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

In the Matter of the Accusation Against:	)	
BRADLEY GLENN HAY, M.D.	)	**Case No. 800-2017-030496**
Physician's and Surgeon's Certificate No. A 87615	)	
Respondent	)	

DECISION AND ORDER

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

This Decision shall become effective at 5:00 p.m. on April 16, 2018.

IT IS SO ORDERED April 9, 2018.

MEDICAL BOARD OF CALIFORNIA

By: Kimberly Kirchmeyer

Kimberly Kirchmeyer
Executive Director

XAVIER BECERRA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
KAROLYN M. WESTFALL
Deputy Attorney General
State Bar No. 234540
600 West Broadway, Suite 1800
San Diego, CA 92101
P.O. Box 85266
San Diego, CA 92186-5266
Telephone: (619) 738-9465
Facsimile: (619) 645-2061

Attorneys for Complainant

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

In the Matter of the Accusation Against: **BRADLEY GLENN HAY, M.D.** **200 W. Arbor Drive, Mail Code 8770** **San Diego, CA 92103** **Physician's and Surgeon's Certificate No. A87615,** Respondent.	Case No. 800-2017-030496 OAH No. 2018010510 **STIPULATED SURRENDER OF LICENSE AND DISCIPLINARY ORDER**

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

PARTIES

1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board of California (Board). She brought this action solely in her official capacity and is represented in this matter by Xavier Becerra, Attorney General of the State of California, by Karolyn M. Westfall, Deputy Attorney General.

2. Bradley Glenn Hay, M.D. (Respondent) is represented in this proceeding by attorney Steven H. Zeigen, Esq., whose address is whose address is Rosenberg, Shpall & Zeigen, APLC, 750 "B" Street, Suite 3210, San Diego, California, 92101.

3. On or about June 11, 2004, the Board issued Physician's and Surgeon's Certificate No. A87615 to Bradley Glenn Hay, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2017-030496 and expired on November 30, 2017.

4. On or about September 8, 2017, an Interim Order of Suspension was issued by the Office of Administrative Hearings, immediately suspending Physician's and Surgeon's Certificate No. A87615, and prohibiting Respondent from practicing medicine in the State of California. The Interim Order of Suspension remains in full force and effect as of the effective date of this Stipulated Surrender and Disciplinary Order.

JURISDICTION

5. On October 17, 2017, Accusation No. 800-2017-030496 was filed before the Board and is currently pending against Respondent. A true and correct copy of Accusation No. 800-2017-030496 and all other statutorily required documents were properly served on Respondent on October 17, 2017. Respondent timely filed his Notice of Defense contesting the Accusation. A true and correct copy of Accusation No. 800-2017-030496 is attached hereto as Exhibit A and incorporated by reference as if fully set forth herein.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2017-030496. Respondent also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Disciplinary Order.

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

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8. Having the benefit of counsel, Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

9. Respondent admits the truth of each and every charge and allegation in Accusation No. 800-2017-030496, agrees that cause exists for action and discipline, and hereby surrenders his Physician's and Surgeon's Certificate No. A87615 for the Board's formal acceptance.

10. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Physician's and Surgeon's Certificate without notice to, or opportunity to be heard by, Respondent.

11. With Respondent's early acknowledgment that cause exists for the Board's action, Complainant finds good cause under Business and Professions Code section 2307, subdivision (b)(1), and thereby agrees that Respondent may file a petition for reinstatement two years after the effective date of the Board's Decision and Order.

CONTINGENCY

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

13. Respondent understands that, by signing this stipulation, he enables the Executive Director of the Board to issue an order, on behalf of the Board, accepting the surrender of his Physician's and Surgeon's Certificate No. A87615 without further notice to, or opportunity to be heard by, Respondent.

14. This Stipulated Surrender of License and Disciplinary Order shall be subject to the approval of the Executive Director on behalf of the Board. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be submitted to the Executive Director for her consideration in the above-entitled matter and, further, that the Executive Director shall have a reasonable period of time in which to consider and act on this Stipulated Surrender of License and Disciplinary Order after receiving it. By signing this stipulation, Respondent fully understands

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and agrees that he may not withdraw his agreement or seek to rescind this stipulation prior to the time the Executive Director, on behalf of the Board, considers and acts upon it.

15. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be null and void and not binding upon the parties unless approved and adopted by the Executive Director on behalf of the Board, except for this paragraph, which shall remain in full force and effect. Respondent fully understands and agrees that in deciding whether or not to approve and adopt this Stipulated Surrender of License and Disciplinary Order, the Executive Director and/or the Board may receive oral and written communications from its staff and/or the Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the Executive Director, the Board, any member thereof, and/or any other person from future participation in this or any other matter affecting or involving Respondent. In the event that the Executive Director on behalf of the Board does not, in her discretion, approve and adopt this Stipulated Surrender of License and Disciplinary Order, with the exception of this paragraph, it shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied upon or introduced in any disciplinary action by either party hereto. Respondent further agrees that should this Stipulated Surrender of License and Disciplinary Order be rejected for any reason by the Executive Director on behalf of the Board, Respondent will assert no claim that the Executive Director, the Board, or any member thereof, was prejudiced by its/his/her review, discussion and/or consideration of this Stipulated Surrender of License and Disciplinary Order or of any matter or matters related hereto.

ADDITIONAL PROVISIONS

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

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

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

ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A87615, issued to Respondent Bradley Glenn Hay, M.D., is surrendered and accepted by the Medical Board of California.

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

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

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

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked or surrendered license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 800-2017-030496 shall be deemed to be true, correct, and fully admitted by Respondent when the Board determines whether to grant or deny the petition.

5. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 800-2017-030496 shall be deemed to be true, correct, and fully admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Disciplinary Order and have fully discussed it with my attorney, Steven H. Zeigen, Esq. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate No. A87615. I enter into this Stipulated Surrender of License and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: March 28th, 2018

BRADLEY GLENN HAY, M.D.
Respondent

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

DATED: 3/28/18

STEVEN H. ZEIGEN, ESQ.
Attorney for Respondent

ENDORSEMENT

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

Dated: 3/28/18

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General

KAROLYN M. WESTFALL
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2017-030496

XAVIER BECERRA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
KAROLYN M. WESTFALL
Deputy Attorney General
State Bar No. 234540
600 West Broadway, Suite 1800
San Diego, CA 92101
P.O. Box 85266
San Diego, CA 92186-5266
Telephone: (619) 738-9465
Facsimile: (619) 645-2061

Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO October 17 2017
BY: R. Voong ANALYST

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

In the Matter of the Accusation Against: **BRADLEY GLENN HAY, M.D.** **200 W. Arbor Drive, Mail Code 8770** **San Diego, CA 92103** **Physician's and Surgeon's Certificate No. A87615,** Respondent.	Case No. 800-2017-030496 **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 June 11, 2004, the Medical Board issued Physician's and Surgeon's Certificate No. A87615 to Bradley Glenn Hay, M.D. (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 November 30, 2017, unless renewed.

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3. On or about September 8, 2017, an Interim Order of Suspension was issued by the Office of Administrative Hearings, immediately suspending Physician's and Surgeon's Certificate No. A87615, and prohibiting Respondent from practicing medicine in the State of California. As a result, Respondent remains suspended from the practice of medicine pending the issuance of a final decision after an administrative hearing on the Accusation.

JURISDICTION

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

5. Section 2227 of the Code states:

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

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

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

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

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

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

"(b) Any matter heard pursuant to subdivision (a), except for warning letters, medical review or advisory conferences, professional competency examinations, continuing education activities, and cost reimbursement associated therewith that are agreed to with the board and successfully completed by the licensee, or other matters made confidential or

privileged by existing law, is deemed public, and shall be made available to the public by the board pursuant to Section 803.1."

6. 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.

"...

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

"..."

7. Section 2238 of the Code states:

"A violation of any federal statute or federal regulation or any of the statutes or regulations of this state regulating dangerous drugs or controlled substances constitutes unprofessional conduct."

8. 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.

"..."

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9. Section 2261 of the Code states:

"Knowingly making or signing any certificate or other document directly or indirectly related to the practice of medicine or podiatry which falsely represents the existence or nonexistence of a state of facts, constitutes unprofessional conduct."

10. Section 2262 of the Code states:

"Altering or modifying the medical record of any person, with fraudulent intent, or creating any false medical record, with fraudulent intent, constitutes unprofessional conduct.

"In addition to any other disciplinary action, the Division of Medical Quality[1] or the California Board of Podiatric Medicine may impose a civil penalty of five hundred dollars ($500) for a violation of this section."

11. Section 2266 of the Code states:

"The failure of a physician and surgeon to maintain adequate and accurate records relating to the provision of services to their patients constitutes unprofessional conduct."

12. Section 2280 of the Code states:

"No licensee shall practice medicine while under the influence of any narcotic drug or alcohol to such extent as to impair his or her ability to conduct the practice of medicine with safety to the public and his or her patients. Violation of this section constitutes unprofessional conduct and is a misdemeanor."

13. Section 11170 of the Health and Safety Code states, "No person shall prescribe, administer, or furnish a controlled substance for himself."

14. Section 11173 of the Health and Safety Code states, in pertinent part:

"(a) No person shall obtain or attempt to obtain controlled substances, or procure or attempt to procure the administration of or prescription for controlled substances, (1) by fraud, deceit, misrepresentation, or subterfuge; or (2) by the concealment of a material fact.

[1] The term "board" means the Medical Board of California, and the term "Division of Medical Quality" and "Division of Licensing" shall be deemed to refer to the board. (Bus. & Prof. Code §2002.)

"(b) No person shall make a false statement in any prescription, order, report, or record, required by this division.

"..."

15. Section 11350 of the Health and Safety Code states, in pertinent part:

"(a) Except as otherwise provided in this division, every person who possesses (1) any controlled substance ...specified in subdivision (b) or (c) of Section 11055...or (2) any controlled substance classified in Schedule III, IV, or V which is a narcotic drug, unless upon the written prescription of a physician, dentist, podiatrist, or veterinarian licensed to practice in this state, shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code."

"..."

16. Section 11352 of the Health and Safety Code states, in pertinent part:

"(a) Except as otherwise provided in this division, ever person who transports, imports in this state, sells, furnishes, administers, or gives away...(2) any controlled substance classified in Schedule III, IV, or V which is a narcotic drug, unless upon the written prescription of a physician, dentist, podiatrist, or veterinarian licensed to practice in this state, shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for three, four, or five years."

17. Section 822 of the Code states:

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

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

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

"(c) Placing the licentiate on probation.

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

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

FIRST CAUSE FOR DISCIPLINE

(Prescribing or Administering a Controlled Substances to Himself)

18. Respondent has subjected his Physician's and Surgeon's Certificate No. A87615 to disciplinary action under sections 2227, and 2234, as defined by section 2239, subdivision (a), of the Code, in that he has administered controlled substances to himself, as more particularly alleged hereinafter[2]:

19. Respondent has a long documented history of alcohol and drug dependence. Respondent first used alcohol at age 14, and drank alcohol most weekends throughout high school. During college and medical school, Respondent drank a 12-pack or more of alcohol approximately three (3) to five (5) days per week. This frequency of drinking continued through his residency, during which Respondent came to work intoxicated or hungover on multiple occasions. Respondent's addiction to alcohol had legal consequences, and resulted in two (2) alcohol-related driving citations in the past.

20. Between in or around July 1, 2002, and June 30, 2006, during his residency, Respondent began to steal Fentanyl[3] from work. He initially brought the Fentanyl home for his own use, but then eventually began injecting himself with Fentanyl in the bathrooms at work.

21. In or around 2006, Respondent was offered a job as an attending anesthesiologist at the University of California San Diego (UCSD). Due to his stress and substance abuse issues, Respondent chose to take some time off before beginning his job at UCSD. During that time,

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[2] Conduct occurring more than seven (7) years from the filing date of this Accusation is for informational purposes only and is not alleged as a basis for disciplinary action.

[3] Fentanyl is a Schedule II controlled substance pursuant to Health and Safety Code section 11055, subdivision (c), and a dangerous drug pursuant to Business and Professions Code section 4022. Intravenous Fentanyl is often used for anesthesia and analgesia.

Respondent lived at home with his parents, and for several months, he drank approximately 1 liter of vodka each day.

22. Respondent began working as an anesthesiologist at UCSD in or around 2007.

23. In or around July 2008, Respondent was confronted by colleagues at UCSD who observed him impaired while on duty. Respondent was ordered to report to UCSD's Well Being Committee, who referred him for treatment at the Hazelton Betty Ford Foundation Drug Addiction Treatment Center (Betty Ford).

24. Between on or about July 3, 2008, through on or about October 30, 2008, Respondent received treatment for addiction at Betty Ford. During that time, Respondent was diagnosed with Bipolar II Disorder, and was prescribed Lexapro[4] and Lamictal.[5]

25. In or around November 2008, Respondent returned to work at UCSD, and maintained sobriety through regular monitoring by the Wellbeing Committee from in or around 2009 through in or around 2014.

26. In or around October 2015, Respondent stopped seeing his psychiatrist and began self-prescribing psychiatric medications.

27. In or around January 2016, Respondent began ordering Modafinil[6] from India for his own use.

28. In or around April 2016, Respondent began to steal Fentanyl from UCSD for his own use.

29. Between in or around April 2016, through in or around October 2016, Respondent's use of Fentanyl gradually increased to the point that he was injecting himself with Fentanyl approximately five (5) to eight (8) times per day.

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[4] Lexapro (brand name for escitalopram) is an antidepressant belonging to a group of drugs called selective serotonin reuptake inhibitors, and a dangerous drug pursuant to Business and Professions Code section 4022.

[5] Lamictal (brand name for lamotrigine) is an anticonvulsant medication used for the treatment of epilepsy and bipolar disorder, and a dangerous drug pursuant to Business and Professions Code section 4022.

[6] Modafinil is a Schedule IV controlled substance pursuant to Health and Safety Code section 11057, subdivision (d), and a dangerous drug pursuant to Business and Professions Code section 4022.

30. In or around October 2016, Respondent enrolled himself in an intensive outpatient treatment program at Casa Palmera Treatment Center (Casa Palmera).

31. From on or about October 4, 2016, through on or about October 26, 2016, Respondent received treatment for addiction at Casa Palmera. Respondent did not inform UCSD of his relapse or the treatment he received at Casa Palmera.

32. Sometime after completing his treatment at Casa Palmera, Respondent relapsed and began using Fentanyl again.

33. On or about January 27, 2017, Respondent was scheduled to perform anesthesia on surgical patients R.L., and R.D. at UCSD. At some point that morning, Respondent accidentally cut his finger while cutting a bagel, causing tendon damage. Despite the injury, Respondent returned to his assigned surgical cases in order to steal medication for his own use.

34. In preparation for the surgery of patient R.D., Respondent removed four 5 ml ampules (50 mcg/ml; 1000 micrograms total) of Sufentanil[7] from the Anesthesia Medication Supply in the operating room at UCSD. T.N., a nurse anesthetist assisting Respondent, also extracted Fentanyl from the Anesthesia Medication Supply in the operating room at UCSD for use in patient R.D.'s surgery.

35. At some point during patient R.D.'s surgery, T.N. made a charting error regarding the amount of Sufentanil administered to the patient. When Respondent noted the error, he told T.N., "we'll never get the dose right now, so let's make the record say we gave the whole amount." The anesthesia record for this surgery indicates that 1.02 mg of Sufentanil was administered to the patient. The anesthesia post procedure evaluation completed by Respondent indicates that "all controlled substances during the case accounted for and disposed of per hospital policy."

36. After completing the surgical case on patient R.D., Respondent went into a patient/staff bathroom and injected himself with Sufentanil.

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[7] Sufentanil is a Schedule II controlled substance pursuant to Health and Safety Code section 11055, subdivision (c), and a dangerous drug pursuant to Business and Professions Code section 4022. The main use of this medication is in operating suites and during critical care where pain relief is required for a short period of time.

37. At approximately 1:30 p.m., Respondent was found by a nurse, unconscious, face-down on the patient/staff bathroom floor, covered in vomit, with his pants down around his ankles. Three (3) syringes were located near his body, two of which still contained Sufentanil.

38. Multiple physicians were called to the bathroom to assist, and although Respondent was difficult to arouse, he eventually regained consciousness. Once awakened, Respondent was ordered to report to the UCSD emergency room for a fitness of duty evaluation. Respondent then left UCSD and never reported to the emergency room.

39. Sometime after leaving UCSD, Respondent informed UCSD that he would be taking a medical leave of absence, and enrolled himself in Professionals Treatment at Promises Treatment Center (Promises), where he received treatment for addiction from on or about February 6, 2017, through on or about April 6, 2017.

40. On or about July 31, 2017, Respondent voluntarily submitted to a psychiatric evaluation from Board-appointed psychiatrist, A.A., M.D., J.D., FCLM (Dr. A.A.) After an extensive review of records, a lengthy examination, and an interview of Respondent, Dr. A.A. concluded, among other things, that Respondent suffers from Opioid Use Disorder, Severe, In Early Remission. Dr. A.A. further opined that Respondent's ability to practice medicine safely is impaired by his opioid use disorder, and permitting Respondent to engage in the unrestricted practice of medicine will endanger the public health, safety, and welfare.

SECOND CAUSE FOR DISCIPLINE

(Use of Dangerous Drugs to an Extent, or in a Manner, as to be Dangerous to Himself, to Others, or to the Public)

41. Respondent has further subjected his Physician's and Surgeon's Certificate No. A87615 to disciplinary action under sections 2227, and 2234, as defined by section 2239, subdivision (a), of the Code, in that he has used dangerous drugs to an extent, or in a manner, as to be dangerous or injurious to himself, to another person, or to the public, as more particularly alleged in paragraphs 18 through 40 above, which are hereby incorporated by reference and realleged as if fully set forth herein.

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THIRD CAUSE FOR DISCIPLINE

(Violation of State Laws Regulating Dangerous Drugs and/or Controlled Substances)

42. Respondent has further subjected his Physician's and Surgeon's Certificate No. A87615 to disciplinary action under sections 2227 and 2234, as defined by section 2238, of the Code, in that he has violated a state law or laws regulating dangerous drugs and/or controlled substances, as more particularly alleged in paragraphs 18 through 41 above, which are hereby incorporated by reference and realleged as if fully set forth herein.

FOURTH CAUSE FOR DISCIPLINE

(Dishonesty or Corruption)

43. Respondent has further subjected his Physician's and Surgeon's Certificate No. A87615 to disciplinary action under sections 2227 and 2234, as defined by section 2234, subdivision (e), of the Code, in that he has committed an act or acts of dishonesty or corruption, as more particularly alleged in paragraphs 18 through 42, above, which are hereby incorporated by reference and realleged as if fully set forth herein.

FIFTH CAUSE FOR DISCIPLINE

(False Representations)

44. Respondent has further subjected his Physician's and Surgeon's Certificate No. A87615 to disciplinary action under sections 2227 and 2234, as defined by section 2261, of the Code, in that he has knowingly made or signed a certificate or document directly or indirectly related to the practice of medicine which falsely represented the existence or nonexistence of a state of facts, as more particularly alleged in paragraphs 18 through 40, above, which are hereby incorporated by reference and realleged as if fully set forth herein.

SIXTH CAUSE FOR DISCIPLINE

(Creation of False Medical Records, with Fraudulent Intent)

45. Respondent has further subjected his Physician's and Surgeon's Certificate No. A87615 to disciplinary action under sections 2227 and 2234, as defined by section 2262, of the Code, in that he created false medical records with fraudulent intent, as more particularly alleged

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in paragraphs 18 through 40, above, which are hereby incorporated by reference and realleged as if fully set forth herein.

SEVENTH CAUSE FOR DISCIPLINE

(Failure to Maintain Adequate and Accurate Records)

46. Respondent has further subjected his Physician's and Surgeon's Certificate No. A87615 to disciplinary action under sections 2227 and 2234, as defined by section 2266, of the Code, in that he failed to maintain adequate and accurate records regarding his care and treatment of patient R.D., as more particularly alleged in paragraphs 18 through 40, above, which are hereby incorporated by reference and realleged as if fully set forth herein.

EIGHTH CAUSE FOR DISCIPLINE

(Practice Under the Influence of Narcotic)

47. Respondent has further subjected his Physician's and Surgeon's Certificate No. A87615 to disciplinary action under sections 2227 and 2234, as defined by section 2280, of the Code, in that he practiced medicine while under the influence of a narcotic drug to such an extent as to impair his ability to conduct the practice of medicine safely to the public and his patients, as more particularly alleged in paragraphs 18 through 46, above, which are hereby incorporated by reference and realleged as if fully set forth herein.

SECTION 822 CAUSE FOR ACTION

(Mental Illness and/or Physical Illness Affecting Competency)

48. Respondent is subject to action under section 822 of the Code in that his ability to practice medicine safely is impaired due to a mental illness and/or physical illness affecting competency, as more particularly alleged in paragraphs 18 through 47, above, which are hereby incorporated by reference and realleged as if fully set forth herein.

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 No. A87615, issued to Respondent Bradley Glenn Hay, M.D.;

2. Revoking, suspending or denying approval of Respondent Bradley Glenn Hay, M.D.'s authority to supervise physician assistants and advanced practice nurses;

3. Ordering Respondent Bradley Glenn Hay, M.D., if placed on probation, to pay the Board the costs of probation monitoring;

4. Taking action as authorized by section 822 of the Code as the Board, in its discretion, deems necessary and proper; and

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

DATED: October 17, 2017

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

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