

1 XAVIER BECERRA  
Attorney General of California  
2 JANE ZACK SIMON  
Supervising Deputy Attorney General  
3 State Bar No. 116564  
4 455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004  
Telephone: (415) 510-3521  
5 Facsimile: (415) 703-5480  
E-mail: Janezack.simon@doj.ca.gov  
6 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case No. 800-2019-058233

12 **Michele Louise Riopelle, M.D.**  
13 30 Alamo Oaks Ln  
Alamo, CA 94507-2700

**A C C U S A T I O N**

14 Physician's and Surgeon's Certificate  
15 No. A 44768,

16 Respondent.

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18 **PARTIES**

19 1. Christine J. Lally (Complainant) brings this Accusation solely in her official capacity  
20 as the Interim Executive Director of the Medical Board of California, Department of Consumer  
21 Affairs (Board).

22 2. On April 25, 1988, the Medical Board issued Physician's and Surgeon's Certificate  
23 Number A 44768 to Michele Louise Riopelle, M.D. (Respondent). The Physician's and Surgeon's  
24 Certificate was in full force and effect at all times relevant to the charges brought herein and will  
25 expire on August 31, 2021, unless renewed.

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1 **JURISDICTION**

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

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

9 5. Section 2234 of the Code provides that the Board shall take action against any  
10 licensee who is charged with unprofessional conduct.

11 6. Section 2280 of the Code provides that it is unprofessional conduct for a licensee to  
12 practice medicine while under the influence of alcohol to such an extent as to impair his or her  
13 ability to safely practice.

14 7. Section 2239 of the Code provides that it is unprofessional conduct for a licensee to  
15 use alcohol, dangerous drugs or controlled substances to the extent or in such a manner as to be  
16 dangerous or injurious to the licensee, or to any other person or to the public, or to the extent that  
17 such use impairs the ability of the licensee to practice medicine safely.

18 **FIRST CAUSE FOR DISCIPLINE**

19 (Unprofessional Conduct: Use of Alcohol in a Dangerous Manner/Practice While Under the  
20 Influence)

21 8. Respondent is an obstetrician/gynecologist, and at the time of the events alleged,  
22 practiced at San Ramon Regional Medical Center (SRRMC). Respondent was the on-call  
23 obstetrician for SRRMC labor and delivery between 7 a.m. on July 31, 2019 and 7 a.m. on  
24 August 1, 2019. On the night of July 31-August 1, 2019, at approximately midnight, Respondent  
25 received a call from another obstetrician/gynecologist to assist with a cesarean section.  
26 Respondent agreed to respond to the hospital.

27 9. SRRMC bylaws require a 30 minute response time for a cesarean section assistant.  
28 When Respondent had not reported to the hospital after about 40 minutes, nursing staff

1 telephoned her, and Respondent stated she was in the parking lot. The attending obstetrician was  
2 advised Respondent had arrived, and expecting that she would promptly report to the operating  
3 room, commenced the procedure. When Respondent entered the hospital, nursing staff noticed  
4 she was unsteady on her feet, slurring her speech, confused and incoherent. Respondent had  
5 difficulty washing her hands and was unable to tie her shoes or properly put on her mask and  
6 gloves. Respondent denied taking any medication, and maintained she was fine. Although  
7 nursing staff attempted to prevent her from doing so, Respondent insisted on entering the  
8 operating room, where – in the presence of the patient and her husband - she attempted without  
9 success to put on a gown and gloves. Respondent then approached the patient, who was still on  
10 the procedure table, and had to be escorted out of the operating room. By the time Respondent  
11 entered the operating room, the attending ob/gyn had completed the cesarean section with the  
12 assistance of a pediatrician.

13 10. Respondent was taken to the emergency room for evaluation at 1:55 a.m. on  
14 August 1, 2019. She was noted to have altered speech and poor coordination. Respondent  
15 reported she took a muscle relaxant (she could not recall which one) at noon the previous day,  
16 and denied consuming any other medication or alcohol. Concerned about a neurological event,  
17 the emergency room physician performed a full neurologic evaluation, including a CT scan,  
18 which yielded negative results. After a blood test revealed a blood alcohol level of .30%,  
19 Respondent was discharged to her husband's care with a diagnosis of acute alcohol intoxication.

20 11. Respondent's certificate is subject to disciplinary action for unprofessional  
21 conduct pursuant to sections 2234 and/or 2239 of the Code, in that she used alcoholic beverages  
22 to such an extent or in a manner as to be dangerous to herself, others and the public.

23 12. Respondent's certificate is subject to disciplinary action for unprofessional  
24 conduct pursuant to sections 2234 and/or 2280 in that she agreed to and attempted to assist in  
25 surgery when she was under the influence of and impaired by alcohol, and unable to safely  
26 practice.

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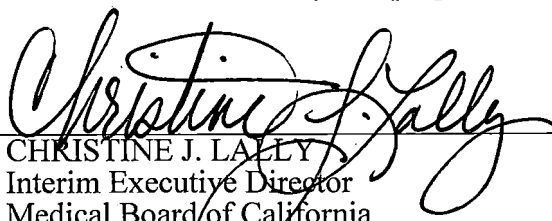
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**PRAYER**

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 A 44768, issued to Michele Louise Riopelle, M.D.;
2. Revoking, suspending or denying approval of Michele Louise Riopelle, M.D.'s authority to supervise physician assistants and advanced practice nurses;
3. Ordering Michele Louise Riopelle, 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: MAR 26 2020

  
CHRISTINE J. LALLY  
Interim Executive Director  
Medical Board of California  
Department of Consumer Affairs  
State of California  
*Complainant*

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