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

In the Matter of the Accusation Against: Christopher Deeptha Wijekoon, M.D. Physician's and Surgeon's Certificate No. A 140858 Respondent.	Case No. 800-2020-064169

DECISION

The attached Stipulated Surrender of License 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 January 31, 2022.

IT IS SO ORDERED January 25, 2022.

MEDICAL BOARD OF CALIFORNIA

William Prasifka
Executive Director

ROB BONTA
Attorney General of California
JANE ZACK SIMON
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: **Christopher Deeptha Wijekoon, M.D.** **500 Parnassus Ave. W418** **San Francisco, CA 94117** **Physician's and Surgeon's Certificate No. A 140858** Respondent.	Case No. 800-2020-064169 **STIPULATED SURRENDER OF LICENSE AND ORDER**

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

PARTIES

1. William Prasifka (Complainant) is the Executive Director of the Medical Board of California (Board). He brought this action solely in his official capacity and is represented in this matter by Rob Bonta, Attorney General of the State of California, by Jane Zack Simon, Supervising Deputy Attorney General.

2. Christopher Deeptha Wijekoon, M.D. (Respondent) is represented in this proceeding by attorney David M. Balfour of Buchalter 655 W. Broadway, Suite 1600, San Diego, CA 92101.

3. On February 19, 2016, the Board issued Physician's and Surgeon's Certificate No. A 140858 to Christopher Deeptha Wijekoon, M.D. The Physician's and Surgeon's Certificate is

renewed and current with an expiration date of January 31, 2022. The Certificate is in suspended status pursuant to an Interim Suspension Order issued on December 20, 2021.

JURISDICTION

4. Accusation No. 800-2020-064169 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent. A copy of Accusation No. 800-2020-064169 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2020-064169. Respondent also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Order.

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

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

CULPABILITY

8. Respondent understands that the charges and allegations in Accusation No. 800-2020-064169, if proven at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's Certificate.

9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation and that those charges constitute cause for discipline.

Respondent hereby gives up his right to contest that cause for discipline exists based on those charges.

10. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Physician's and Surgeon's Certificate without further process.

CONTINGENCY

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

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

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

ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 140858, issued to Respondent Christopher Deeptha Wijekoon, 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. Respondent understands that because this surrender of license is based primarily on Section 822 of the Code, he may not petition for reinstatement as a physician and surgeon for a period of one (1) year from the effective date of his surrender. Information gathered in connection with Accusation number 800-2020-064169, along with any other relevant information, may be considered by the Board in determining whether or not to grant the petition for reinstatement, and Respondent waives any and all defenses based on a claim of laches or the statute of limitations.

5. 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. 800-2020-064169 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

6. Respondent shall pay the Board a portion of its costs of investigation and enforcement in this matter in the amount of $2,400.00 prior to issuance of a new or reinstated license.

7. 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. 800-2020-064169 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 Order and have fully discussed it with my attorney, David M. Balfour. I understand the stipulation and the effect it

will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 1/14/22

Christopher Deeptha Wijekoon, M.D.
Respondent

I have read and fully discussed with Respondent Christopher Deeptha Wijekoon, 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: 1/14/2022

David M. Balfour
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Medical Board of California of the Department of Consumer Affairs.

DATED: 1/14/2022

Respectfully submitted,

ROB BONTA
Attorney General of California

Jane Zack Simon

JANE ZACK SIMON
Supervising Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2020-064169

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

In the Matter of the Accusation Against: **CHRISTOPHER DEEPTHA WIJEKOON, M.D.** **500 Parnassus Ave. W418** **San Francisco, CA 94117** **Physician's and Surgeon's Certificate** **No. A 140858,** Respondent.	Case No. 800-2020-064169 **A C C U S A T I O N**

PARTIES

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

2. On February 19, 2016, the Board issued Physician's and Surgeon's Certificate Number A 140858 to Christopher Deeptha Wijekoon, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on January 31, 2022, unless renewed. The certificate is in suspended status by virtue of an Interim Suspension Order issued on December 20, 2021.

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

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

6. Section 822 of the Code provides that the Board may take action if a licentiate's ability to safely practice medicine is impaired because of mental or physical illness.

7. Section 2239 of the Code provides that it is unprofessional conduct for a licensee to use alcohol, dangerous drugs or controlled substances 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.

8. Section 2228.1 of the Code provides, in pertinent part, that the Board shall require a licensee who is disciplined based on drug or alcohol abuse to the extent that such use impairs the ability of the licensee to practice safely to disclose to his or her patients information regarding his or her probation status. The licensee is required to disclose: Probation status, the length of the probation, the probation end date, all practice restrictions placed on the license by the Board, the Board's telephone number, and an explanation of how the patient can find further information on the licensee's probation on the Board's Internet Web site.

COST RECOVERY

9. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licensee to comply subjecting the license to not being

renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

FIRST CAUSES FOR DISCIPLINE

(Impaired Ability to Safely Practice Medicine/Unprofessional Conduct/Dangerous Use of Alcohol)

10. Respondent is an anesthesiologist who worked at the University of California San Francisco (UCSF) hospitals. During 2020 through 2021, concern arose regarding Respondent's use of alcohol. He was subjected to oversight and monitoring by UCSF and was investigated by the Medical Board.

11. Respondent underwent an evaluation by a Board appointed psychiatrist. The evaluator concluded that Respondent has an Alcohol Use Disorder that is severe in nature. Respondent did not give up alcohol consumption despite having a diagnosis of severe alcohol use disorder, despite the collateral consequences of his diagnosis, and despite both inpatient and outpatient treatment mandated by UCSF. The evaluator concluded that the severity of Respondent's alcohol use was demonstrated in the fact he presented to work on October 8, 2021 under the influence of alcohol. The evaluator further concluded that Respondent's severe alcohol use disorder impacts his ability to safely practice medicine, significantly impacts his judgment, and Respondent will require a sustained period of treatment and sobriety to reach a point where he can safely resume the practice of medicine.

12. Respondent's Certificate is subject to disciplinary action by the Board pursuant to sections 2227 and 822 of the Code in that Respondent is impaired in his ability, or is unable, to safely practice medicine as a result of substance abuse.

13. Respondent's Certificate is subject to disciplinary action by the Board pursuant to section 2234 and 2239 of the Code in that Respondent used alcohol in a manner dangerous to himself, other persons and the public, as demonstrated by the fact that he presented to work while under the influence of alcohol.

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 140858, issued to Respondent Christopher Deeptha Wijekoon, M.D.;

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

3. Ordering Respondent Christopher Deeptha Wijekoon, M.D., to pay the Board the costs of the investigation and enforcement of this case, and if placed on probation, the costs of probation monitoring;

4. Ordering Respondent Christopher Deeptha Wijekoon, M.D., if placed on probation, to provide patient notification in accordance with Business and Professions Code section 2228.1; and

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

DATED: JAN 13 2022

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

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