

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

In the Matter of the Accusation  
Against

Robert Bruce Morrison, M.D.

Physician's and Surgeon's  
Certificate No. G33727

Respondent.

Case No. 800-2017-038982

DECISION

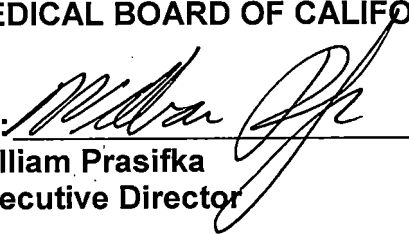
The attached Stipulated Surrender of License and Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on

September 2, 2020.

IT IS SO ORDERED August 26, 2020.

MEDICAL BOARD OF CALIFORNIA

By:   
\_\_\_\_\_  
William Prasifka  
Executive Director

1 XAVIER BECERRA  
Attorney General of California  
2 E. A. JONES III  
Supervising Deputy Attorney General  
3 JOSHUA M. TEMPLET  
Deputy Attorney General  
4 State Bar No. 267098  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
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*Attorneys for Complainant*  
7

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

12 In the Matter of the Accusation Against:

13 **ROBERT BRUCE MORRISON, M.D.**  
14 **361 Pine Tree Lane**  
15 **Monrovia, CA 91016-2370**

16 **Physician's and Surgeon's Certificate**  
17 **No. G 33727**

18 Respondent.

Case No. 800-2017-038982

OAH No. 2020070103

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

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

21 **PARTIES**

22 1. William Prasifka (Complainant) is the Executive Director of the Medical Board of  
23 California (Board). He brought this action solely in his official capacity and is represented in this  
24 matter by Xavier Becerra, Attorney General of the State of California, via Joshua M. Temple, Deputy Attorney General.

25 2. Robert Bruce Morrison, M.D. (Respondent) is represented in this proceeding by  
26 attorney Kent Thomas Brandmeyer, 2 North Lake Avenue, Suite 820, Pasadena, CA 91101.

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1            3. On or about March 23, 1977, the Board issued Physician's and Surgeon's Certificate  
2 No. G 33727 to Robert Bruce Morrison, M.D. Although Respondent's Physician's and Surgeon's  
3 Certificate expired on October 31, 2019, the Board retained continuing jurisdiction over his  
4 certificate at all times relevant to the charges brought in Accusation No. 800-2017-038982.

5    **JURISDICTION**

6            4. Accusation No. 800-2017-038982 (Accusation) was filed before the Board and is  
7 currently pending against Respondent. The Accusation and all other statutorily required  
8 documents were properly served on Respondent, on December 23, 2019. Respondent timely filed  
9 his Notice of Defense contesting the Accusation. A copy of the Accusation is attached as  
10 Exhibit A and incorporated by reference.

11    **ADVISEMENT AND WAIVERS**

12            5. Respondent has carefully read, fully discussed with counsel, and understands the  
13 charges and allegations in the Accusation. Respondent also has carefully read, fully discussed  
14 with counsel, and understands the effects of this Stipulated Surrender of License and Order.

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

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

23    **CULPABILITY**

24            8. Respondent understands that the charges and allegations in the Accusation, if proven  
25 at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's  
26 Certificate.

27            9. For the purpose of resolving the Accusation without the expense and uncertainty of  
28 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual

1 basis for the charges in the Accusation and that those charges constitute cause for discipline.  
2 Respondent hereby gives up his right to contest that cause for discipline exists based on those  
3 charges.

4 10. Respondent understands that by signing this stipulation he enables the Board to issue  
5 an order accepting the surrender of his Physician's and Surgeon's Certificate without further  
6 process.

7 **CONTINGENCY**

8 11. This stipulation shall be subject to approval by the Board. Respondent understands  
9 and agrees that counsel for Complainant and the staff of the Board may communicate directly  
10 with the Board regarding this stipulation and surrender, without notice to or participation by  
11 Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he  
12 may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board  
13 considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order,  
14 the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this  
15 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not  
16 be disqualified from further action by having considered this matter.

17 12. The parties understand and agree that Portable Document Format (PDF) and facsimile  
18 copies of this Stipulated Surrender of License and Order, including PDF and facsimile signatures  
19 thereto, shall have the same force and effect as the originals.

20 13. In consideration of the foregoing admissions and stipulations, the parties agree that  
21 the Board may, without further notice or formal proceeding, issue and enter the following Order:

22 **ORDER**

23 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 33727, issued  
24 to Respondent Robert Bruce Morrison, M.D., is surrendered and accepted by the Board.

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



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**ENDORSEMENT**

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

DATED: July 9, 2020

Respectfully submitted,  
  
XAVIER BECERRA  
Attorney General of California  
E. A. JONES III  
Supervising Deputy Attorney General

*Joshua M. Templet*  
JOSHUA M. TEMPLET  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 800-2017-038982**

1 XAVIER BECERRA  
Attorney General of California  
2 E. A. JONES III  
Supervising Deputy Attorney General  
3 JOSHUA M. TEMPLET  
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8

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

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13 In the Matter of the Accusation Against:  
14 **ROBERT BRUCE MORRISON, M.D.**  
361 Pine Tree Lane  
15 Monrovia, CA 91016  
16 **Physician's and Surgeon's Certificate**  
No. G 33727,  
17  
Respondent.  
18

Case No. 800-2017-038982

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

19  
20 **PARTIES**

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

24 2. On or about March 23, 1977, the Medical Board issued Physician's and Surgeon's  
25 Certificate No. G 33727 to Robert Bruce Morrison, M.D. (Respondent). The Physician's and  
26 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought  
27 herein and expired on October 31, 2019.

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

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

11 **STATUTORY PROVISIONS**

12 6. Section 2234 of the Code states:

13 The board shall take action against any licensee who is charged with unprofessional  
14 conduct. In addition to other provisions of this article, unprofessional conduct  
includes, but is not limited to, the following:

15 (a) Violating or attempting to violate, directly or indirectly, assisting in or abetting  
16 the violation of, or conspiring to violate any provision of this chapter.

17 (b) Gross negligence.

18 (c) Repeated negligent acts. To be repeated, there must be two or more negligent  
19 acts or omissions. An initial negligent act or omission followed by a separate and  
distinct departure from the applicable standard of care shall constitute repeated  
negligent acts.

20 . . . .

21 7. Section 2266 of the Code states that the failure of a physician and surgeon to maintain  
22 adequate and accurate records relating to the provision of services to their patients constitutes  
23 unprofessional conduct.

24 8. Section 118 of the Code states:

25 . . . .

26 (b) The suspension, expiration, or forfeiture by operation of law of a license  
27 issued by a board in the department, or its suspension, forfeiture, or cancellation by  
28 order of the board or by order of a court of law, or its surrender without the written  
consent of the board, shall not, during any period in which it may be renewed,  
restored, reissued, or reinstated, deprive the board of its authority to institute or  
continue a disciplinary proceeding against the licensee upon any ground provided by

1 law or to enter an order suspending or revoking the license or otherwise taking  
2 disciplinary action against the licensee on any such ground.

3 . . . .

4 **FIRST CAUSE FOR DISCIPLINE**

5 **(Gross Negligence)**

6 9. Respondent has subjected his Physician's and Surgeon's Certificate No. G 33727 to  
7 disciplinary action under Code sections 2227 and 2234, as defined by Code section 2234,  
8 subdivision (b), in that he was grossly negligent in his care and treatment of Patient A.<sup>1</sup>

9 10. On or about July 21, 2014, Patient A, a then 34-year-old established OB/GYN  
10 patient, presented to Respondent with complaints of irregular bleeding. Respondent performed a  
11 physical exam, ordered an ultrasound and lab work, and recommended that the patient return in a  
12 few weeks. Respondent did not discuss or document a discussion with the patient regarding any  
13 further description of her bleeding abnormality, including but not limited to the amount or  
14 frequency.

15 11. On or about August 1, 2014, Patient A underwent a pelvic ultrasound that revealed a  
16 uterus measuring 11.0 cm and a thickened endometrial canal, possibly with a polyp. Respondent  
17 recommended that Patient A proceed with a dilation and curettage (D&C)<sup>2</sup> and hysteroscopy.<sup>3</sup>  
18 Respondent did not discuss or document a discussion with Patient A regarding other treatment  
19 options or the risks and benefits associated with those options.

20 12. On or about September 4, 2014, Patient A presented to Respondent for her pre-  
21 operative exam. Respondent identified her pre-operative diagnosis as menometrorrhagia<sup>4</sup> and  
22 endometrial hyperplasia.<sup>5</sup> At the conclusion of the examination, the documented plan was to  
23 proceed with the D&C and hysteroscopy.

24 <sup>1</sup> To protect the privacy of the patient involved, the patient's name has not been included in this  
25 pleading. Respondent is aware of the identity of the patient.

26 <sup>2</sup> Dilation and curettage is a procedure to remove tissue from inside the uterus.

27 <sup>3</sup> Hysteroscopy is the inspection of the inside of the uterine cavity using visualization instruments  
28 through the vaginal opening. It is used to aid in diagnosis and minor surgical procedures.

<sup>4</sup> Menometrorrhagia is a condition marked by abnormally heavy, prolonged, and irregular uterine  
bleeding.

<sup>5</sup> Endometrial hyperplasia is a condition in which the lining of the uterus becomes abnormally  
thick.

1 13. On or about September 10, 2014, Patient A presented to the surgical center for her  
2 planned D&C and hysteroscopy. On that date, Patient A and Respondent both signed her consent  
3 form for the proposed D&C and hysteroscopy. Once in the operating room, a time-out procedure  
4 was performed and documented. During the surgery, after Respondent completed the D&C and  
5 hysteroscopy, he asked the circulating nurse to bring him the Novasure endometrial ablation<sup>6</sup>  
6 equipment. The nurse informed Respondent that Patient A had not consented to an ablation and  
7 showed him the consent form. Respondent requested the equipment again, and the nurse  
8 eventually complied. Respondent then performed an endometrial ablation on Patient A without  
9 her authorization.

10 14. On or about September 22, 2014, Respondent spoke with Patient A by phone to  
11 inform her of her surgical pathology results. During this phone call, Respondent apologized for  
12 performing the ablation "out of turn."

13 15. Respondent committed gross negligence in his care and treatment of Patient A, which  
14 included, but was not limited to, performing an endometrial ablation without informed consent.

15 **SECOND CAUSE FOR DISCIPLINE**

16 **(Repeated Negligent Acts)**

17 16. Respondent has further subjected his Physician's and Surgeon's Certificate No.  
18 G 33727 to disciplinary action under code sections 2227 and 2234, as defined by Code section  
19 2234, subdivision (c), in that he committed repeated negligent acts in his care and treatment of  
20 Patient A, which included but was not limited to the following:

- 21 A. Paragraphs 9 through 15, above, are incorporated by reference;
- 22 B. Failing to appropriately discuss and/or document discussions with the patient  
23 regarding her bleeding abnormalities, treatment options, and the risks and  
24 benefits associated with the treatment options;
- 25 C. Offering and performing an endometrial ablation without sufficient medical  
26 indication; and

27  
28 <sup>6</sup> Endometrial ablation is a procedure that surgically removes the lining of the uterus.

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D. Failing to perform or offer to perform an endometrial sampling prior to performing an endometrial ablation.

**THIRD CAUSE FOR DISCIPLINE**

**(Failure to Maintain Adequate and Accurate Records)**

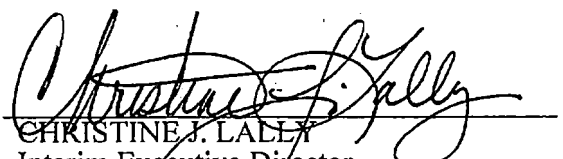
17. Respondent has further subjected his Physician's and Surgeon's Certificate No. G 33727 to disciplinary action under Code sections 2227 and 2234, as defined by Code section 2266, in that Respondent failed to maintain adequate and accurate records regarding his care and treatment of Patient A, as more particularly alleged in paragraphs 9 through 16, above.

**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. G 33727, issued to Respondent, Robert Bruce Morrison, M.D.;
- 2. Revoking, suspending, or denying approval of the authority of Respondent, Robert Bruce Morrison, M.D., to supervise physician assistants and advanced practice nurses;
- 3. Ordering Respondent, Robert Bruce Morrison, 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: December 23, 2019

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

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