed by
13 the Board or its designee which shall include the following: (1) Respondent's name and
14 Physician's and Surgeon's Certificate number; (2) the worksite monitor's name and signature; (3)
15 the worksite monitor's license number, if applicable; (4) the location or location(s) of the
16 worksite; (5) the dates Respondent had face-to-face contact with the worksite monitor; (6) the
17 names of worksite staff interviewed, if applicable; (7) a report of Respondent's work attendance;
18 (8) any change in Respondent's behavior and/or personal habits; and (9) any indicators that can
19 lead to suspected substance abuse by Respondent. Respondent shall complete any required
20 consent forms and execute agreements with the approved worksite monitor and the Board, or its
21 designee, authorizing the Board, or its designee, and worksite monitor to exchange information.

22 If the worksite monitor resigns or is no longer available, Respondent shall, within five (5)
23 calendar days of such resignation or unavailability, submit to the Board or its designee, for prior
24 approval, the name and qualifications of a replacement monitor who will be assuming that
25 responsibility within fifteen (15) calendar days. If Respondent fails to obtain approval of a
26 replacement monitor within sixty (60) calendar days of the resignation or unavailability of the
27 monitor, Respondent shall receive a notification from the Board or its designee to cease the
28 practice of medicine within three (3) calendar days after being so notified. Respondent shall cease

1 the practice of medicine until a replacement monitor is approved and assumes monitoring
2 responsibility.

3 18. VIOLATION OF PROBATION CONDITION FOR SUBSTANCE ABUSING
4 LICENSEE. Failure to fully comply with any term or condition of probation is a violation of
5 probation.

6 A. If Respondent commits a major violation of probation as defined by section
7 1361.52, subdivision (a), of Title 16 of the California Code of Regulations, the Board shall take
8 one or more of the following actions:

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

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

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

21 B. If Respondent commits a minor violation of probation as defined by section
22 1361.52, subdivision (c), of Title 16 of the California Code of Regulations, the Board shall take
23 one or more of the following actions:

24 (1) Issue a cease-practice order;

25 (2) Order practice limitations;

26 (3) Order or increase supervision of Respondent;

27 (4) Order increased documentation;

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

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

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

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

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

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

21 20. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE
22 NURSES. During probation, Respondent is prohibited from supervising physician assistants and
23 advanced practice nurses. Respondent may work with Certified Registered Nurse Anesthetists but
24 may not supervise them.

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

28 22. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby

1 ordered to reimburse the Board its costs of investigation and enforcement, including, but not
2 limited to, expert review, amended accusations, legal reviews, investigation(s), and subpoena
3 enforcement, as applicable, in the amount of \$62,851.25. Costs shall be payable to the Medical
4 Board of California. Failure to pay such costs shall be considered a violation of probation.

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

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

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

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

16 24. GENERAL PROBATION REQUIREMENTS.

17 Compliance with Probation Unit

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

19 Address Changes

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

25 Place of Practice

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

1 License Renewal

2 Respondent shall maintain a current and renewed California physician's and surgeon's
3 license.

4 Travel or Residence Outside California

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

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

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

14 26. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
15 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
16 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is
17 defined as any period of time Respondent is not practicing medicine as defined in Business and
18 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct
19 patient care, clinical activity or teaching, or other activity as approved by the Board. If
20 Respondent resides in California and is considered to be in non-practice, Respondent shall
21 comply with all terms and conditions of probation. All time spent in an intensive training program
22 which has been approved by the Board or its designee shall not be considered non-practice and
23 does not relieve Respondent from complying with all the terms and conditions of probation.
24 Practicing medicine in another state of the United States or Federal jurisdiction while on
25 probation with the medical licensing authority of that state or jurisdiction shall not be considered
26 non-practice. A Board-ordered suspension of practice shall not be considered as a period of non-
27 practice.

28 In the event Respondent's period of non-practice while on probation exceeds 18 calendar

1 months, Respondent shall successfully complete the Federation of State Medical Boards' Special
2 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program
3 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model
4 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

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

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

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

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

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

25 29. LICENSE SURRENDER. Following the effective date of this Decision, if
26 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy
27 the terms and conditions of probation, Respondent may request to surrender his or her license.
28 The Board reserves the right to evaluate Respondent's request and to exercise its discretion in

1 determining whether or not to grant the request, or to take any other action deemed appropriate
2 and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent
3 shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its
4 designee and Respondent shall no longer practice medicine. Respondent will no longer be subject
5 to the terms and conditions of probation. If Respondent re-applies for a medical license, the
6 application shall be treated as a petition for reinstatement of a revoked certificate.

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

12 31. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for
13 a new license or certification, or petition for reinstatement of a license, by any other health care
14 licensing action agency in the State of California, all of the charges and allegations contained in
15 Accusation No. 800-2025-116251 shall be deemed to be true, correct, and admitted by
16 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or
17 restrict license.

18 ACCEPTANCE

19 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
20 discussed it with my attorney, Nicholas Jurkowitz, Esq. I understand the stipulation and the effect
21 it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement
22 and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
23 Decision and Order of the Medical Board of California.

24
25 DATED: 01/15/2026

Karen L. Fleming, MD
KAREN LAVERN FLEMING, M.D.
Respondent

1 I have read and fully discussed with Respondent Karen Lavern Fleming, M.D. the terms
2 and conditions and other matters contained in the above Stipulated Settlement and Disciplinary
3 Order. I approve its form and content.

4
5 DATED: 6-18-26


NICHOLAS JURKOWITZ, ESQ.
Attorney for Respondent

7
8 **ENDORSEMENT**

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

11 DATED: 1-14-26

12 Respectfully submitted,

13 ROB BONTA
Attorney General of California
14 GREG W. CHAMBERS
Supervising Deputy Attorney General

15 *Harriet Newman*
16 HARRIET NEWMAN
17 Deputy Attorney General
Attorneys for Complainant
18
19
20
21
22
23
24
25
26
27
28

Exhibit A

Accusation No. 800-2025-116251

1 ROB BONTA
Attorney General of California
2 GREG W. CHAMBERS
Supervising Deputy Attorney General
3 HARRIET NEWMAN
Deputy Attorney General
4 State Bar No. 189784
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (628) 230-7205
6 Facsimile: (415) 703-1107
E-mail: Harriet.Newman@doj.ca.gov
7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case No. 800-2025-116251

12 **Karen Lavern Fleming, M.D.**
13 **15133 Flying Mist Road**
San Leandro, CA 94579

ACCUSATION

14 **Physician's and Surgeon's Certificate**
15 **No. A 118593,**

Respondent:

16
17
18 1. Reji Varghese (Complainant) brings this Accusation solely in his official capacity as
19 the Executive Director of the Medical Board of California, Department of Consumer Affairs
20 (Board).

21 2. On or about October 5, 2011, the Board issued Physician's and Surgeon's Certificate
22 Number A 118593 to Karen Lavern Fleming, M.D. (Respondent). The Physician's and Surgeon's
23 Certificate was in full force and effect at all times relevant to the charges brought herein and will
24 expire on July 31, 2027, unless renewed.

25 **JURISDICTION**

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

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

5 5. Section 820 of the Code states:

6 Whenever it appears that any person holding a license, certificate or permit under this
7 division or under any initiative act referred to in this division may be unable to practice his or her
8 profession safely because the licentiate's ability to practice is impaired due to mental illness, or
9 physical illness affecting competency, the licensing agency may order the licentiate to be
10 examined by one or more physicians and surgeons or psychologists designated by the agency.
11 The report of the examiners shall be made available to the licentiate and may be received as direct
12 evidence in proceedings conducted pursuant to Section 822.

13 6. Section 821 of the Code provides that the licentiate's failure to comply with an order
14 issued under section 820 shall constitute grounds for the suspension or revocation of the
15 licentiate's certificate or license.

16 7. Section 822 of the Code states:

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

20 (a) Revoking the licentiate's certificate or license.

21 (b) Suspending the licentiate's right to practice.

22 (c) Placing the licentiate on probation.

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

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

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

“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.

9. Section 2239 of the Code states, in pertinent part:

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

COST RECOVERY

10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to 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, with failure of the licensee to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

//

//

//

//

1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct: Excessive Use of Dangerous Drugs)**

3 11. Respondent Karen Lavern Fleming, M.D., is subject to disciplinary action under
4 sections 2234 [unprofessional conduct] and 2239 [excessive use of dangerous drugs] of the Code.
5 The circumstances are as follows:

6 12. Respondent was a member of the medical staff at the University of California San
7 Francisco (UCSF) Medical Center with privileges in pediatric anesthesia. On or about March 5,
8 2025, Respondent was expected to provide anesthesia in three juvenile patient cases that were
9 scheduled to commence at 8:00 a.m., 11:08 a.m., and 12:30 p.m.

10 13. At or about 8:15 a.m., on March 5, 2025, Respondent was observed falling to the
11 ground in operating room #28 where she hit her head and lost consciousness. Respondent had an
12 IV inserted into her arm, containing a white milky substance, suspected to be propofol,¹ which
13 was apparently self-administered. Later that day, UCSF Executive Medical Board (UCSF Board)
14 summarily suspended Respondent's clinical privileges.

15 14. Respondent was previously a member of the medical staff at UCSF Benioff
16 Children's Hospital – Oakland (UCSF BCHO). However, after an internal investigation by UCSF
17 BCHO regarding the possible diversion of propofol for Respondent's own use, Respondent was
18 placed on a leave of absence and relocated from Oakland to UCSF Benioff Children's Hospital –
19 San Francisco.

20 **SECOND CAUSE FOR DISCIPLINE**

21 **(Impairment Affecting Competency)**

22 15. Respondent Karen Lavern Fleming, M.D., is subject to action under Code sections
23 822 and 2227 in that, due to an illness, Respondent's ability to practice medicine safely is
24 impaired.

25 16. On June 10, 2025, Respondent underwent a neurological examination by order of the
26 Board, pursuant to Business and Professions Code section 820. In a report dated July 30, 2025,

27 ¹ Propofol is an intravenous anesthetic used for procedural sedation, during monitored anesthesia care, or as
28 an induction agent for general anesthesia. It may be administered as a bolus or an infusion, or some combination of
the two. Propofol is prepared in a lipid emulsion which gives it the characteristic milky white appearance.

1 the Board-appointed psychiatrist opined that Respondent has a mental illness or condition that
2 compels monitoring, treatment, oversight or other terms and conditions in order to practice
3 medicine safely.

4 **THIRD CAUSE FOR DISCIPLINE**

5 **(Failure to Comply with Order for Examination)**

6 17. Respondent is subject to disciplinary action under Code section 821, in that
7 Respondent failed to comply with an order issued under Code section 820. The circumstances are
8 as follows.

9 18. On or about June 4, 2023, based on the allegations in paragraphs 12 through 14
10 above, the Board issued an Order Compelling Mental and Physical Examination with Drug
11 Testing, under Business and Professions Code Section 820. (Exhibit A.) Paragraph 6 of Exhibit A
12 states: "Karen Lavern Fleming, M.D. shall cooperate with the examinations, and shall permit
13 prompt access to any treatment records and/or sources of information and/or hair and urine
14 samples deemed necessary by the examiner(s)."

15 19. On multiple occasions, including the following, Respondent refused to provide to the
16 Board requested medical records:

- 17 a. On or about June 9, 2025, in a meeting with a Board investigator, Respondent
18 refused to sign an authorization form for medical records.
- 19 b. On or about June 24, 2025, a Board investigator sent an email to Respondent's
20 attorney requesting Respondent's medical records from UCSF Mission Bay Hospital
21 (UCSF Mission Bay). Respondent's counsel refused to provide the records,
22 maintaining Respondent was never a patient at UCSF Mission Bay.
- 23 c. On or about July 15, 2025, a Board investigator sent an email to Respondent's
24 attorney requesting Respondent's medical records from UCSF Mission Bay and
25 Zuckerberg San Francisco General Hospital (ZSFGH).
- 26 d. On or about July 21, 2025, a Board investigator sent an email to Respondent's
27 attorney requesting Respondent's medical records from UCSF Mission Bay and
28 ZSFGH.

1 e. On or about July 23, 2025, a Board investigator sent an email to Respondent's
2 attorney requesting Respondent's medical records from UCSF Mission Bay and
3 ZSFGH.

4 f. On or about August 19, 2025, Respondent's attorney informed the Board
5 Investigator that Respondent is unwilling to agree to release medical records from
6 ZSFGH.

7 20. As of this date, Respondent has failed to provide medical records from UCSF Mission
8 Bay and from ZSFGH, in violation of the June 4, 2025, Order. (Exhibit A.)

9 **PRAYER**

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

12 1. Revoking or suspending Physician's and Surgeon's Certificate Number A 118593,
13 issued to Respondent Karen Lavern Fleming, M.D.;

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

16 3. Ordering Respondent Karen Lavern Fleming, 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.

20
21 DATED: OCT 23 2025



22 REJI VARGHESE
23 Executive Director
24 Medical Board of California
25 Department of Consumer Affairs
26 State of California
27 Complainant
28