

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

In the Matter of the Accusation  
Against:

Karen N. Carothers, M.D.

Physician's & Surgeon's  
Certificate No G71913

Respondent

Case No. 800-2017-030495

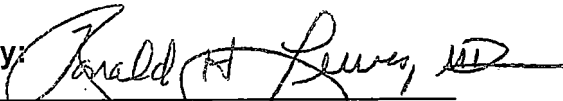
DECISION

The attached Stipulated Settlement 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 31, 2021.

IT IS SO ORDERED March 1, 2021.

MEDICAL BOARD OF CALIFORNIA

By: 

Ronald H. Lewis, M.D., Chair  
Panel A

1 XAVIER BECERRA  
Attorney General of California  
2 MARY CAIN-SIMON  
Supervising Deputy Attorney General  
3 REBECCA D. WAGNER  
Deputy Attorney General  
4 State Bar No. 165468  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
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E-mail: Rebecca.Wagner@doj.ca.gov  
7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 800-2017-030495

13 **KAREN N. CAROTHERS, M.D.**  
14 **26 Cedar Lane**  
15 **Orinda, CA 94563**

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

16 **Physician's and Surgeon's Certificate No.**  
17 **G 71913**

Respondent.

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

20 **PARTIES**

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

25 2. Respondent Karen N. Carothers, M.D. (Respondent) is represented in this proceeding  
26 by attorney Joseph R. Picchi whose address is: Galloway, Lucchese, Everson & Picchi,  
27 2300 Contra Costa Boulevard, Suite 350, Pleasant Hill, California 94523-2398.  
28

1 3. On or about July 17, 1991, the Board issued Physician's and Surgeon's Certificate No.  
2 G 71913 to Karen N. Carothers, M.D. (Respondent). The Physician's and Surgeon's Certificate  
3 was in full force and effect at all times relevant to the charges brought in Accusation No. 800-  
4 2017-030495, and will expire on December 31, 2022, unless renewed.

5 **JURISDICTION**

6 1. Accusation No. 800-2017-030495 was filed before the Board, and is currently  
7 pending against Respondent. The Accusation and all other statutorily required documents were  
8 properly served on Respondent on December 11, 2019. Respondent timely filed her Notice of  
9 Defense contesting the Accusation.

10 2. A copy of Accusation No. 800-2017-030495 is attached as exhibit A and incorporated  
11 herein by reference.

12 **ADVISEMENT AND WAIVERS**

13 3. Respondent has carefully read, fully discussed with counsel, and understands the  
14 charges and allegations in Accusation No. 800-2017-030495. Respondent has also carefully read,  
15 fully discussed with her counsel, and understands the effects of this Stipulated Settlement and  
16 Disciplinary Order.

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

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

25 **CULPABILITY**

26 6. Respondent understands and agrees that the charges and allegations in Accusation  
27 No. 800-2017-030495, if proven at a hearing, constitute cause for imposing discipline upon her  
28 Physician's and Surgeon's Certificate.



1 pursuant to Business and Professions Code section 2227. This public reprimand is issued as a  
2 result of the conduct by Respondent as set forth in Accusation No. 800-2017-030495.

3 **B. EDUCATION COURSE.** Within 60 calendar days of the effective date of this  
4 Decision, Respondent shall submit to the Board or its designee for its prior approval educational  
5 program(s) or course(s) which shall not be less than 40 hours. The educational program(s) or  
6 course(s) shall be aimed at correcting any areas of deficient practice or knowledge, with an  
7 emphasis on high-risk headache assessment, and shall be Category I certified. The educational  
8 program(s) or course(s) shall be at Respondent's expense and shall be in addition to the  
9 Continuing Medical Education (CME) requirements for renewal of licensure. Following the  
10 completion of each course, the Board or its designee may administer an examination to test  
11 Respondent's knowledge of the course. Respondent shall provide proof of attendance for 65  
12 hours of CME of which 40 hours were in satisfaction of this condition. Failure to enroll in,  
13 participate in, or successfully complete the education course within the designated time period  
14 shall constitute unprofessional conduct and grounds for further disciplinary action.

15 **C. MEDICAL RECORD KEEPING COURSE.** Within 60 calendar days of the  
16 effective date of this Decision, Respondent shall enroll in a course in medical record keeping  
17 approved in advance by the Board or its designee. Respondent shall provide the approved course  
18 provider with any information and documents that the approved course provider may deem  
19 pertinent. Respondent shall participate in and successfully complete the classroom component of  
20 the course not later than six (6) months after Respondent's initial enrollment. Respondent shall  
21 successfully complete any other component of the course within one (1) year of enrollment. The  
22 medical record keeping course shall be at Respondent's expense and shall be in addition to the  
23 Continuing Medical Education (CME) requirements for renewal of licensure.

24 A medical record keeping course taken after the acts that gave rise to the charges in the  
25 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board  
26 or its designee, be accepted towards the fulfillment of this condition if the course would have  
27 been approved by the Board or its designee had the course been taken after the effective date of  
28 this Decision.

1 Respondent shall submit a certification of successful completion to the Board or its  
2 designee not later than 15 calendar days after successfully completing the course, or not later than  
3 15 calendar days after the effective date of the Decision, whichever is later. Failure to enroll in,  
4 participate in , or successfully complete the medical records course within the designated time  
5 period shall constitute unprofessional conduct and grounds for further disciplinary action.

6 **D. FUTURE ADMISSIONS CLAUSE.** If Respondent should ever apply or reapply for  
7 a new license or certification, or petition for reinstatement of a license, by any other health care  
8 licensing action agency in the State of California, all of the charges and allegations contained in  
9 Accusation No. 800-2017-030495 shall be deemed to be true, correct, and admitted by  
10 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or  
11 restrict license.

12 **ACCEPTANCE**

13 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
14 discussed it with my attorney, Joseph R. Picchi. I understand the stipulation and the effect it will  
15 have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and  
16 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the  
17 Decision and Order of the Medical Board of California.

18  
19 DATED: 12/30/2020

20   
KAREN N. CAROTHERS, M.D.  
Respondent

21 I have read and fully discussed with Respondent Karen N. Carothers, M.D. the terms and  
22 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.  
23 I approve its form and content.

24  
25 DATED: December 30, 2020

26   
JOSEPH R. PICCHI  
Attorney for Respondent

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**ENDORSEMENT**

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California.

DATED: December 31, 2020

Respectfully submitted,

XAVIER BECERRA  
Attorney General of California  
MARY CAIN-SIMON  
Supervising Deputy Attorney General

*Rebecca D. Wagner*

REBECCA D. WAGNER  
Deputy Attorney General  
*Attorneys for Complainant*

SF2019202278  
Karen Carothers Stipulated Settlement and Disciplinary Order

**Exhibit A**

**Accusation No. 800-2017-030495**



1 XAVIER BECERRA  
Attorney General of California  
2 JANE ZACK SIMON  
Supervising Deputy Attorney General  
3 EMILY L. BRINKMAN  
Deputy Attorney General  
4 State Bar No. 219400  
455 Golden Gate Avenue, Suite 11000  
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7 *Attorneys for Complainant*

FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO December 11 2019  
BY Anna Hogan ANALYST

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

12 In the Matter of the Accusation Against:

Case No. 800-2017-030495

13 **Karen N. Carothers, M.D.**  
14 26 Cedar Lane  
Orinda, CA 94563

**ACCUSATION**

15 **Physician's and Surgeon's Certificate**  
16 **No. G 71913,**

17 Respondent.

18  
19 **PARTIES**

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

23 2. On or about July 17, 1991, the Medical Board issued Physician's and Surgeon's  
24 Certificate Number G 71913 to Karen N. Carothers, M.D. (Respondent). The Physician's and  
25 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought  
26 herein and will expire on December 31, 2020, unless renewed.

27 ≡

28 ≡

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, states, in relevant part:

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

12 " . . . . "

13 (b) Gross negligence.

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

18 (1) An initial negligent diagnosis followed by an act or omission medically  
19 appropriate for that negligent diagnosis of the patient shall constitute a single  
20 negligent act.

21 (2) When the standard of care requires a change in the diagnosis, act, or  
22 omission that constitutes the negligent act described in paragraph (1), including, but  
23 not limited to, a reevaluation of the diagnosis or a change in treatment, and the  
24 licensee's conduct departs from the applicable standard of care, each departure  
25 constitutes a separate and distinct breach of the standard of care.

26 (d) Incompetence.

27 " . . . . "

28 6. Section 2266 of the Code states: The failure of a physician and surgeon to maintain  
adequate and accurate records relating to the provision of services to their patients constitutes  
unprofessional conduct.

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1 CAUSES FOR DISCIPLINE

2 (Unprofessional Conduct: (Gross Negligence and/or Repeated Negligent Acts and/or  
3 Incompetence; Inadequate Medical Record Keeping)

4 7. Respondent Karen N. Carothers, M.D. is subject to disciplinary action under sections  
5 2234 [unprofessional conduct]; and/or 2234 (b) [gross negligence]; and/or 2234 (c) [repeated  
6 negligent acts]; and/or 2234 (d) [incompetence]; and/or 2266 [inadequate medical records] based  
7 on the care she provided to Patient A.<sup>1</sup> The circumstances are as follows:

8 8. On or about January 16, 2014 (Thursday) at approximately 12:15 a.m., Patient A  
9 arrived at the Emergency Department (ED) at Alta Bates Summit-Merritt Medical Center. Patient  
10 A was a 37-year old female who complained of a headache. She reported vomiting after having a  
11 few drinks on the previous Friday, then slept all day Sunday. On Monday, Patient A noticed that  
12 the vision in her right eye was blurry, but by Tuesday her vision was normal. Patient A did not  
13 report any dizziness to the triage nurse, but she was sensitive to light, and reported a history of  
14 migraine headaches and hypertension. The triage nurse documented Patient A's blood pressure  
15 as 161/106 and pain at a six out of ten.<sup>2</sup>

16 9. At approximately 3:00 a.m., a nurse took Patient A to an examination room. In the  
17 nursing Flowchart, she documented that Patient A has "disconjugate gaze<sup>3</sup> with right eye" along  
18 with double vision in her right eye.<sup>4</sup>

19 10. At approximately 3:10 a.m., Respondent first met Patient A in the ED. Respondent  
20 documented in the provider notes that Patient A had not taken any hypertension medications for  
21 the past six weeks. According to the physical examination, Respondent documented that Patient  
22 A was positive for hearing loss (without any further explanation), positive for light sensitivity and  
23

24 <sup>1</sup> In order to protect the patient's privacy, she will be referred to as Patient A. Respondent  
learned the name of the patient during the related Board investigation.

25 <sup>2</sup> A normal blood pressure has a systolic reading of less than 120 and diastolic less than  
80. Patient A's blood pressure was abnormal, in the hypertensive range.

26 <sup>3</sup> Disconjugate gaze means that the patient's eyes are not moving together. This is a  
possible sign in a person having a stroke, among other medical conditions.

27 <sup>4</sup> The nurse never told Respondent about the patient's disconjugate gaze and at the time,  
28 the ED was using a new version of the electronic medical record. Respondent claims that she was  
not aware of the nursing Flowchart sheets in the electronic medical record.

1 visual disturbance, but all other systems were negative or normal. Respondent also documented  
2 that the patient's pupils were equal, round, reactive to light and accommodation, and extraocular  
3 movements were intact. Respondent documented that Patient A was taking hydrochlorothiazide<sup>5</sup>  
4 and Sertraline<sup>6</sup>. Respondent ordered intravenous medications for pain and nausea. Respondent  
5 did not order any imaging or testing. She diagnosed Patient A with an acute migraine headache  
6 and hypertension.<sup>7</sup>

7 11. Patient A was accompanied by a friend who reported that the entire examination  
8 lasted less than five minutes and she advised Respondent that Patient A was having visual  
9 problems, specifically a "wandering eye," which was not common for Patient A's migraines. The  
10 friend also reported that the only time Respondent touched Patient A during the examination was  
11 when she looked at Patient A's eyes. It is not clear from the medical record whether Patient A  
12 and her friend used the term "migraine headache" or Respondent just assumed the headache was a  
13 migraine.

14 12. There is no documentation in the medical record that Respondent fully examined  
15 Patient A's headache or her history of headache. For example, was this headache similar to past  
16 headaches, how was it different, was this the worst headache of her life, when was she diagnosed  
17 with having migraine headaches, who diagnosed her, or if she had ever undergone any imaging  
18 for migraines? Respondent also did not document any inquiry into the location of the headache  
19 or the quality of the pain (dull, sharp, pounding, waxing, or waning).

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24 <sup>5</sup> Hydrochlorothiazide is a diuretic that helps to prevent the body from absorbing too much  
25 salt. It treats both fluid retention and high blood pressure (hypertension). It is a dangerous drug  
within the meaning of Business and Professions Code section 4022.

26 <sup>6</sup> Sertraline is the generic name for Zoloft. It is an anti-depressant used to treat  
depression, anxiety disorders, post-traumatic stress disorders, obsessive-compulsive disorder, and  
premenstrual dysphoric disorder.

27 <sup>7</sup> As part of the provider note, Respondent documented that she reviewed the nursing  
28 notes.

1           13. At approximately 3:45 a.m. a nurse administered 15 milligrams (mg) of Toradol,<sup>8</sup> one  
2 mg of Dilaudid,<sup>9</sup> and two mg of Zofran<sup>10</sup>.

3           14. At approximately 4:00 a.m., a nurse documented Patient A's blood pressure of  
4 140/107, which was still in the hypertensive range. According to the nursing notes, Patient A  
5 reported that her pain had improved after receiving pain medications. A nurse documented the  
6 patient's pain level at five.

7           15. At approximately 4:16 a.m., Respondent began discharge paperwork for Patient A  
8 and she was formally discharged from the ED at 4:39 a.m. A nurse documented Patient A's  
9 blood pressure at discharge as 166/94, and her pain level at four. Respondent provided written  
10 discharge instructions for arterial hypertension and migraine headache and advised her to follow  
11 up with her primary care provider. Respondent wrote prescriptions for hydrochlorothiazide (30  
12 pills), 5/325 mg Norco (20 pills),<sup>11</sup> and Compazine (12 pills)<sup>12</sup>.

13           16. On or about January 21, 2014, Patient A returned to the ED where she was diagnosed  
14 with a subarachnoid bleed,<sup>13</sup> cerebral aneurysm,<sup>14</sup> altered level of consciousness, hypertension,

15           <sup>8</sup> Toradol is the trade name for ketoralac tromethamine, a nonsteroidal anti-inflammatory  
16 drug (NSAID) indicated for the short-term management of moderately severe, acute pain, that  
17 requires analgesia at the opioid level. It is a dangerous drug within the meaning of Business and  
18 Professions Code section 4022.

19           <sup>9</sup> Dilaudid is the trade name for hydromorphone hydrochloride and is principally used for  
20 pain relief. It is a dangerous drug as defined in section 4022 and a schedule II controlled  
21 substance as defined by section 11055, subdivision (d) of the Health and Safety Code.

22           <sup>10</sup> Zofran is the trade name for ondansetron hydrochloride. It is an anti-emetic and is  
23 generally used to prevent nausea and vomiting associated with chemotherapy and/or radiotherapy  
24 and/or to prevent post-operative nausea and vomiting. It is a dangerous drug as defined by  
25 section 4022.

26           <sup>11</sup> Norco is the trade name for hydrocodone bitartrate with acetaminophen. Norco tablets  
27 contain 5 mg of hydrocodone bitartrate and 325 mg of acetaminophen. Acetaminophen is a non-  
28 opiate, non-salicylate analgesic and antipyretic. Hydrocodone bitartrate is semisynthetic narcotic  
analgesic and a dangerous drug as defined in section 4022. Norco is a Schedule III controlled  
substance and narcotic as defined by section 11056, subdivision (e) of the Health and Safety  
Code.

<sup>12</sup> Compazine is the trade name for prochlorperazine, an anti-anxiety agent. It is a  
dangerous drug within the meaning of Business and Professions Code section 4022.

<sup>13</sup> A subarachnoid bleed is bleeding into the subarachnoid space of the brain, which is  
between the brain and the membrane covering the brain. A sudden headache, nausea and  
vomiting, drowsiness, pain in the eyes, hypertension, photophobia (light sensitivity), cranial nerve  
deficits are some of the symptoms of a subarachnoid bleed.

<sup>14</sup> A cerebral aneurysm is a bulging, weakened area in the wall of an artery in the brain,  
which poses a risk of rupturing. People with hypertension are at higher risks of developing an  
aneurysm. Symptoms of an aneurysm are headaches, eye pain, vision problems, and eye  
movement problems.

1 and a fever. She was eventually transferred to another hospital for surgery and a higher level of  
2 care.

3 17. During a July 29, 2019, interview with Board investigators, Respondent stated that  
4 patients with hypertension often complain of headaches.

5 18. Respondent departed from the standard of care based on the following:

6 a) Failing to perform and document an adequate history and physical to  
7 differentiate between a benign medical condition or a potentially life-threatening  
8 condition;

9 b) Failing to perform an adequate physical examination due to Respondent's  
10 assumption that Patient A suffered only from a migraine;

11 19. Respondent showed a lack of knowledge regarding the relationship between  
12 hypertension and headaches, especially in a patient presenting with elevated blood pressure and  
13 another symptom, such as pain, and the effect that the symptom has on blood pressure.

14 **PRAYER**

15 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
16 and that following the hearing, the Medical Board of California issue a decision:

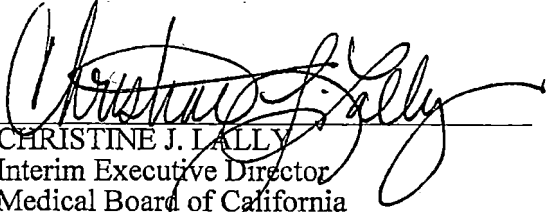
- 17 1. Revoking or suspending Physician's and Surgeon's Certificate Number G 71913,  
18 issued to Karen N. Carothers, M.D.;
- 19 2. Revoking, suspending or denying approval of Karen N. Carothers, M.D.'s authority to  
20 supervise physician assistants and advanced practice nurses;
- 21 3. Ordering Karen N. Carothers, M.D., if placed on probation, to pay the Board the costs  
22 of probation monitoring; and

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4. Taking such other and further action as deemed necessary and proper.

DATED: December 11, 2019

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

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