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of the State of California  
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Attorneys for Complainant

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

In the Matter of the Accusation	)	NO. D-4438
Against:	)	
VINCENT D. BRADLEY, M.D.	)	<u>STIPULATION FOR</u>
337 El Camino Real Ste. 306	)	<u>SURRENDER OF LICENSE</u>
Encinitas, CA 92024	)	
Physician & Surgeon No. G21025	)	
Respondent.	)	

IT IS HEREBY STIPULATED AND AGREED BY AND BETWEEN THE  
PARTIES TO THE ABOVE-ENTITLED MATTER THAT:

1. Dixon Arnett, complainant, is the Executive  
Director of the Medical Board of California, Department of  
Consumer Affairs ("Board") and is represented by Daniel E.  
Lungren, Attorney General of the State of California, by Sherry  
L. Ledakis, Deputy Attorney General.

2. Vincent D. Bradley, M.D. ("respondent") is  
represented in this matter by Ronald M. Frant, Esq. Respondent  
has counseled with his attorney, Ronald M. Frant, Esq. concerning

1 the effect of this stipulation which respondent has carefully  
2 read and fully understands.

3 3. Respondent has received and carefully read the  
4 Accusation and Amendment to the Accusation which are presently on  
5 file and pending in Case Number D-4438 before the Board, copies  
6 of which are attached as Exhibit A.

7 4. Respondent understands the nature of the charges  
8 alleged in the Accusation and in the Amendment to the Accusation  
9 and that, if proven at a hearing, such charges and allegations  
10 would constitute cause for imposing discipline upon respondent's  
11 medical license.

12 5. Respondent and his counsel are aware of each of  
13 respondent's rights, including the right to a hearing on the  
14 charges and allegations, the right to confront and cross-examine  
15 witnesses who would testify against respondent, the right to  
16 present evidence in his favor and call witnesses on his behalf,  
17 or to testify, his right to contest the charges and allegations,  
18 and other rights which are accorded respondent pursuant to the  
19 California Administrative Procedure Act (Gov. Code, § 11500 et  
20 seq.), the California Government Code and the California Code of  
21 Civil Procedure including the right to seek reconsideration,  
22 review by the superior court, and appellate review.

23 6. Respondent understands that in signing this  
24 stipulation rather than contesting the Accusation and the  
25 Amendment to the Accusation, he is enabling the Board to issue  
26 its order accepting the surrender of respondent's medical license  
27 without further process.

1           7. In order to avoid the expense and uncertainty of a  
2 hearing, and due to respondent's medical and psychiatric  
3 disabilities that effect his ability to practice medicine safely,  
4 respondent freely and voluntarily waives each and every one of  
5 the rights set forth above, and hereby surrenders said medical  
6 license for the Board's formal acceptance.

7           8. Upon acceptance of this stipulation by the Board,  
8 respondent agrees to surrender and cause to be delivered to the  
9 Board both his medical license and wallet certificate.  
10 Respondent further understands that when the Board accepts the  
11 surrender of his medical license, he will no longer be permitted  
12 to practice as a physician and surgeon in the State of  
13 California.

14           9. Respondent fully understands and agrees that solely  
15 for the purpose of acting upon any application for licensure,  
16 relicensure or reinstatement which respondent may ever file  
17 before the Medical Board of California, or before any other  
18 health care agency in the State of California, the Board(s) ~~shall~~ <sup>(SL) can</sup>  
19 deem all of the charges and allegations contained in the <sup>VB</sup>  
20 Accusation and Amendment to the Accusation in case No. D-4438 to  
21 be true and correct, and that said Accusation and Amendment to  
22 the Accusation in case No. D-4438 may be used in any other  
23 proceeding before the Medical Board of California or before the  
24 Board of any other health care agency in the State of California  
25 to which respondent may make application for licensure or  
26 relicensure.

27 / / /

1           10. Respondent, having the benefit of counsel, hereby  
2 freely, knowingly, intelligently, and voluntarily admits that he  
3 sustained a misdemeanor conviction on or about October 24, 1990,  
4 for violating Business and Professions Code section 4232 as  
5 alleged in the Amendment to the Accusation.

6           The above admission, which is being made for the  
7 purpose of settling case number D-4438 only, shall have no force  
8 or effect in any other proceeding except any future proceeding  
9 between the Medical Board of California and respondent, or in any  
10 action taken by any governmental body responsible for licensing  
11 and/or regulating health care professionals.

12           11. All stipulations and recitals contained in this  
13 stipulation are made solely and exclusively for the purpose of  
14 settlement of the Accusation and Amendment to the Accusation in  
15 case number D-4438 currently pending against respondent. In the

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1 event that this stipulation is rejected for any reason by the  
2 Board, it will be of no force or effect for either party.

3 I concur in the stipulation.

4 DATED: July 7, 1993

5 DANIEL E. LUNGREN, Attorney General  
6 of the State of California

7 Sherry L. Ledakis  
8 Sherry L. Ledakis  
9 Deputy Attorney General

10 <sup>mr</sup> Attorneys for Complainant

11 DATED: 7/8/93

12 Ronald M. Frant  
13 Ronald M. Frant, Esq.  
14 Attorney for Respondent

15 I, Vincent D. Bradley, M.D. have carefully read the  
16 above stipulation and enter into it freely on advice of counsel,  
17 and with full knowledge of its force and effect, and do hereby  
18 surrender my certificate of licensure No. G21025, to the Medical  
19 Board of California, for its formal acceptance. By surrendering  
20 my medical license, I recognize that upon its formal acceptance  
21 by the Board, I will lose all rights and privileges to practice  
22 as a physician and surgeon in the State of California.

23 DATED: 7/7/93

24 Vincent D. Bradley  
25 VINCENT D. BRADLEY  
26 Respondent  
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ORDER

The surrender of Physician's and Surgeon's certificate  
No. G21025, by respondent Vincent D. Bradley, is accepted by the  
Medical Board of California.

This decision shall become effective on the 9th day  
of August, 1993.

It is so ordered this 6th day of August,  
1993.

DIVISION OF MEDICAL QUALITY

By: *Theresa J. Claassen*  
FOR THE MEDICAL BOARD OF CALIFORNIA

SLL:cir

1 JOHN K. VAN DE KAMP, Attorney General  
2 of the State of California  
3 ROBERT P. WHITLOCK,  
4 Deputy Attorney General  
5 Department of Justice  
6 110 West A Street, Suite 700  
7 San Diego, California 92101  
8 Telephone: (619) 237-6079  
9 Attorneys for Complainant

ATTACHMENT  
FILE NUMBER  
ATTACHMENT H  
FILE NUMBER R2-91-2032  
DATE 7-10-91  
INITIALS JU

10 BEFORE THE  
11 MEDICAL BOARD OF CALIFORNIA  
12 DIVISION OF MEDICAL QUALITY  
13 DEPARTMENT OF CONSUMER AFFAIRS  
14 STATE OF CALIFORNIA

15 In the Matter of the Accusation  
16 Against:

NO. D-4438

17 VINCENT BRADLEY, M.D.  
18 337 El Camino Real, Suite 306  
19 Encinitas, California 92024

ACCUSATION

20 Physician's and Surgeon's  
21 Certificate No. G 21025

Respondent.

22 COMES NOW Complainant Kenneth Wagstaff, who as cause or  
23 disciplinary action, alleges:

24 1. Complainant is the Executive Director of the  
25 California State Medical Board of California (hereinafter the  
26 "Board") and makes and files this accusation solely in his  
27 official capacity.

1                    LICENSE STATUS

2                    2. On or about August 9, 1971, Physician's and  
3 Surgeon's Certificate No. G 21025 was issued by the Board to  
4 Vincent Bradley, M.D. (hereinafter "respondent"), and at all  
5 times relevant herein, said Certificate was, and currently is, in  
6 full force and effect.

7                    STATUTES

8                    3. This accusation is made in reference to the  
9 following statutes of the California Business and Professions  
10 Code (hereinafter "Code"):

11                    a. Section 2227 provides that the Board may revoke,  
12 suspend for a period not to exceed one year, or place on  
13 probation, the license of any licensee who has been found guilty  
14 under the Medical Practice Act.

15                    b. Section 2234 provides that unprofessional conduct  
16 includes, but is not limited to, the following:

17                    "(a) Violating or attempting to violate, directly  
18 or indirectly, or assisting in or abetting the  
19 violation of, or conspiring to violate, any provision  
20 of this chapter.

21                    "(e) The commission of any act involving  
22 dishonesty or corruption which is substantially related  
23 to the qualifications, functions, or duties of a  
24 physician and surgeon."

25                    c. Section 2242 provides that a licensee is guilty of  
26 unprofessional conduct if he prescribes, dispenses or furnishes \

27 \ \



1 dangerous drugs as defined in section 4211 without a good faith  
2 prior examination and medical indication therefor.

3 d. Section 4211 provides that a "dangerous drug" means  
4 any drug unsafe for self-medication including any drug which by  
5 federal or state law can be lawfully dispensed only on  
6 prescription.

7 4. At all times mentioned herein, the drugs listed  
8 hereinafter by trade name, or by given name, or by chemical  
9 composition were and are controlled substances and dangerous  
10 drugs:

11 a. Fastin, a trade name for phentermine hydrochloride,  
12 is classified as a Schedule IV controlled substance pursuant to  
13 ~~California Health and Safety Code section 11057(f)(2), and a~~  
14 dangerous drug within the meaning of section 4211 of the Business  
15 and Professions Code.

16 b. Valium, a trade name for diazepam, is classified as  
17 a Schedule IV controlled substance pursuant to California Health  
18 and Safety Code section 11057((d)(7), and a dangerous drug within  
19 the meaning of section 4211 of the Business and Professions Code.

20 FACTS

21 5. Respondent Vincent Bradley, M.D. has subjected his  
22 license to disciplinary action under section 2234 on the grounds  
23 of unprofessional conduct as defined therein in that he is guilty  
24 of prescribing controlled substances without a good faith prior  
25 examination and medical indication therefor pursuant to section  
26 2242 as more particularly described hereinafter:

27 \ \ \

1           a. On or about January 20, 1989, respondent prescribed  
2 30 Fastin capsules with a notation for two refills to Deborah G.,  
3 an undercover operator using the name Deborah G. [REDACTED] No medical  
4 indication or pathology was shown for the writing of a  
5 prescription for Fastin.

6           b. On or about April 7, 1989, respondent prescribed 30  
7 Fastin capsules to Cynthia B., an undercover operator using the  
8 name Lucinda B. [REDACTED] No medical indication or pathology was  
9 demonstrated for the writing of a prescription for Fastin.

10           c. On or about April 28, 1989, respondent prescribed  
11 30 Fastin capsules to Debbie G., an undercover operator using the  
12 name Debbie G. [REDACTED]. No medical indication or pathology was shown  
13 for the writing of a prescription for Fastin.

14           d. On or about May 22, 1989, respondent wrote a  
15 prescription for 100 Valium tablets to Lisa V., an undercover  
16 operator using the name Lisa S. [REDACTED]. No medical indication or  
17 pathology was shown for the writing of a prescription for Valium.

18           e. On or about June 23, 1989, respondent prescribed a  
19 second refill of 30 Fastin capsules for undercover operator  
20 Cynthia B., who was using the name Lucinda B. [REDACTED] No medical  
21 indication or pathology was shown for the writing of a  
22 prescription for Fastin.

23           f. On or about June 23, 1989, respondent prescribed a  
24 second refill of Valium for undercover operator Lisa V. who was  
25 using the name Lisa S. [REDACTED] No medical indication or  
26 pathology was shown for the writing of a prescription of Valium.

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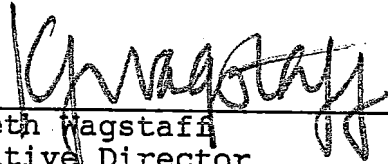
1 g. On or about September 22, 1989, respondent  
2 prescribed 50 Fastin capsules for Cynthia B. who was using the  
3 name Lucinda B. No medical indication or pathology was  
4 demonstrated for the writing of a prescription for Fastin.

5 WHEREFORE, complainant requests that the Board hold a  
6 hearing on the matters alleged herein, and that following said  
7 hearing, the Board issue a decision:

8 1. Revoking or suspending Physician's and Surgeon's  
9 Certificate Number G 21025, heretofore issued to respondent  
10 Vincent Bradley, M.D.;

11 2. Taking such other and further action as the Board  
12 deems appropriate to protect the public health, safety and  
13 welfare.

14 DATED: January 30, 1991

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18 Kenneth Wagstaff  
19 Executive Director  
20 Medical Board of California  
21 Department of Consumer Affairs  
22 State of California

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25 Complainant

26 RPW:sol  
27 12-21-90  
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1 DANIEL E. LUNGREN, Attorney General  
of the State of California  
2 SHERRY L. LEDAKIS,  
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3 Department of Justice  
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Telephone: (619) 237-7329  
5 Attorneys for Complainant

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Office of Administrative Hearings  
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9 BEFORE THE  
10 MEDICAL BOARD OF CALIFORNIA  
11 DIVISION OF MEDICAL QUALITY  
12 DEPARTMENT OF CONSUMER AFFAIRS  
13 STATE OF CALIFORNIA

14 In the Matter of the Accusation  
Against:

15 VINCENT BRADLEY, M.D.  
16 337 El Camino Real, Suite 306  
17 Encinitas, California 92024

18 Physician & Surgeon Certificate  
No. G21025  
19 Respondent.

NO. D - 4438

AMENDMENT TO  
ACCUSATION

20  
21 Complainant Kenneth J. Wagstaff hereby amends the original  
22 Accusation in Case No. D-4438 as follows:

23 1. On page 2, following License Status, beginning on  
24 line 7, the Accusation is amended to include the following new  
25 paragraph:

26 PRIOR CONVICTION

27 2a. On or about October 24, 1990, the respondent pled no

1 contest to a misdemeanor violation of Business and Professions  
2 Code section 4232.

3 2b. Code section 4232 requires a physician to maintain  
4 records of the disposition of dangerous drugs during business  
5 hours and to keep such records open for inspection by authorized  
6 officers of the law.

7 2c. Respondent was placed on probation for two years on  
8 condition that he complete 100 hours of volunteer work within the  
9 medical community, that he violate no laws except minor traffic  
10 infractions, and that he follow the code of ethics within the  
11 medical profession.

12 2d. Respondent's failure to maintain records of his  
13 ~~disposition of dangerous drugs is substantially related to his~~  
14 qualifications, functions, or duties as a physician.

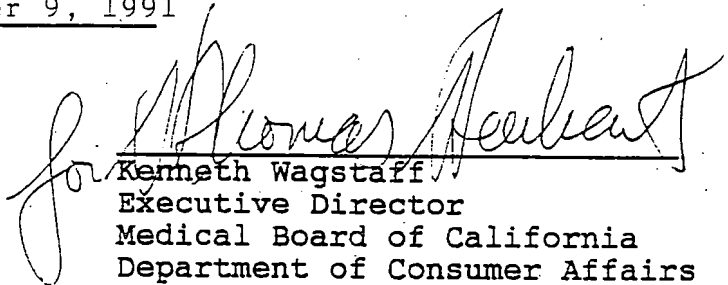
15 2. On page 3, following b. Valium, beginning on line 20, insert  
16 the following:

17 e. Section 490 provides in part that a board may suspend or  
18 revoke a license on the ground that the licensee has been  
19 convicted of a crime, if the crime is substantially related to  
20 the qualifications, functions, or duties of the business or  
21 profession for which the license was issued, . . . A conviction  
22 within the meaning of this section means a plea or verdict of  
23 guilty or a conviction following a plea of nolo contendere.

24 f. Section 493 provides in part that in a proceeding  
25 conducted by a board to deny, suspend or revoke a license upon  
26 the ground that the applicant has been convicted of a crime  
27 substantially related to the qualifications, functions, and

1 duties of the licensee, the record of conviction of the crime  
2 shall be conclusive evidence of the fact that the conviction  
3 occurred. The board may inquire into the circumstances  
4 surrounding the commission of the crime in order to fix the  
5 degree of discipline or to determine if the conviction is  
6 substantially related to the qualifications, functions, and  
7 duties of the licensee in question.

8 DATED: September 9, 1991

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10   
11 Kenneth Wagstaff  
12 Executive Director  
13 Medical Board of California  
14 Department of Consumer Affairs  
15 State of California

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Complainant