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

In the Matter of the Accusation Against: **JOHN THOMAS MORANVILLE, M.D.** 3527 Mt Diablo Blvd, #303 Lafayette, CA 94549 Physician's and Surgeon's Certificate No. A 45114 Respondent	Case No. 800-2016-020601 **DEFAULT DECISION AND ORDER** [Gov. Code §11520]

1. On or about May 23, 2017, an employee of the Medical Board of California (Board), served by certified mail a copy of Accusation No. 800-2016-020601, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to John Thomas Moranville, M.D. (Respondent) at his address of record with the Board, which was and is 3527 Mt Diablo Blvd, #303, Lafayette, California 94549. The certified mail was delivered on May 25, 2017. (Exhibit Package, Exhibit A[1]: Accusation, related documents, Declaration of Service, Notice of Defense, United States Postal Service Track & Confirm results.)

[1] The evidence in support of this Default Decision and Order is contained in the "Exhibit Package."

2. Respondent did not respond to the Accusation. On June 13, 2017, an employee of the Attorney General's Office sent a courtesy Notice of Default to Respondent at his address of record, by certified mail, advising Respondent of the Accusation. The certified mail was delivered on June 17, 2017 and signed for by an agent of Respondent (Exhibit Package, Exhibit 2: Courtesy Notice of Default, proof of service, certified mail receipt card.)

FINDINGS OF FACT

I

Complainant Kimberly Kirchmeyer is the Executive Director of the Medical Board of California, Department of Consumer Affairs. The charges and allegations in Accusation No. 800-2016-020601 were at all times brought and made solely in the official capacity of the Board's Executive Director.

II

On or about August 1, 1988, the Board issued Physician's and Surgeon's Certificate No. A45114 to Respondent. The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on July 31, 2018, unless renewed. (Exhibit Package, Exhibit 3: Certificate of License.)

III

On April 21, 2017, Respondent was served with an Accusation, alleging causes for discipline against Respondent. The Accusation and accompanying documents were duly served on Respondent. A Courtesy Notice of Default was thereafter served on Respondent. Respondent failed to file a Notice of Defense.

IV.

The allegations of the Accusation are true as follows:

Respondent is board certified in general psychiatry. He has been diagnosed with bipolar disorder and has been under medical care and treatment for this condition.

On May 4, 2016, Respondent signed a Voluntary Agreement for Mental Examination, agreeing to submit to a mental examination to be conducted by a board certified California licensed physician. Respondent thereafter underwent a full evaluation by Board appointed

psychiatrist Dr. Bobby Singh. The evaluating psychiatrist concluded that Respondent is unable to practice medicine safely at this time. As an initial matter, the psychiatrist diagnosed Respondent with Bipolar Disorder, as defined by the *Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5)*.

With Respondent's consent, the evaluating psychiatrist contacted Respondent's treating psychiatrist who expressed concern regarding Respondent's tendency to "manage his own medications." The evaluating psychiatrist found that this "poor judgment" makes it more likely that Respondent's bipolar disorder may be inadequately controlled in the future, affecting his judgment and compromising his ability to practice medicine safely and that, therefore, in order to practice medicine safely, Respondent should engage in the treatment of his bipolar disorder in an appropriate manner and take his medication as prescribed.

With Respondent's consent, the evaluating psychiatrist contacted Respondent's primary care physician who expressed concern that Respondent's opioid dosage could possibly affect his judgment. The evaluating psychiatrist found that because of the potential for the opioid medication to affect Respondent's cognition, in order to practice medicine safely, he should work with his primary care physician to lower the dosage of his opioid medications or use medications with fewer cognitive side effects and have his cognition closely monitored. (Exhibit Package, Exhibit 4: Declaration of Bobby Singh, M.D.)

DETERMINATION OF ISSUES

I

Pursuant to the foregoing Findings of Fact, Respondent's conduct constitutes cause for discipline within the meaning of Business and Professions Code sections 822 and 2227, in that, due to mental illness, he is unable to practice medicine with safety to the public.

II

Pursuant to its authority under Government Code section 11520, the Board finds Respondent is in default. The Board will take action without further hearing and, based on Respondent's express admissions by way of default and the evidence before it, contained in Exhibits 1-4 finds that the allegations in Accusation No. 800-2016-020601 are true.

ORDER

IT IS SO ORDERED that Physician's and Surgeon's Certificate No. A45114, heretofore issued to Respondent John Thomas Moranville, M.D., is revoked.

Respondent shall not be deprived of making a request for relief from default as set forth in Government Code section 11520, subdivision (c), for good cause shown. However, such showing must be made in writing by way of a motion to vacate the default decision and directed to the Medical Board of California at 2005 Evergreen Street, Suite 1200, Sacramento, CA 95815 within seven (7) days after service of the Decision on Respondent

This Decision shall become effective on August 18, 2017, at 5 p.m..

It is so ORDERED July 21, 2017

FOR THE MEDICAL BOARD OF CALIFORNIA
KIMBERLY KIRCHMEYER
EXECUTIVE DIRECTOR

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FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO May 23, 2017
BY: ANALYST

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

In the Matter of the Accusation Against: **John Thomas Moranville, M.D.** **3527 Mt. Diablo Boulevard, #303** **Lafayette, California 94549** **Physician's and Surgeon's Certificate No. A45114,** Respondent.	Case No. 800-2016-020601 **A C C U S A T I O N**

Complainant alleges:

PARTIES

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

2. On or about August 1, 1988, the Board issued Physician's and Surgeon's Certificate Number A45114 to John Thomas Moranville, M.D. (Respondent). The certificate was in full force and effect at all times relevant to the charges brought herein and will expire on July 31, 2018, unless renewed.

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JURISDICTION

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

4. Section 2004 provides that the Board shall have the responsibility for the enforcement of the disciplinary and criminal provisions of the Medical Practice Act.

5. Section 2227 of the Code authorizes the Board to take action against a licensee who has been found guilty under the Medical Practice Act by revoking his or her license, suspending the license for a period not to exceed one year, placing the license on probation and requiring payment of costs of probation monitoring, or taking such other action as the Board deems proper.

6. Section 820 provides that whenever it appears that a licensee may be unable to practice his or her profession safely as a result of mental illness or physical illness affecting competency, the licensing agency may order an examination of the licensee.

7. Section 822 provides that, if a licensing agency determines that a licensee's ability to practice his or her profession safely is impaired because of mental ill or physical illness affecting competency, the licensing agency may take action by revoking the licensee's license, suspending the licensee's right to practice, placing the licensee on probation or taking such other action in relation to the licensee as the licensing agency in its discretion deems proper.

FACTS

8. Respondent is board certified in general psychiatry. He has experienced occasional periods of severe depression since medical school and mania since his internship. He has been diagnosed with bipolar disorder and has been under medical care and treatment for this condition.

9. On May 4, 2016, Respondent signed a Voluntary Agreement for Mental Examination, agreeing to submit to a mental examination to be conducted by a board certified California licensed physician. Respondent thereafter underwent a full evaluation by a Board appointed psychiatrist. The evaluating psychiatrist concluded that Respondent is unable to safely practice medicine at this time. The psychiatrist diagnosed Respondent with Bipolar Disorder, as defined by the *Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition* (*DSM-5*).

10. With Respondent's consent, the evaluating psychiatrist contacted Respondent's treating psychiatrist who expressed concern regarding Respondent's tendency to "manage his own medications." The evaluating psychiatrist found that this "poor judgment" makes it more likely that Respondent's bipolar disorder may be inadequately controlled in the future, affecting his judgment and compromising his ability to practice medicine safely and that, therefore, in order to practice medicine safely, Respondent should engage in the treatment of his bipolar disorder in an appropriate manner and take his medication as prescribed.

11. With Respondent's consent, the evaluating psychiatrist contacted Respondent's primary care physician who expressed some concern that Respondent's opioid dosage could possibly affect his judgment. The evaluating psychiatrist found that because of the potential for the opioid medication to affect Respondent's cognition, in order to practice medicine safely, he should work with his primary care physician to lower the dosage of his opioid medications or use medications with fewer cognitive side effects and have his cognition closely monitored.

CAUSE FOR BOARD ACTION

(Mental Impairment)

12. Respondent's certificate is subject to Board action pursuant to sections 822 and 2227 of the Code, in that, due to mental illness, he is unable to practice medicine with safety to the public.

PRAYER

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

1. Revoking or suspending Physician's and Surgeon's Certificate Number A45114, issued to John Thomas Moranville, M.D.;

2. Revoking, suspending or denying approval of John Thomas Moranville, M.D.'s authority to supervise physician assistants and advanced practice nurses;

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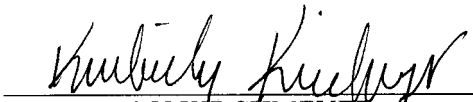
3. Ordering John Thomas Moranville, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and

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

DATED: May 23, 2017



KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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