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

In the Matter of the Accusation filed)
Against:)

JOSE VELASCO LOPEZ, M.D.)
Certificate No. A-39052)

No: 16-2000-114128

Respondent)

DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Division of Medical Quality as its Decision in the above-entitled matter.

This Decision shall become effective at 5:00 p.m. on June 13, 2003.

IT IS SO ORDERED May 14, 2003.

By: _____

RONALD WENDER, M.D.

Chair - Panel B

Division of Medical Quality

BILL LOCKYER, Attorney General
of the State of California
JANE ZACK SIMON, State Bar No. 116564
Deputy Attorney General
California Department of Justice
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 703-5544
Facsimile: (415) 703-5480

Attorneys for Complainant

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

In the Matter of the Accusation Against:

Case No. 16-2000-114128

JOSE VELASCO LOPEZ, JR., M.D.
2811 Marsh Street
Los Angeles, CA 90039

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

Physician and Surgeon's Certificate
No. A 39052

Respondent.

In the interest of a prompt and speedy settlement of this matter, consistent with the public interest and the responsibility of the Division of Medical Quality, Medical Board of California (the "Division"), the parties hereby agree to the following Stipulated Settlement and Disciplinary Order which will be submitted to the Division for its approval and adoption as the final disposition of the Accusation.

PARTIES

1. Ron Joseph ("complainant") is the Executive Director of the Medical Board of California (the "Board"). He brought this action solely in his official capacity and is represented in this matter by Bill Lockyer, Attorney General of the State of California, by Jane Zack Simon, Deputy Attorney General.

2. Respondent Jose Velasco Lopez, Jr., M.D. ("respondent") is represented in this proceeding by David W. Affeld, Law Offices of David W. Affeld, 333 S. Grand Avenue, 37th

1 Floor, Los Angeles, CA 90071-1599.

2 3. At all times relevant herein, respondent has been licensed by the Board
3 under Physician and Surgeon's Certificate No. A39052.

4 **JURISDICTION**

5 4. Accusation No. 16-2000-114128 was filed before the Division, and is
6 currently pending against respondent. The Accusation and all other statutorily required
7 documents were properly served on respondent on February 6, 2002. Respondent filed his
8 Notice of Defense contesting the Accusation. A copy of Accusation No. 16-2000-114128 is
9 attached as exhibit A and incorporated herein by reference.

10 **ADVISEMENT AND WAIVERS**

11 5. Respondent has carefully read, fully discussed with counsel, and
12 understands the charges and allegations in Accusation No. 16-2000-114128. Respondent has
13 also carefully read, fully discussed with counsel, and understands the effects of this Stipulated
14 Settlement and Disciplinary Order.

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

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

24 8. Respondent admits that the Board has jurisdiction in this matter and that
25 this disciplinary action was properly brought pursuant to Business and Professions Code
26 sections 141 and 2305.

27 9. The admissions made by respondent herein are only for the purposes of
28 this proceeding, or any other proceedings in which the Medical Board or other professional

1 licensing agency is involved, and shall not be admissible in any other criminal or civil
2 proceeding.

3 **CONTINGENCY**

4 10. This stipulation shall be subject to the approval of the Division.
5 Respondent understands and agrees that Board staff and counsel for complainant may
6 communicate directly with the Division regarding this stipulation and settlement, without notice
7 to or participation by respondent or his counsel. Respondent further agrees that he shall not be
8 entitled to view or copy any of the written communications with the Board referred to above. If
9 the Division fails to adopt this stipulation as its decision, the stipulation shall be of no force or
10 effect, it shall be inadmissible in any legal action between the parties, and the Division shall not
11 be disqualified from further action in this matter by virtue of its consideration of this stipulation.

12 11. The parties understand and agree that facsimile copies of this Stipulated
13 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
14 force and effect as the originals.

15 12. In consideration of the foregoing admissions and stipulations, the parties
16 agree that the Division may, without further notice or formal proceeding, issue and enter the
17 following Order:

18 **ORDER**

19 **IT IS HEREBY ORDERED** that Physician and Surgeon's Certificate No.
20 A39052 issued to Respondent Jose Velasco Lopez, Jr., M.D. is revoked. However, the
21 revocation is stayed and Respondent is placed on probation for five (5) years on the following
22 terms and conditions.

23 Within 15 days after the effective date of this decision the respondent shall
24 provide the Division, or its designee, proof of service that respondent has served a true copy of
25 this decision on the Chief of Staff or the Chief Executive Officer at every hospital where
26 privileges or membership are extended to respondent or at any other facility where respondent
27 engages in the practice of medicine and on the Chief Executive Officer at every insurance carrier
28 where malpractice insurance coverage is extended to respondent.

1 1. **ORAL CLINICAL OR WRITTEN EXAM** Respondent shall take and
2 pass an oral clinical exam or written exam in anesthesia, the specific subject matter to be
3 designated and administered by the Division or its designee. This examination shall be taken
4 within sixty (60) days after the effective date of this decision. If respondent fails the first
5 examination, respondent shall be allowed to take and pass a second examination, which may
6 consist of a written as well as an oral examination. The waiting period between the first and
7 second examinations shall be at least three (3) months. If respondent fails to pass the first and
8 second examinations, respondent may take a third and final examination after waiting a period of
9 one (1) year. Failure to pass the oral clinical examination within eighteen (18) months after the
10 effective date of this decision shall constitute a violation of probation. The respondent shall pay
11 the costs of all examinations. For purposes of this condition, if respondent is required to take and
12 pass a written exam, it shall be either the Special Purpose Examination (SPEX) or equivalent
13 examination as determined by the Division or its designee.

14 If respondent fails to pass the first examination, respondent shall be suspended
15 from the practice of medicine. The respondent shall cease the practice of medicine within 72
16 hours of being given notice by the Division or its designee that respondent has failed the
17 examination. Respondent shall remain suspended from the practice of medicine until a repeat
18 examination has been successfully passed, as evidenced by written notice to respondent from the
19 Division or its designee.

20 2. **PSYCHIATRIC EVALUATION** Within thirty (30) days of the
21 effective date of this decision, and on a periodic basis thereafter as may be required by the
22 Division or its designee, respondent shall undergo a psychiatric evaluation (and psychological
23 testing, if deemed necessary) by a Division-appointed psychiatrist, who shall furnish an
24 evaluation report to the Division or its designee. The respondent shall pay the cost of the
25 psychiatric evaluation.

26 If the evaluation determines that respondent is not mentally fit to practice
27 medicine safely, then respondent shall be suspended from the practice of medicine until a repeat
28 evaluation establishes that he can practice safely, as evidenced by written notice to respondent

1 from the Division or its designee.

2 3. **PSYCHOTHERAPY** Within sixty (60) days of the effective date of this
3 decision, respondent shall submit to the Division or its designee for its prior approval the name
4 and qualifications of a psychotherapist of respondent's choice. Upon approval, respondent shall
5 undergo and continue treatment until the Division or its designee deems that no further
6 psychotherapy is necessary. Respondent shall have the treating psychotherapist submit quarterly
7 status reports to the Division or its designee indicating whether respondent is capable of
8 practicing medicine safely. The Division or its designee may require respondent to undergo
9 psychiatric evaluations by a Division-appointed psychiatrist. If, prior to the termination of
10 probation, respondent is found not to be mentally fit to resume the practice of medicine without
11 restrictions, the Division shall retain continuing jurisdiction over the respondent's license and the
12 period of probation shall be extended until the Division determines that the respondent is
13 mentally fit to resume the practice of medicine without restrictions. The respondent shall pay the
14 cost of the therapy and evaluations.

15 4. **MONITORING** Within thirty (30) days of the effective date of this
16 decision, respondent shall submit to the Division or its designee for its prior approval a plan of
17 practice in which respondent's practice shall be monitored by another physician in respondent's
18 field of practice, who shall provide periodic reports to the Division or its designee.

19 If the monitor resigns or is no longer available, respondent shall, within fifteen
20 (15) days, move to have a new monitor appointed, through nomination by respondent and
21 approval by the Division or its designee.

22 Respondent is prohibited from engaging in solo practice.

23 5. **SUPERVISION OF PHYSICIAN ASSISTANTS** During probation,
24 respondent is prohibited from supervising physician assistants.

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

28 7. **QUARTERLY REPORTS** Respondent shall submit quarterly

1 declarations under penalty of perjury on forms provided by the Division, stating whether there
2 has been compliance with all the conditions of probation.

3 8. **PROBATION SURVEILLANCE PROGRAM COMPLIANCE**

4 Respondent shall comply with the Division's probation surveillance program. Respondent shall,
5 at all times, keep the Division informed of his business and residence addresses which shall both
6 serve as addresses of record. Changes of such addresses shall be immediately communicated in
7 writing to the Division. Under no circumstances shall a post office box serve as an address of
8 record, except as allowed by Business and Professions Code section 2021(b).

9 Respondent shall, at all times, maintain a current and renewed physician's and
10 surgeon's license.

11 Respondent shall also immediately inform the Division, in writing, of any travel
12 to any areas outside the jurisdiction of California which lasts, or is contemplated to last, more
13 than thirty (30) days.

14 9. **INTERVIEW WITH THE DIVISION, ITS DESIGNEE OR ITS**
15 **DESIGNATED PHYSICIAN(S)** Respondent shall appear in person for interviews with the

16 Division, its designee or its designated physician(s) upon request at various intervals and with
17 reasonable notice.

18 10. **TOLLING FOR OUT-OF-STATE PRACTICE, RESIDENCE OR**
19 **IN-STATE NON-PRACTICE** In the event respondent should leave California to reside or to

20 practice outside the State or for any reason should respondent stop practicing medicine in
21 California, respondent shall notify the Division or its designee in writing within ten (10) days of
22 the dates of departure and return or the dates of non-practice within California. Non-practice is
23 defined as any period of time exceeding thirty (30) days in which respondent is not engaging in
24 any activities defined in Sections 2051 and 2052 of the Business and Professions Code. All time
25 spent in an intensive training program approved by the Division or its designee shall be
26 considered as time spent in the practice of medicine. A Board-ordered suspension of practice
27 shall not be considered as a period of non-practice. Periods of temporary or permanent residence
28 or practice outside California or of non-practice within California, as defined in this condition,

1 will not apply to the reduction of the probationary order.

2 Any respondent disciplined under Business and Professions Code sections 141(a)
3 or 2305 (sister-state discipline) may petition for modification or termination of penalty 1) if the
4 other state's discipline terms are modified, terminated or reduced; and 2) if at least one year has
5 elapsed from the effective date of the California discipline.

6 11. **COMPLETION OF PROBATION** Upon successful completion of
7 probation, respondent's certificate shall be fully restored.

8 12. **VIOLATION OF PROBATION** If respondent violates probation in any
9 respect, the Division, after giving respondent notice and the opportunity to be heard, may revoke
10 probation and carry out the disciplinary order that was stayed. If an accusation or petition to
11 revoke probation is filed against respondent during probation, the Division shall have continuing
12 jurisdiction until the matter is final, and the period of probation shall be extended until the matter
13 is final.

14 13. **COST RECOVERY** The respondent is hereby ordered to reimburse the
15 Division the amount of \$500.00 (five hundred dollars) within ninety (90) days of the effective
16 date of this decision for its investigative and prosecution costs. Failure to reimburse the
17 Division's cost of investigation and prosecution shall constitute a violation of the probation order,
18 unless the Division agrees in writing to payment by an installment plan because of financial
19 hardship. The filing of bankruptcy by the respondent shall not relieve the respondent of his
20 responsibility to reimburse the Division for its investigative and prosecution costs.

21 14. **PROBATION COSTS** Respondent shall pay the costs associated with
22 probation monitoring each and every year of probation, as designated by the Division, which are
23 currently set at \$2,874.00, but may be adjusted on an annual basis. Such costs shall be payable
24 to the Division of Medical Quality and delivered to the designated probation surveillance
25 monitor no later than January 31 of each calendar year. Failure to pay costs within 30 days of the
26 due date shall constitute a violation of probation.

27 15. **LICENSE SURRENDER** Following the effective date of this decision,
28 if respondent ceases practicing due to retirement, health reasons or is otherwise unable to satisfy

FROM : LAW

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FAX NO. : 3236622842

DAVID W AFFELD

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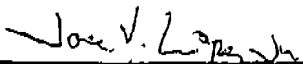
AG CIVIL DIVISION

the terms and conditions of probation, respondent may voluntarily tender his certificate to the Board. The Division reserves the right to evaluate the respondent's request and to exercise its discretion whether to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances. Upon formal acceptance of the tendered license, respondent will not longer be subject to the terms and conditions of probation.

ACCEPTANCE

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

DATED: 04/09/03


JOSE VELASCO LOPEZ, JR., M.D.
Respondent

I have read and fully discussed with Respondent Jose Velasco Lopez, Jr., M.D. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: April 9, 2003


DAVID W. AFFELD
Law Offices of David W. Affeld
Attorney for Respondent

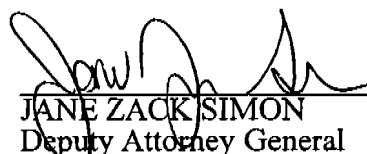
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ENDORSEMENT

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

DATED: 4/18/03.

BILL LOCKYER, Attorney General
of the State of California



JANE ZACK SIMON
Deputy Attorney General
Attorneys for Complainant

DOJ Docket Number: 03573160-SF2002AD0014
Stipulation 8/31/01

Exhibit A

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO *February 6 20 02*
BY *Amela S. Mosher*

BILL LOCKYER, Attorney General
of the State of California
JANE ZACK SIMON
Deputy Attorney General [SBN 116564]
455 Golden Gate Avenue, Suite 11000
San Francisco, California 94102
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Attorneys for Complainant

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

In the Matter of the Accusation Against:

Case No. 16-2000-114128

JOSE VELASCO LOPEZ, JR. M.D.,
3418 Waverly Drive
Los Angeles, CA 90027

ACCUSATION

Physician and Surgeon's
Certificate No. A 39052

Respondent.

The Complainant alleges:

PARTIES

1. Complainant, Ronald Joseph, is the Executive Director of the Medical Board of California (hereinafter the "Board") and brings this accusation solely in his official capacity.
2. On or about August 30, 1982, Physician and Surgeon's Certificate No. A-39052 was issued by the Board to Jose Velasco Lopez, Jr., M.D. (hereinafter "respondent"). Said certificate is current with an expiration date of March 31, 2002.

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A. Section 2227 of the Code provides in part that the Board may revoke, suspend for a period of not to exceed one year, or place on probation, the license of any licensee who has been found guilty under the Medical Practice Act, and may recover the costs of probation monitoring if probation is imposed.

C. Section 2305 of the Code provides, in part, that the revocation, suspension, or other discipline, restriction or limitation imposed by another state upon a license to practice medicine issued by that state, that would have been grounds for discipline in California under the Medical Practice Act, constitutes grounds for discipline for unprofessional conduct.

"(a) For any licensee holding a license issued by a board under the jurisdiction of a department, a disciplinary action taken by another state, by any agency of the federal government, or by another country for any act substantially related to the practice regulated by the California license, may be ground for disciplinary action by the respective state licensing board. A certified copy of the record of the disciplinary action taken against the licensee by another state, an agency of the federal government, by another country shall be conclusive evidence of the events related therein.

2.

1 statutory provision in the licensing act administered by the board that provides for
2 discipline based upon a disciplinary action taken against the licensee by another state, an
3 agency of the federal government, or another country."

4 E. Section 14124.12(a) of the Welfare & Institutions Code provides in
5 pertinent part that upon written notice of the Medical Board of California a
6 physician and surgeon's medical license has been placed on probation as a result
7 of a disciplinary action, no Medi-Cal claim for the type of surgical service or
8 invasive procedure giving rise to the probationary order and performed on or after
9 the effective date of said probationary order or during the period of
10 probation shall be reimbursed, except upon a prior determination that compelling
11 circumstances warrant the continuance of reimbursement during the probationary
12 period for procedures other than those giving rise to the probationary order.

13 4. Respondent is subject to discipline within the meaning of section 141 and is
14 guilty of unprofessional conduct within the meaning of section 2305 as more particularly set
15 forth herein below.

16 **FIRST CAUSE FOR DISCIPLINE**

17 (Discipline, Restriction, or Limitation Imposed by Another State)

18 5. On or about October 18, 2001 Respondent and the Board of Medical
19 Examiners of the State of Iowa entered into a Settlement Agreement and Final Order
20 disciplining and restricting respondent's license to practice medicine in Iowa. The Iowa action
21 was based on charges that respondent, an anesthesiologist, fell asleep during two surgical
22 procedures, and that he falsified operative notes for those procedures. During the course of the
23 Iowa proceeding, respondent was diagnosed with a depression which requires ongoing treatment
24 and monitoring. The Iowa Board placed respondent's Iowa license on probation for a period of
25 two years subject to terms and conditions including a monitoring program, course work in
26 professional ethics, counseling, and worksite monitor.

27 Attached as Exhibit A and incorporated by reference is a true and correct copy of

1 the Settlement Agreement and Final Order Before the Board of Medical Examiners of the State
2 of Iowa In the Matter of the Statement of Charges Against Jose V. Lopez, M.D., Case No. 02-98-
3 403.

4 6. The discipline imposed by the Board of Medical Examiners of the State of
5 Iowa constitutes a violation of section 141 and constitutes unprofessional conduct and/or a basis
6 for the imposition of discipline within the meaning of Code section 2305.

7 **PRAYER**

8 **WHEREFORE**, the complainant requests that a hearing be held on the matters
9 herein alleged, and that following the hearing, the Division issue a decision:

10 1. Revoking or suspending Physician and Surgeon's Certificate Number
11 A39052, heretofore issued to respondent Jose Velasco Lopez, Jr., M.D.;

12 2. Revoking, suspending or denying approval of the respondent's authority to
13 supervise physician assistants, pursuant to Code section 3527;

14 3. Ordering respondent to pay the Division the actual and reasonable costs of
15 the investigation and enforcement of this case and to pay the costs of probation monitoring upon
16 order of the Division; and

17 4. Taking such other and further action as the Division deems necessary and
18 proper.

19 DATED: February 6, 2002.

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RONALD JOSEPH
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California

Complainant

Exhibit A

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF IOWA

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

JOSE V. LOPEZ, M.D., RESPONDENT

No. 02-98-403

SETTLEMENT AGREEMENT and FINAL ORDER

COMES NOW the Iowa Board of Medical Examiners (the Board), and
Jose V. Lopez, M.D., (Respondent), on OCT 18 , 2001, and pursuant to
Iowa Code sections 17A.10(2) and 272C.3(4), and enter into this Settlement Agreement
and Final Order to resolve the contested case currently on file.

1. Respondent was issued license number 27955 to practice medicine and surgery
in Iowa on February 13, 1991.
2. Respondent's Iowa medical license is in lapsed status and has not been renewed
since March 1, 1999.
3. A Statement of Charges was filed against Respondent on December 16, 1999,
and is awaiting hearing.
4. The Board has jurisdiction over the parties and subject matter.

5. Upon the Board's approval of this Settlement Agreement and Final Order, Respondent shall be assessed a civil penalty in the amount of \$2,500. The civil penalty shall be paid within 60 days thereafter by delivery of a check or money order, payable to the Treasurer of Iowa, to the executive director of the Board. The civil penalty shall be deposited into the State General Fund.

6. At the request of the Board, Respondent successfully completed a comprehensive physical, neuropsychological and substance abuse evaluation under the direction of Betty Ford Center, Professional Recovery Program, in Rancho Mirage, California, from June 18 -- 22, 2001. No evidence of chemical dependence or abuse was found. Respondent was diagnosed with a depression which requires ongoing treatment and monitoring.

7. Immediately upon the Board's approval of this Settlement Agreement and Final Order, Respondent's Iowa medical license shall be placed on probation for a period of two (2) years under the following terms and conditions:

- a) Within 14 days of the Board's approval of this Settlement Agreement and Final Order, Respondent shall contact Deb Anglin, Coordinator, Monitoring Programs, Iowa Board of Medical Examiners, 400 SW 8th Street, Suite C, Des Moines, IA 50309-4686, Ph. #515-281-6491, to establish a monitoring program.
- b) Within ninety (90) days of the date of this order, Respondent shall successfully complete a Board-approved continuing medical education course in the area of professional ethics.
- c) Within fourteen (14) days of the Board's approval of this Settlement

Agreement and Final Order, Respondent shall submit for Board approval the name and curriculum vitae of a physician or counselor to provide continuing counseling for Respondent and to monitor Respondent's progress.

- (i) As a condition of approval, the physician or counselor shall provide a written statement indicating that the physician or counselor has read the Statement of Charges, Settlement Agreement and Final Order and the Evaluation Report in this matter;
 - (ii) As a condition of approval, the physician or counselor shall agree to submit written quarterly reports to the Board concerning Respondent's progress. The reports shall be filed with the Board not later than January 20, April 20, July 20 and October 20 of each year of this Order;
 - (iii) Respondent shall continue with counseling until discharged by the physician or counselor and until Respondent's discharge is approved by the Board; and
 - (iv) Respondent shall meet with his Board-approved physician or counselor at least once every two weeks, or as recommended by his counselor and approved by the Board.
- d) Within fourteen (14) days of the date this order is approved by the

Board, Respondent shall submit to the Board for approval, the name of a physician who regularly observes and/or supervises Respondent in a practice setting to serve as Respondent's worksite monitor. The worksite monitor shall provide a written statement indicating the monitor has read and understands the Board orders and evaluation report in this matter and agrees to act as the worksite monitor under the terms of this agreement. The worksite monitor shall inform the Board immediately if there is any inappropriate behavior or professional misconduct. As a condition of approval, the worksite monitor shall agree to submit written quarterly reports to the Board concerning Respondent's progress. The reports shall be filed with the Board not later than January 20, April 20, July 20 and October 20 of each year of this Order. Said monitoring shall continue until terminated by the Board.

- e) Respondent shall file sworn quarterly reports with the Board attesting to his compliance with all the terms and conditions of this Settlement Agreement, including attendance at meetings with his counselor. The reports shall be filed not later than January 10, April 10, July 10 and October 10 of each year of this Order.

8. In the event Respondent violates or fails to comply with any of the terms or conditions of this Settlement Agreement and Final Order, the Board may initiate action to

suspend or revoke Respondent's Iowa medical license or to impose other license discipline as authorized in Iowa Code Chapters 148 and 272 and 653 IAC 12.2.

9. Respondent shall obey all federal, state and local laws, and all rules governing the practice of medicine in Iowa.

10. This Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.

11. By entering into this Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Charges, and waives any objections to the terms of this Settlement Agreement.

12. This Settlement Agreement and Final Order, is voluntarily submitted by the Respondent to the Board for consideration.

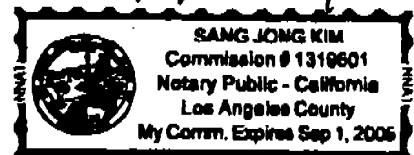
13. This Settlement Agreement and Final Order, is subject to approval of the Board. If the Board fails to approve this Settlement Agreement and Final Order, it shall be of no force or effect to either party.

14. The Board's approval of this Settlement Agreement and Final Order shall constitute a Final Order of the Board.

Jose V. Lopez, M.D.
Jose V. Lopez, M.D., Respondent

Subscribed and sworn to before me on OCT 19, 2001

Notary Public, State of CALIFORNIA



This Settlement Agreement and Final Order is approved by the Board on

October 18, 2001.

Dale R. Holdiman MD

Dale R. Holdiman, M.D., Chairperson
Iowa Board of Medical Examiners
400 SW 8th Street, Suite C
Des Moines, IA 50309-4686