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

In the Matter of the Accusation Against: Glenn Clarence Kissinger, M.D. Physician's and Surgeon's Certificate No. A 21726 Respondent.	Case No. 800-2017-038841

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 November 5, 2020.

IT IS SO ORDERED October 29, 2020.

MEDICAL BOARD OF CALIFORNIA

William Prasifka
Executive Director

XAVIER BECERRA
Attorney General of California
STEVEN D. MUNI
Supervising Deputy Attorney General
JOHN S. GATSCHET
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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 Against: **GLENN CLARENCE KISSINGER, M.D.** 383 Thorpe Circle Thousand Oaks, CA 91360 Physician's and Surgeon's Certificate No. A 21726 Respondent.	Case No. 800-2017-038841 **STIPULATED SURRENDER OF LICENSE AND 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. William Prasifka ("Complainant") is the Executive Director of the Medical Board of California ("Board"). He brought this action solely in his official capacity and is represented in this matter by Xavier Becerra, Attorney General of the State of California, by John S. Gatschet, Deputy Attorney General.

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2. Glenn Clarence Kissinger, M.D. ("Respondent") is represented in this proceeding by attorney, Benjamin J. Fenton, at *Fenton Law Group*, 1990 South Bundy Drive, Suite 777, Los Angeles, CA 90025.

3. On or about July 27, 1965, the Board issued Physician's and Surgeon's Certificate No. A 21726 to Respondent. That Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2017-038841 and will expire on February 28, 2022, unless renewed. Respondent's certificate is currently in retired status and does not permit the practice of medicine.

JURISDICTION

4. Accusation No. 800-2017-038841 was filed before the Board on October 29, 2020, and is currently pending against Respondent. The Respondent is waiving further service of the Accusation and further service of all other documents in order to enter a stipulated surrender of his license. The Respondent is waiving his right to file a Notice of Defense contesting the Accusation and he agrees to be bound by the terms of this stipulation. A copy of Accusation No. 800-2017-038841 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2017-038841. Respondent also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Order.

6. 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.

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

CULPABILITY

8. Respondent understands that the charges and allegations in Accusation No. 800-2017-038841, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate.

9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a *prima facie* case for the charges in the Accusation and that those charges constitute cause for discipline. Respondent hereby gives up his right to contest that cause for discipline exists based on those charges.

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 further process.

RESERVATION

11. The admissions made by Respondent herein are only for the purposes of this proceeding, or any other proceedings in which the Medical Board of California or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding. This stipulation does not constitute a disposition on the merits following a judicial proceeding and is not intended to have any preclusive effect in any other criminal or civil proceedings.

CONTINGENCY

12. This stipulation shall be subject to approval by the Board. Respondent understands and agrees that counsel for Complainant and the staff of the Board may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this

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paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

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

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

ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 21726, issued to Respondent Glenn Clarence Kissinger, M.D., is surrendered and accepted by the Board.

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 Board.

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. 800-2017-038841 shall be deemed to be true, correct and 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. 800-2017-038841 shall

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be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 10-27-20

Glenn Clarence Kissinger

GLENN CLARENCE KISSINGER, M.D.
Respondent

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

DATED: 10-28-20

Benjamin Fonto

Attorney for Respondent

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: 10-28-20

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
STEVEN D. MUNI
Supervising Deputy Attorney General

JOHN S. GATSCHET
Deputy Attorney General
Attorneys for Complainant

Exhibit A

Accusation No. 800-2017-038841

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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 Against: **Glenn Clarence Kissinger, M.D.** 383 Thorpe Circle Thousand Oaks, CA 91360 Physician's and Surgeon's Certificate No. A 21726, Respondent.	Case No. 800-2017-038841 **A C C U S A T I O N**

PARTIES

1. William Prasifka ("Complainant") brings this Accusation solely in his official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs ("Board").

2. On or about July 27, 1965, the Medical Board issued Physician's and Surgeon's Certificate Number A 21726 to Glenn Clarence Kissinger, M.D. ("Respondent"). That certificate was in full force and effect at all times relevant to the charges brought herein and will expire on February 28, 2022, unless renewed. Respondent's certificate is in retired status and he currently is not permitted to practice medicine.

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 ("Code") unless otherwise indicated.

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

5. 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:
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> ...
>
> (b) Gross negligence.
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> ...

FACTUAL ALLEGATIONS

On or about April 23, 1992, Respondent signed a Medi-Cal Certification as a Clinic Provider at the Dinuba Medical Clinic. The Respondent listed himself as the Medical Director of the Dinuba Medical Clinic. Respondent continuing working at Dinuba Medical Clinic as the Medical Director through 2017. Between 2013 and 2017, Dinuba Medical Clinic employed an unlicensed individual who performed Trigger Point Injections, a pain management procedure that involves the injection of anesthetics into a patient's neck and back area, on patients, which is considered a medical procedure under Bus. & Prof. § 2052, while under the supervision of the Respondent.

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CAUSE FOR DISCIPLINE

(Gross Negligence)

6. Respondent's license is subject to disciplinary action under section 2234, subdivision (b) of the Code in that he committed gross negligence. The circumstances are as follows:

7. Between 2013 and 2017, Respondent committed gross negligence by supervising an unlicensed individual who provided medical services to patients.

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 21726, issued to Glenn Clarence Kissinger, M.D.;

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

3. Ordering Glenn Clarence Kissinger, 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: OCT 29 2020

WILLIAM PRASIFKA
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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