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

In the Matter of the Accusation Against: Michael Ira Keller, M.D. Physician's and Surgeon's Certificate No. G 28715 Respondent.	Case No. 800-2017-039034

DECISION

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

DEC 10 2020.

IT IS SO ORDERED DEC 03 2020.

MEDICAL BOARD OF CALIFORNIA

William Prasifka
Executive Director

XAVIER BECERRA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
CHRISTINE A. RHEE
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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: **MICHAEL IRA KELLER, M.D.** **3633 Camino del Rio S., Ste. 300** **San Diego, CA 92108** **Physician's and Surgeon's Certificate No. G28715,** Respondent.	Case No. 800-2017-039034 OAH No. 2020050007 **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. William Prasifka[1] (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 Christine A. Rhee, Deputy Attorney General.

[1] Accusation No. 800-2017-039034 named Christine J. Lally, Interim Executive Director of the Medical Board of California, as the Complainant. William Prasifka became the Executive Director of the Board on June 15, 2020.

2. Michael Ira Keller, M.D. (Respondent) is represented in this proceeding by attorney Rodney L. Donohoo, Esq., whose address is: 9255 Towne Center Dr., Suite 500, San Diego, CA 92121.

3. On or about January 6, 1975, the Board issued Physician's and Surgeon's Certificate No. G28715 to Michael Ira Keller, M.D. (Respondent). Physician's and Surgeon's Certificate No. G28715 was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2017-039034 and will expire on October 31, 2021, unless renewed.

4. On or about March 24, 2020, in a Decision and Order in Case No. 800-2017-039034, Respondent's Physician's and Surgeon's Certificate was restricted, in that Respondent was prohibited from treating any patient within the meaning of Business and Professions Code section 2051 and prohibited from prescribing, furnishing, administering, or dispensing any dangerous drugs as defined by Business and Professions Code section 4022.

JURISDICTION

5. Accusation No. 800-2017-039034 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on March 16, 2020. Respondent timely filed his Notice of Defense contesting the Accusation. A true and correct copy of Accusation No. 800-2017-039034 is attached as Exhibit A and is incorporated by reference herein.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2017-039034. 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

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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.

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

CULPABILITY

9. Respondent admits to the truth of the first cause for discipline in Accusation No. 800-2017-039034.

10. Respondent does not contest that, at an administrative hearing, Complainant could establish a prima facie case with respect to the second cause for discipline in Accusation No. 800-2017-039034.

11. Respondent agrees that if he files a petition for reinstatement or re-licensure, or an accusation and/or petition to revoke probation is filed against him before the Medical Board of California, all of the charges and allegations contained in Accusation No. 800-2017-039034 shall be deemed true, correct, and fully admitted by Respondent for purposes of any such hearing or any other licensing proceeding involving Respondent in the State of California.

12. 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.

CONTINGENCY

13. Pursuant to Business and Professions Code section 2224, subdivision (b), the Executive Director of the Board has been delegated the authority to adopt or reject a stipulation for surrender of a Physician's and Surgeon's Certificate.

14. 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 by the Executive Director on behalf of the Board. 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 his 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 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.

15. The Executive Director shall have a reasonable period of time in which to consider and act on this stipulation after receiving it. By signing this stipulation, Respondent fully understands and agrees that he may not withdraw his agreement or seek to rescind this stipulation prior to the time the Executive Director considers and acts upon it.

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.

18. 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:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G28715, issued to Respondent Michael Ira Keller, M.D., is surrendered and accepted by the Board.

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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. 800-2017-039034 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. 800-2017-039034 shall 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 Disciplinary Order and have fully discussed it with my attorney Rodney L. Donohoo, Esq. 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 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 9/21/2020

Michael Ira Keller M.D.

MICHAEL IRA KELLER, M.D.
Respondent

I have read and fully discussed with Respondent Michael Ira Keller, 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: 9/21/20

RODNEY L. DONOHOO, 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: _____

Respectfully submitted,

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

CHRISTINE A. RHEE
Deputy Attorney General
Attorneys for Complainant

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I have read and fully discussed with Respondent Michael Ira Keller, 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: _____

RODNEY L. DONOHOO, 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: September 21, 2020

Respectfully submitted,

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

CHRISTINE A. RHEE
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2017-039034

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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: **MICHAEL IRA KELLER, M.D.** **3633 Camino Del Rio S., Ste. 300** **San Diego, CA 92108** **Physician's and Surgeon's Certificate No. G28715,** Respondent.	Case No. 800-2017-039034 **A C C U S A T I O N**

PARTIES

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

2. On or about January 6, 1975, the Medical Board issued Physician's and Surgeon's Certificate Number G28715 to Michael Ira Keller, M.D. (Respondent). Physician's and Surgeon's Certificate No. G28715 was in full force and effect at all times relevant to the charges brought herein and will expire on October 31, 2021, unless renewed.

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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 states, in pertinent part:

> (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.
> ...

5. Section 820 of the Code states:

> Whenever it appears that any person holding a license, certificate or permit under this division or under any initiative act referred to in this division may be unable to practice his or her profession safely because the licentiate's ability to practice is impaired due to mental illness, or physical illness affecting competency, the licensing agency may order the licentiate to be examined by one or more physicians and surgeons or psychologists designated by the agency. The report of the examiners shall be made available to the licentiate and may be received as direct evidence in proceedings conducted pursuant to Section 822.

6. Section 821 of the Code provides that the licentiate's failure to comply with an order issued under section 820 shall constitute grounds for the suspension or revocation of the licentiate's certificate of license.

7. 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.

8. 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:

...

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

...

9. Section 2239 of the Code states:

(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.

(b) A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this section. The Division of Medical Quality may order discipline of the licensee in accordance with Section 2227 or the Division of Licensing may order the denial of the license when the time for appeal has elapsed or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such person to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, complaint, information, or indictment.

FIRST CAUSE FOR DISCIPLINE

(Failure to Comply with a Board Order Issued Pursuant to Business and Professions Code Section 820)

10. Respondent has subjected his Physician's and Surgeon's Certificate No. G28715 to disciplinary action under sections 2227 and 821 of the Code, in that he failed to comply with a Board order issued pursuant to Business and Professions Code section 820, as more particularly alleged hereinafter:

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11. On or about December 1, 2017, the Board received an anonymous online complaint, alleging that Respondent seemed demented, forgetful, and unable to focus. The complaint also alleged that Respondent's assistants did most of his job.

12. On or about April 19, 2018, Board investigators went to Respondent's office, SD Arthritis Medical Clinic, and spoke to Respondent and his office manager.

13. Board Investigator A.M. (Investigator A.M.) told Respondent that the Board had some concerns that Respondent may be suffering from dementia and/or had other issues that may be affecting his ability to practice. Respondent said that he was fine. When asked whether he was slowing down, Respondent replied he was slowing down as much as any 72-year old would. When asked what procedures Respondent did in the office, Respondent told the investigators that he did joint injections, trigger points and blocks. He said he no longer did epidurals and referred patients to pain specialists.

14. Respondent told Investigator A.M. that he had surgery on his neck five years prior for spinal stenosis, and that he felt the effects of the surgery but was fine. Respondent said he did not take pain medication anymore. When asked to clarify, Respondent said that he took one or two oxycodone[1] per month. Respondent told Investigator A.M. that W.W., M.D., did his spinal surgery. Investigator A.M. observed that Respondent was very slow and deliberate with his answers, and paused before answering.

15. On or about April 23, 2018, Investigator A.M. reviewed a certified CURES[2] patient profile for Respondent. Respondent's CURES patient profile showed that W.W., M.D., had been prescribing Respondent controlled substances from on or about November 7, 2015 through on or about March 20, 2018. From on or about June 27, 2016 through on or about March 20, 2018, Respondent was filling prescriptions written by W.W., M.D., for 120 oxycodone tablets, on average, every 30 to 60 days. The CURES patient profile report also indicated that Respondent

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[1] Oxycodone is an opiate and a Schedule II controlled substance pursuant to Health and Safety Code section 11055, subdivision (b).

[2] The Controlled Substance Utilization Review and Evaluation System (CURES) is a database of Schedule II, III, and IV controlled substance prescriptions dispensed in California serving the public health, regulatory oversight agencies, and law enforcement.

had self-prescribed hydrocodone[3] bitartrate-acetaminophen on or about June 7, 2016, and phentermine[4] on or about February 21, 2017.

16. On or about April 23, 2018, Investigator A.M. spoke to Pharmacist S.P., who worked at El Centro Pharmacy. Respondent filled the phentermine and hydrocodone prescriptions, referenced in paragraph 14, above, at El Centro Pharmacy. Pharmacist S.P. told her that Respondent picked up medications prescribed to himself.

17. Pharmacist S.P. told Investigator A.M. that Respondent tried to self-prescribe clonazepam[5] on or about March 20, 2017. Pharmacist S.P. refused to fill that prescription, and asked Respondent to have his doctor call it in for him. Respondent asked Pharmacist S.P. to call W.W., M.D., to obtain authorization for the prescription. Pharmacist S.P. called W.W., M.D., who denied Respondent's request for clonazepam. Pharmacist S.P. verified that Respondent self-prescribed phentermine on or about February 21, 2017, but told Investigator A.M. that the hydrocodone prescription from June 7, 2016 was entered incorrectly, and was not self-prescribed.

18. On or about May 2, 2018, Investigator A.M. contacted Pharmacist L.T., who works at Costco Pharmacy in El Centro. Pharmacist L.T. told her that within the last two months, Respondent had come into her pharmacy with a prescription for Klonopin, the brand name for clonazepam, written for Respondent by his practice partner. The prescription was for 90 tablets of 1 mg Klonopin, to be taken three times a day. Respondent told Pharmacist L.T. that he was taking Klonopin for sleep. Pharmacist L.T. tried to call Respondent's practice partner to speak to him about this prescription, but was not able to get into contact with him. Pharmacist L.T. ultimately did not fill the prescription and told Respondent to bring it back with the correct dosing. Respondent never returned to Costco Pharmacy with a corrected prescription.

19. On or about July 10, 2018, the Medical Board issued an Order Compelling Mental and Physical Examinations with Biological Fluid Testing.

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[3] Hydrocodone is an opioid and a Schedule II controlled substance pursuant to Health and Safety Code section 11055, subdivision (b).

[4] Phentermine is a stimulant and a Schedule IV controlled substance pursuant to Health and Safety Code section 11057, subdivision (f).

[5] Clonazepam, brand name Klonopin, is a benzodiazepine and a Schedule IV controlled substance pursuant to Health and Safety Code section 11057, subdivision (d).

20. On or about July 27, 2018, the Medical Board's Order Compelling Mental and Physical Examinations with Biological Fluid Testing was extended for five (5) days.

21. On or about August 8, 2018, Respondent submitted to a physical examination with L.R., M.D., Board-certified internist.

22. On or about August 10, 2018, Respondent submitted to a mental examination with S.R., M.D. (Dr. R.), a Board-certified psychiatrist. During the examination, Respondent denied ever prescribing controlled substances to himself.

23. Following the examination, Dr. R. wrote reports summarizing his conclusions. Dr. R. determined that Respondent has an unspecified neurocognitive disorder that affected his ability to practice safely. Dr. R. recommended that Respondent undergo a detailed neuropsychological evaluation with psychometric testing.

24. On or about February 5, 2019, the Medical Board issued an Order compelling Respondent to submit to a neuropsychiatric examination within 30 days. On or about the same day, the Medical Board served a copy of the Order on Respondent by certified mail. The Order was sent to Respondent's address of record with the Medical Board. A letter accompanying the Order informed Respondent that he should contact Investigator A.M. or her office to set up the neuropsychological evaluation.

25. Between February 5, 2019 and March 6, 2019, Respondent failed to contact Investigator A.M. or her office to set up the neuropsychiatric appointment.

26. On or about March 11, 2019, Investigator A.M. e-mailed Respondent's counsel about the February 5, 2019 Order, and asked whether Respondent was willing to submit to the evaluation. On or about March 13, 2019, Respondent's counsel replied to her e-mail and stated that he would talk to his client about the evaluation.

27. On or about March 21, 2019 and April 2, 2019, Investigator A.M. e-mailed Respondent's counsel to see whether Respondent would submit to the neuropsychiatric examination. He did not respond to her e-mails.

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28. On or about April 22, 2019, Investigator A.M. sent Respondent's counsel another e-mail with two dates and times in which Respondent could submit to a neuropsychiatric evaluation. He never responded to her e-mail.

29. On or about May 1, 2019, Investigator A.M. sent a letter to Respondent and his attorney informing them that an appointment had been scheduled with a neuropsychologist for Respondent's Board-ordered evaluation. She sent the letter by first class and certified mail to Respondent, and certified mail to his attorney. The appointment was scheduled for June 21, 2019, at 8:00 a.m., and listed where the evaluation was to take place.

30. On or about May 3, 2019, Board investigators attempted to serve Respondent with the letter dated May 1, 2019, at his office in San Diego. The investigators were not allowed to see Respondent, and his assistant, B.A. told them that Respondent's attorney told her to refuse to accept this letter. On or about the same day, Investigator A.M. called Respondent's counsel and left him a message about this matter. He did not return her call.

31. On or about May 6, 2019, Investigator A.M. received a return receipt confirming delivery of the May 1, 2019 letter sent to Respondent.

32. On or about June 21, 2019, the Board's neuropsychologist informed Investigator A.M. that Respondent did not show up for his appointment.

33. On or about July 25, 2019, the Medical Board issued another Order Compelling Neuropsychiatric Examination. It stated that Respondent must submit to a neuropsychiatric evaluation within 30 days of personal service of the Order.

34. On or about August 5, 2019, Investigator A.M. went to Respondent's office and address of record to serve him with the Order dated July 25, 2019. She observed patients in the waiting room. Investigator A.M. informed the employee at the front desk that she needed to deliver a letter to Respondent, and the employee told her that she would have to come back to talk to Respondent's assistant, B.A., who was not there. Investigator A.M. explained to the employee that she only needed to give Respondent a letter. The employee told her to wait in the waiting area while he went back towards Respondent's office. After approximately 30 minutes, the investigators heard employees at the reception desk tell patients that Respondent had to leave

suddenly and that his appointments were being rescheduled. Investigator A.M. asked the front desk assistant, N.J., whether she would deliver the letter to Respondent. N.J. said she would, and Investigator A.M. gave her a copy of the Order dated July 25, 2019, and a letter that explained that an appointment for a neuropsychiatric evaluation had been scheduled for August 30, 2019, at 9:00 a.m.

35. On or about August 5, 2019, Investigator A.M. went to Respondent's counsel's office and hand-delivered a copy of the July 25, 2019 Order and letter with the details of Respondent's scheduled neuropsychiatric appointment.

36. On or about August 28, 2019, Investigator A.M. received an e-mail from Respondent's counsel. He notified her that she had only delivered the first page of the Order dated July 25, 2019, to him and Respondent's office.

37. On or about August 30, 2019, Investigator A.M. tried to deliver a copy of the Order dated July 25, 2019, to Respondent at his office. She was told that Respondent was on vacation until September 9, 2019.

38. On or about September 9, 2019, Investigator A.M. personally served Respondent with a copy of the July 25, 2019 Order.

39. On or about September 26, 2019, Investigator A.M. received an e-mail from Respondent's counsel which stated that Respondent would not attend the Board-ordered neuropsychiatric evaluation.

40. To date, Respondent has not submitted to a neuropsychiatric examination, as ordered by the Board.

SECOND CAUSE FOR DISCIPLINE
(Self Prescribing Controlled Substances or Dangerous Drugs)

41. Respondent has further subjected his Physician's and Surgeon's Certificate No. G28715 to disciplinary action under sections 2227 and 2239 of the Code, in that Respondent self-prescribed controlled substances or dangerous drugs, as more particularly alleged in paragraphs 11 through 40, above, which are hereby incorporated by reference and re-alleged as if fully set forth herein.

THIRD CAUSE FOR DISCIPLINE
(Commission of an Act of Dishonesty)

42. Respondent has further subjected his Physician's and Surgeon's Certificate No. G28715 to disciplinary action under sections 2227 and 2234, subdivision (e), in that Respondent committed an act of dishonesty, as more particularly alleged in paragraphs 11 through 40, above, which are hereby incorporated by reference and re-alleged 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. G28715, issued to Respondent Michael Ira Keller, M.D.;

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

3. Ordering Respondent Michael Ira Keller, 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 16 2020

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