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

In the Matter of the Accusation Against:	
John Giles Prucha, M.D.	**Case No. 800-2021-074254**
Physician's and Surgeon's Certificate No. A 139437	
Respondent.	

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 February 4, 2022.

IT IS SO ORDERED January 6, 2022.

MEDICAL BOARD OF CALIFORNIA

Richard E. Thorp, M.D., Chair
Panel B

ROB BONTA
Attorney General of California
JANE ZACK SIMON
Supervising Deputy Attorney General
CAITLIN ROSS
Deputy Attorney General
State Bar No. 271651
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 510-3615
Facsimile: (415) 703-5480
E-mail: Caitlin.Ross@doj.ca.gov
Attorneys for Complainant

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

In the Matter of the Accusation Against: **JOHN GILES PRUCHA, M.D.** **16951 E. Quincy Ave.** **Aurora, CO 80015-1901** **Physician's and Surgeon's Certificate No. A139437** Respondent.	Case No. 800-2021-074254 **STIPULATED SETTLEMENT 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 (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 Rob Bonta, Attorney General of the State of California, by Caitlin Ross, Deputy Attorney General.

2. Respondent John Giles Prucha, M.D. (Respondent) is represented in this proceeding by attorney Robert Deering, of J Supple Law, A Professional Corporation, 990 Fifth Avenue, San Rafael, CA 94901.

3. On or about November 23, 2015, the Board issued Physician's and Surgeon's Certificate No. A139437 to John Giles Prucha, M.D. The Physician's and Surgeon's Certificate is renewed and current, with an expiration date of June 30, 2023.

JURISDICTION

4. Accusation No. 800-2021-074254 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 July 9, 2021. Respondent filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2021-074254 is attached as Exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2021-074254. Respondent has also carefully read, fully discussed with his counsel, and understands the effects of this Stipulated Settlement 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 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. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

9. Respondent admits the truth of each and every charge and allegation in Accusation No. 800-2021-074254.

10. Respondent agrees that his Physician's and Surgeon's Certificate is subject to discipline and he agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

11. This stipulation shall be subject to approval by the Medical Board of California. Respondent understands and agrees that counsel for Complainant and the staff of the Medical Board of California may communicate directly with the Board regarding this stipulation and settlement, 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 Settlement and Disciplinary Order shall be of no force or effect, except for this 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.

ADDITIONAL PROVISIONS

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

13. This Stipulated Settlement 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.

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

DISCIPLINARY ORDER

A. PUBLIC REPRIMAND

IT IS HEREBY ORDERED that Respondent, John Giles Prucha, M.D., Physician's and Surgeon's Certificate No. A 139437, shall be and hereby is publicly reprimanded pursuant to California Business and Professions Code, section 2227, subdivision (a)(4). This Public Reprimand, which is issued in connection with Respondent's conduct as set forth in Accusation No. 800-2021-074254, is as follows:

On December 3, 2020, the Colorado Medical Board issued a letter of admonition against Respondent's license for inadequate supervision of a medical assistant in the amount of injection dosage administered to a patient.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Robert Deering. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the

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Decision and Order of the Medical Board of California.

DATED: 12/1/2021

JOHN GILES PRUCHA, M.D.
Respondent

I have read and fully discussed with Respondent John Giles Prucha, M.D. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 12/2/2021

Robert Deering
Attorney for Respondent

ENDORSEMENT

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

DATED: 12-6-21

Respectfully submitted,

ROB BONTA
Attorney General of California
JANE ZACK SIMON
Supervising Deputy Attorney General

CAITLIN ROSS
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

ROB BONTA
Attorney General of California
JANE ZACK SIMON
Supervising Deputy Attorney General
CAITLIN ROSS
Deputy Attorney General
State Bar No. 271651
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 510-3615
Facsimile: (415) 703-5480
E-mail: Caitlin.Ross@doj.ca.gov
Attorneys for Complainant

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

In the Matter of the Accusation Against: **John Giles Prucha, M.D.** **499 H Street** **Chula Vista, CA 91910-4307** **Physician's and Surgeon's Certificate No. A139437,** Respondent.	Case No. 800-2021-074254 **ACCUSATION**

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 November 23, 2015, the Medical Board issued Physician's and Surgeon's Certificate Number A139437 to John Giles Prucha, M.D. (Respondent). The Physician's and Surgeon's Certificate expired on June 30, 2019, 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 (Code) unless otherwise indicated.

A. Section 2227 of the Code provides, in part, that the Board may revoke, suspend for a period not to exceed one year, or place on probation, the license of any licensee who has been found guilty under the Medical Practice Act, and may recover the costs of probation monitoring.

B. Section 2234 of the Code provides, in part, that the Board shall take action against any licensee who is charged with unprofessional conduct.

C. Section 2305 of the Code provides, in part, that the revocation, suspension, or other discipline, restriction or limitation imposed by another state upon a license to practice medicine issued by that state, or the revocation, suspension, or restriction of the authority to practice medicine by any agency of the federal government, that would have been grounds for discipline in California under the Medical Practice Act, constitutes grounds for discipline for unprofessional conduct against the licensee in California.

D. Section 141 of the Code provides:

"(a) For any licensee holding a license issued by a board under the jurisdiction of a department, a disciplinary action taken by another state, by any agency of the federal government, or by another country for any act substantially related to the practice regulated by the California license, may be a ground for disciplinary action by the respective state licensing board. A certified copy of the record of the disciplinary action taken against the licensee by another state, an agency of the federal government, or another country shall be conclusive evidence of the events related therein.

(b) Nothing in this section shall preclude a board from applying a specific statutory provision in the licensing act administered by the board that provides for discipline based upon a disciplinary action taken against the licensee by another state, an agency of the federal government, or another country."

CAUSE FOR DISCIPLINE

(Discipline, Restriction, or Limitation Imposed by Another State)

4. Respondent John Giles Prucha, M.D. is subject to disciplinary action under sections 2305 and/or 141 of the Code in that on December 3, 2020, the Colorado Medical Board (the Colorado Board) issued a Letter of Admonishment (the Colorado Letter) involving Respondent. Respondent's Colorado license was accordingly disciplined, restricted, and limited. The Colorado Letter is attached to this Accusation as Exhibit A. The circumstances are set forth in the attached Colorado Letter and summarized here as follows:

5. On July 15, 2020, Patient 1[1] presented to Respondent's medical facility to receive maintenance allergy desensitization shots. Respondent directed his medical assistant to prepare the injection by drawing the serum for the shot. Respondent did not verify whether there were instructions provided with the serum. Nor did Respondent provide the medical assistant with specific instructions for the dosage for the shot. Accordingly, rather than drawing only a portion of the vial, the medical assistant drew the entire vial. During the injection, Patient 1 expressed concern about the volume of the serum, at which point Respondent stopped the injection. A subsequent conversation with Patient 1 confirmed that the volume of serum was greater than what he normally received. Upon learning this, Respondent gave Patient 1 epinephrine and arranged for the patient to go to the Emergency Department for observation.

6. The Colorado Board found that Respondent committed unprofessional conduct when he:

- did not confirm the correct dosage for the injection;
- provided inadequate supervision and direction to the medical assistant for the specific dosing for the drug; and
- did not verify that the dosage was adequate when he administered the injection to Patient 1.

[1] The name Patient 1 is used to protect the patient's privacy. Respondent is aware of the identity of Patient 1.

These errors resulted in the need for additional medical treatment for Patient 1 and the use of emergency services. Accordingly, the Colorado Board formally disciplined and admonished Respondent via the December 3, 2020 Colorado Letter, warning Respondent that repetition of such practice could lead to imposition of more severe disciplinary action.

7. The actions of the Colorado Board and the Colorado Letter, as set forth above and in the attached Colorado Letter, constitute cause for discipline pursuant to sections 2305 and/or 141 of the Code.

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 A139437, issued to John Giles Prucha, M.D.;

2. Revoking, suspending or denying approval of John Giles Prucha, M.D.'s authority to supervise physician assistants and advanced practice nurses;

3. Ordering John Giles Prucha, 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: JUL 09 2021

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

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COLORADO
Department of
Regulatory Agencies
Division of Professions and Occupations

December 3, 2020

John Prucha, M.D.

Re: License Number: DR #60959
Case Number: 2020-5629-B

Dear Prucha,

The Colorado Medical Board has concluded its inquiry into the aforementioned matter. It was the Panel's decision not to commence with formal proceedings against your professional license. However, the Panel did determine disciplinary action in the form of this letter of admonition is warranted.

As you recall, on July 15, 2020, Patient 1 presented to your medical facility to receive maintenance allergy desensitization shots. You directed your medical assistant to prepare the injection by drawing the serum for the shot. You did not verify whether there were instructions provided with the serum, nor did you provide the medical assistant with specific instructions for the dosage for the shot. As such, rather than drawing only a portion of the vial, the medical assistant drew the entire vial. During the injection, Patient 1 expressed concern about the volume of the serum, at which point you stopped the injection. A subsequent conversation with Patient 1 confirmed that the volume of serum was greater than what he normally received. Upon learning this, you gave Patient 1 epinephrine and arranged for him to go to the emergency department for observation.

After reviewing the information in this matter, the Panel concluded that you committed unprofessional conduct, in violation of section 12-240-121(1)(j) of the Colorado Revised Statutes. Specifically, you did not confirm the correct dosage for the injection, you provided inadequate supervision and direction to the medical assistant for the specific dosing for the drug, and you did not verify that the dosage was adequate when you administered the injection to Patient 1. These errors resulted in the need for additional medical treatment for Patient 1 and the use of emergency services.

By this letter, the Board takes the formal disciplinary action of admonishing you for the conduct specified above, and warns you that repetition of such practice may lead to imposition of more severe disciplinary action. This letter is an open public record and a reportable action to individuals or entities requesting disciplinary information. The Board strongly encourages you to review and understand the Medical Practice Act requirements and obligations for the practice of medicine in Colorado.

In accordance with 12-20-404(4)(b), the Board advises you that you have the right to make a written request that the Board initiate formal disciplinary proceedings in order to adjudicate the conduct or acts upon which this letter is based. You must make your written request within twenty (20) days after receipt of this letter and address your request to Paula E. Martinez, Program Director, at the email address listed below. If you make a timely request, the Board will deem this letter of admonition vacated and may proceed with disciplinary and/or injunctive proceedings in accordance with 12-20-404(4)(b)(II), C.R.S., and applicable rules.

COLORADO
Department of
Regulatory Agencies
Division of Professions and Occupations

Medical Board of California
Enforcement Program
Sharee Woods
Management Services Technician
2005 Evergreen street, Suite 1200
Sacramento, CA 95815-5401

I, Paula E. Martinez, Program Director and Custodian of Records, do hereby certify that the attached copy of the Letter of Admonition regarding John G. Prucha, M.D., is a true and correct copy of the document on file with the Colorado Medical Board.

Dated this 12th day of February 2021

Paula E. Martinez

Paula E. Martinez
Program Director
Colorado Medical Board
1560 Broadway, Suite 1350
Denver, Colorado 80202