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

In the Matter of the Accusation Against: Ronald Selwyn Grusd, M.D. Physician's and Surgeon's Certificate No. A 32707 Respondent.	Case No. 800-2015-018141

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 March 1, 2021.

IT IS SO ORDERED February 22, 2021.

MEDICAL BOARD OF CALIFORNIA

William Prasifka
Executive Director

XAVIER BECERRA
Attorney General of California
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Supervising Deputy Attorney General
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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: **RONALD SELWYN GRUSD, M.D.** **FCI Lompoc** **Federal Correctional Institution** **Register Number 69802-112** **3600 Guard Road** **Lompoc, CA 93436-2705** **Physician's and Surgeon's Certificate** **No. A 32707** Respondent.	Case No. 800-2015-018141 **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 is the Executive Director of the Medical Board of California (Board). Former Executive Director Kimberly Kirchmeyer brought this action solely in her then official capacity as Executive Director of the Board.[1] William Prasifka is represented in this matter by Xavier Becerra, Attorney General of the State of California, by Jason J. Ahn, Deputy

[1] Kimberly Kirchmeyer became Director of the California Department of Consumer Affairs effective October 28, 2019.

Attorney General.

2. Ronald Selwyn Grusd, M.D. (Respondent) is representing himself in this proceeding and has chosen not to exercise his right to be represented by counsel.

3. On or about November 16, 1987, the Board issued Physician's and Surgeon's Certificate No. A 32707 to Respondent. The Physician's and Surgeon's Certificate expired on May 31, 2018, and has been automatically suspended on June 18, 2018, pursuant to Business and Professions Code section 2236.1.

JURISDICTION

4. On December 10, 2018, Accusation No. 800-2015-018141 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 December 10, 2018. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 800-2015-018141 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and fully understands the charges and allegations in Accusation No. 800-2015-018141. Respondent also has carefully read, and fully understands the effects of this Stipulated Surrender of License and Disciplinary 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 be represented by counsel, at his own expense; 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.

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CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in paragraphs 1 through 18 of the Accusation No. 800-2015-018141, fully agrees that cause exists for discipline, and hereby surrenders his Physician's and Surgeon's Certificate No. A 32707 for the Board's formal acceptance.

9. As to paragraphs 19 through 20 of the Accusation No. 800-2015-018141, Respondent does not contest that, at an administrative hearing, Complainant could establish a *prima facie* case, and that he has thereby subjected his Physician's and Surgeon's Certificate No. A 32707 to disciplinary action.

10. Respondent agrees that if he ever petitions for reinstatement of his Physician's and Surgeon's Certificate No. A 32707, all of the charges and allegations contained in Accusation No. 800-2015-018141 shall be deemed true, correct, and fully admitted by Respondent for purposes of that proceeding or any other licensing proceeding involving Respondent in the State of California.

11. 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

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. This Stipulated Surrender of License and Disciplinary Order shall be subject to approval of the Executive Director on behalf of the Medical 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 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 Medical Board, considers and acts upon it.

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 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

15. 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.

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

ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 32707, issued to Respondent Ronald Selwyn Grusd, 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. 800-2015-018141 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. 800-2015-018141 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.

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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Disciplinary Order. I fully 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 fully agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 2-16-21

RONALD SELWYN GRUSD, M.D.
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: February 22, 2021

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
MATTHEW M. DAVIS
Supervising Deputy Attorney General

Jason Ahn

JASON J. AHN
Deputy Attorney General
Attorneys for Complainant

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Exhibit A
Accusation No. 800-2015-018141

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Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO DEC. 10 2018
BY [illegible] ANALYST

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

In the Matter of the Accusation Against: **Ronald Selwyn Grusd, M.D.** **6310 San Vicente Blvd., Ste. 101** **Los Angeles, CA 90048-5498** **Physician's and Surgeon's Certificate No. A 32707,** Respondent.	Case No. 800-2015-018141 **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 November 16, 1987, the Medical Board issued Physician's and Surgeon's Certificate Number A 32707 to Ronald Selwyn Grusd, M.D. (Respondent). The Physician's and Surgeon's Certificate expired on May 31, 2018, and has not been renewed.

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 unless otherwise indicated.

4. 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."

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5. Section 2234 of the Code, states:

"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.

"..."

6. Section 2236 of the Code states:

"(a) The conviction of any offense substantially related to the qualifications, functions, or duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this chapter [Chapter 5, the Medical Practice Act]. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred.

"...

"(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to be a conviction within the meaning of this section and Section 2236.1. The record of conviction shall be conclusive evidence of the fact that the conviction occurred."

7. California Code of Regulations, title 16, section 1360, states:

"For the purposes of denial, suspension or revocation of a license, certificate or permit pursuant to Division 1.5 (commencing with Section 475) of the code, a crime or act shall be considered to be substantially related to the qualifications, functions or duties of a person holding a license, certificate or permit under the Medical Practice Act if to a substantial degree it evidences present or potential unfitness of a person holding a license, certificate or permit to perform the functions authorized by the license, certificate or permit in a manner consistent with the public health, safety or welfare. Such crimes or acts shall include but not be limited to the following: Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate any provision of the Medical Practice Act."

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8. Unprofessional conduct under Business and Professions Code section 2234 is conduct which breaches the rules or ethical code of the medical profession, or conduct which is unbecoming a member in good standing of the medical profession, and which demonstrates an unfitness to practice medicine. (*Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564, 575.)

FIRST CAUSE FOR DISCIPLINE

(Conviction of a Crime Substantially Related to the Qualifications, Functions, or Duties of a Physician and Surgeon)

9. Respondent has subjected his Physician's and Surgeon's Certificate No. A 32707 to disciplinary action under sections 2227 and 2234, as defined by section 2236, subdivision (a), of the Code, in that he has been convicted of a crime substantially related to the qualifications, functions, or duties of a physician and surgeon, as more particularly alleged hereinafter:

10. On or about July 11, 2017, in a Superseding Indictment, Respondent was federally indicted in the case entitled, "*United States of America v. Ronald Grusd, Gonzalo Paredes, Alexander Martinez, Ruben Martinez, California Imaging Network Medical Group, Willows Consulting Company, Line of Sight, Inc., and Desert Blue Moon, Defendants*, Case No. 15 CR2821BAS. Respondent was charged with the following: one count of a violation of 18 U.S.C. § 1349 [conspiracy to commit honest services mail fraud, mail fraud, honest services wire fraud, wire fraud, and health care fraud]; 15 counts of violations of 18 U.S.C. §§ 1341, 1346 and 2 [honest services mail fraud]; five counts of violations of 18 U.S.C. §§ 1341, 1346 and 2 [honest services wire fraud]; fourteen counts of violations 18 U.S.C. §§ 1347 and 2 [healthcare fraud]; six counts of violations of 18 U.S.C. §§ 1952(a)(1), (a)(2) and 2 [travel act]; and four counts of violations of 18 U.S.C. §§ 1956 (a)(1) and 2 [money laundering].

11. Counts 2-16, Honest Services Mail Fraud, is defined as "knowingly and with the intent to defraud, devise and participate in a material scheme to defraud and deprive patients of the intangible right to their physician's honest services, and for the purpose of executing such scheme, mail and cause to be mailed via the U.S. Postal service any matter and thing, in violation of Title 18, United States Code, Sections 1341 and 1346."

12. "Mail Fraud" is defined as "knowingly and with the intent to defraud, devise and participate in a material scheme to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, promises, and omissions and concealment of material facts, and for the purpose of executing such scheme, mail and cause to be mailed via the U.S. Postal Service any matter and thing, in violation of Title 18, United States Code, Section 1341."

13. Counts 17-22, Honest Services Wire Fraud, is defined as "knowingly and with the intent to defraud, devise and participate in a material scheme to defraud and deprive patients of the intangible right to Dr. Rigler's honest services, and for the purpose of executing such scheme, transmit and cause to be transmitted by interstate wire any writings, signs, signals, pictures, and sounds, in violation of Title 18, United States Code, Sections 1343 and 1346."

14. "Wire Fraud" is defined as "knowingly and with the intent to defraud, devise and participate in a material scheme to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, promises, and omissions and concealment of material facts, and for the purpose of executing such scheme, transmit and cause to be transmitted by interstate wire any writings, signs, signals, pictures, and sounds, in violation of Title 18, United States Code, Section 1343."

15. Counts 23-36, Health Care Fraud, is defined as "knowingly and with intent to defraud, devise and participate in a material scheme to defraud a health care benefit program, and to obtain money and property owned by, and under the custody and control of, a health-care benefit program, by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, section 1347."

16. Counts 37-42, Travel Act, is defined as "knowingly used and caused to be used facilities in interstate commerce with the intent to promote, manage, establish, carry on, distribute the proceeds of, and facilitate the promotion, management, establishment, carrying on, and distribution of the proceeds of an unlawful activity, that is, bribery in violation of California Penal Code Sections 139.3-32 and California Labor Code Section 3215, and thereafter, to promote and attempt to perform acts to promote, manage, establish, carry on, distribute the proceeds of, and

facilitate the promotion, management, establishment, carrying on, and distribution of the proceeds of such unlawful activity... [a]ll in violation of Title 18, United States Code, Sections 1952 (a)(1), (a)(2) and 2."

17. Counts 43-45, Money Laundering, is defined as "knowing that property involved in the designated financial transactions represented the proceeds of some form of unlawful activity, did conduct financial transactions, as set forth below, which in fact involved proceeds of specified unlawful activities, to wit, Conspiracy, Honest Services Mail Fraud, Mail Fraud, Honest Services Wire Fraud, Wire Fraud, and Health Care Fraud in violation of Title 18, United States Code, Sections 1341, 1346, 1347, and 1349, with the intent to promote the carrying on of the specified unlawful activities, knowing that the transactions were designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership and the control of the proceeds of the unlawful activities... [a]ll in violation of Title 18, United States Code, Sections 1956(a)(1) and 2."

18. On or about December 12, 2017, after a jury trial, Respondent was found guilty of the following counts in the Superseding Indictment: Count 1 [conspiracy to commit honest services mail fraud]; Counts 2-16 [honest services mail fraud and aiding and abetting]; Counts 18-20 [honest services wire fraud and aiding and abetting]; Counts 23-36 [health care fraud and aiding and abetting]; and Counts 37-42 [travel act and aiding and abetting]. Counts 17, 21, 22, and 43-45 were previously dismissed on the motion of the United States. Respondent was committed to the custody of the United States Bureau of Prison for a term of nine (9) years and three hundred and sixty-four (364) days. In addition, Respondent was ordered to pay a fine of $250,000.00 to the United States of America.

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SECOND CAUSE FOR DISCIPLINE

(Dishonesty or Corruption)

19. Respondent has further subjected his Physician's and Surgeon's Certificate No. A 32707 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 9 through 18, above, which are hereby incorporated by reference and realleged as if fully set forth herein.

THIRD CAUSE FOR DISCIPLINE

(General Unprofessional Conduct)

20. Respondent has further subjected his Physician's and Surgeon's Certificate No. A 32707 to disciplinary action under sections 2227 and 2234, as defined by section 2234, of the Code, in that he has engaged in conduct which breaches the rules or ethical code of the medical profession, or conduct which is unbecoming a member in good standing of the medical profession, and which demonstrates an unfitness to practice medicine, as more particularly alleged in paragraphs 9 through 19, 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 Number A 32707, issued to Ronald Selwyn Grusd, M.D.;

2. Revoking, suspending or denying approval of Ronald Selwyn Grusd, M.D.'s authority to supervise physician assistants and advanced practice nurses;

3. Ordering Ronald Selwyn Grusd, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and

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DATED:
December 10, 2018

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