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

In the Matter of the First Amended Accusation Against: **Lisa Anne Hudson, M.D.** **Physician's & Surgeon's Certificate No. G 77153** **Respondent.**	**Case No. 800-2019-059721**

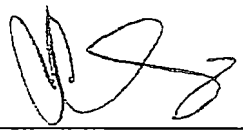
DECISION

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 June 17, 2022.

IT IS SO ORDERED: May 18, 2022.

MEDICAL BOARD OF CALIFORNIA



Laurie Rose Lubiano, J.D., Chair
Panel A

ROB BONTA
Attorney General of California
JANE ZACK SIMON
Supervising Deputy Attorney General
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BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the First Amended Accusation Against: **LISA ANNE HUDSON, M.D.** **PO Box 2223** **Danville, CA 94526-7223** **Physician's and Surgeon's Certificate No. G 77153** Respondent.	Case No. 800-2019-059721 OAH No. 2021110473 **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 Lisa Anne Hudson, M.D. (Respondent) is represented in this proceeding by attorney Albert J. Garcia, whose address is: Physician Advocacy, 2000 Powell Street, Suite 1290, Emeryville, CA 94608.

3. On July 22, 1993, the Board issued Physician's and Surgeon's Certificate No. G 77153 to Lisa Anne Hudson, M.D. The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in First Amended Accusation No. 800-2019-059721, and will expire on September 30, 2022, unless renewed.

JURISDICTION

4. Accusation No. 800-2019-059721 was filed before the Board on September 29, 2021. The Accusation and all other statutorily required documents were properly served on Respondent on September 29, 2021. First Amended Accusation No. 800-2019-059721, the current operative pleading, was filed before the Board on December 17, 2021, and is currently pending against Respondent. The First Amended Accusation and all other statutorily required documents were properly served on Respondent on December 17, 2021. Respondent filed her Notice of Defense contesting the charges and allegations against her.

5. A copy of First Amended Accusation No. 800-2019-059721 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 First Amended Accusation No. 800-2019-059721. Respondent has also carefully read, fully discussed with her counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the First Amended Accusation; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her 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 understands and agrees that the charges and allegations in First Amended Accusation No. 800-2019-059721, if proven at a hearing, constitute cause for imposing discipline upon her Physician's and Surgeon's Certificate.

10. Respondent agrees that, at an administrative hearing, Complainant could establish a prima facie case or factual basis for the charges and allegations in First Amended Accusation No. 800-2019-059721, a true and correct copy of which is attached hereto as Exhibit A, and that Respondent hereby gives up her right to contest those charges and allegations. Respondent has thereby subjected her Physician's and Surgeon's Certificate, No. G 77153 to disciplinary action.

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

CONTINGENCY

12. 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 her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her 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.

13. 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.

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, Lisa Anne Hudson, M.D., Physician's and Surgeon's Certificate No. G 77153, 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 First Amended Accusation No. 800-2019-059721, is as follows:

Respondent demonstrated unprofessional conduct when she was convicted of battery. The incident underlying the conviction occurred during an argument with her adolescent child when Respondent struck her adolescent child multiple times with a shoe.

B. IT IS FURTHER ORDERED:

1. COMMUNITY SERVICE - FREE SERVICES. Within 60 calendar days of the effective date of this Decision, Respondent shall submit to the Board or its designee for prior approval a community service plan in which Respondent shall, within one year after the effective date of this Decision, provide 25 hours of free services (medical or nonmedical) to a community or non-profit organization.

Prior to engaging in any community service, Respondent shall provide a true copy of the Decision to the chief of staff, director, office manager, program manager, officer, or the chief executive officer at every community or non-profit organization where Respondent provides community service and shall submit proof of compliance to the Board or its designee within 15 calendar days. This condition shall also apply to any change(s) in community service.

Community service performed prior to the effective date of the Decision shall not be

accepted in fulfillment of this condition.

Failure to participate in or successfully complete the community service within the designated time period shall constitute unprofessional conduct and grounds for further disciplinary action.

2. PROFESSIONALISM PROGRAM (ETHICS COURSE). Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in a professionalism program, that meets the requirements of Title 16, California Code of Regulations (CCR) section 1358.1. Respondent shall participate in and successfully complete that program. Respondent shall provide any information and documents that the program may deem pertinent. Respondent shall successfully complete the classroom component of the program not later than six (6) months after Respondent's initial enrollment, and the longitudinal component of the program not later than the time specified by the program, but no later than one (1) year after attending the classroom component. The professionalism program shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

A professionalism program taken after the acts that gave rise to the charges in the First Amended Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board or its designee, be accepted towards the fulfillment of this condition if the program would have been approved by the Board or its designee had the program been taken after the effective date of this Decision.

Respondent shall submit a certification of successful completion to the Board or its designee not later than 15 calendar days after successfully completing the program or not later than 15 calendar days after the effective date of the Decision, whichever is later.

Failure to enroll, participate in, or successfully complete the professionalism program within the designated time period shall constitute unprofessional conduct and grounds for further disciplinary action.

3. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby ordered to reimburse the Board its costs of investigation and enforcement, including, but not limited to, expert review, amended accusations, legal reviews, joint investigations, and subpoena

enforcement, as applicable, in the amount of $935.00 (nine hundred and thirty-five dollars). Costs shall be payable to the Medical Board of California. Failure to pay such costs shall be considered a violation of probation.

Any and all requests for a payment plan shall be submitted in writing by respondent to the Board.

The filing of bankruptcy by Respondent shall not relieve respondent of the responsibility to repay investigation and enforcement costs, including expert review costs.

4. FUTURE ADMISSIONS CLAUSE. 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 action agency in the State of California, all of the charges and allegations contained in First Amended Accusation No. 800-2019-059721 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding

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seeking to deny or restrict license.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Albert J. Garcia. 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 Decision and Order of the Medical Board of California.

DATED: 3/30/2022 Lisa Anne Hudson, M.D.

LISA ANNE HUDSON, M.D.
Respondent

I have read and fully discussed with Respondent Lisa Anne Hudson, 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: March 25, 2022 Albert Garcia

ALBERT J. GARCIA
Attorney for Respondent

ENDORSEMENT

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

DATED: 4-1-22

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

First Amended Accusation No. 800-2019-059721

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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 First Amended Accusation Against: **LISA ANNE HUDSON, M.D.** **P.O. Box 2223** **Danville, CA 94526-7223** **Physician's and Surgeon's Certificate No. G 77153,** Respondent.	Case No. 800-2019-059721 **FIRST AMENDED ACCUSATION**

PARTIES

1. William Prasifka (Complainant) brings this First Amended 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 July 22, 1993, the Board issued Physician's and Surgeon's Certificate Number G 77153 to Lisa Anne Hudson, 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 September 30, 2022, unless renewed.

JURISDICTION

3. This First Amended 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 states, in 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:

(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, in part:

"(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. 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. Section 802.1 of the Code states, in part:

"(a) (1) A physician and surgeon . . . shall report either of the following to the entity that issued his or her license:

. . .

(B) The conviction of the licensee, including any verdict of guilty, or plea of guilty or no contest, of any felony or misdemeanor.

(2) The report required by this subdivision shall be made in writing within 30 days of the date of the bringing of the indictment or information or of the conviction.

(b) Failure to make a report required by this section shall be a public offense punishable by a fine not to exceed five thousand dollars ($5,000)."

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

"For the purposes of denial, suspension or revocation of a license pursuant to Section 141 or Division 1.5 (commencing with Section 475) of the code, a crime, professional misconduct, or act shall be considered to be substantially related to the qualifications, functions or duties of a person holding a license if to a substantial degree it evidences present or potential unfitness of a person holding a license to perform the functions authorized by the license in a manner consistent with the public health, safety or welfare. Such crimes, professional misconduct, 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 state or federal law governing the applicant's or licensee's professional practice.

(b) In making the substantial relationship determination required under subdivision (a) for a crime, the board shall consider the following criteria:

(1) The nature and gravity of the crime;

(2) The number of years elapsed since the date of the crime; and

(3) The nature and duties of the profession."

COST RECOVERY

9. Effective January 1, 2022, 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.

FACTUAL ALLEGATIONS

10. At all relevant times, Respondent practiced as a physician in Northern California.

11. On August 12, 2019, within Contra Costa County, deputies from the Contra Costa County Office of the Sheriff were dispatched to a residence due to a report of a domestic violence incident.

12. When the deputies arrived at the residence, Respondent and her son were present. When questioned, Respondent reported an argument with her son and admitted that she had struck her son with a shoe approximately four times. When questioned, Respondent's son reported that Respondent had struck him 7-8 times with the shoe. The deputy observed welts on the back and shoulder of Respondent's son.

13. Respondent was arrested and charged in a criminal proceeding entitled *The People of the State of California v. Lisa Anne Hudson* in Contra Costa County Superior Court, Case No. 01-192691-4 for violating: California Penal Code section 273a, subdivision (b), a misdemeanor [misdemeanor child endangerment].

14. Respondent's charges were amended to add a second count of violating California Penal Code sections 242 and 243 [misdemeanor battery]. On January 26, 2021, Respondent was convicted of battery. Respondent was sentenced to one year of probation, became subject to a three-year peaceful contact order, and ordered to attend a parenting class.

15. Respondent did not report her conviction to the Board within 30 days.

FIRST CAUSE FOR DISCIPLINE

(Conviction of Crime / Battery – Misdemeanor; Conviction Substantially Related to the Qualifications, Functions, or Duties of a Physician and Surgeon)

16. Paragraphs 10 through 15, above, are incorporated by reference and re-alleged as if fully set forth herein.

17. Respondent Lisa Anne Hudson, M.D. is subject to disciplinary action under Code sections 2234 [unprofessional conduct], and/or 2234 subdivision (a) [violating a provision of the Medical Practice Act], and/or 2236 [conviction of crime], in that her conviction for battery

involving striking her child repeatedly with a shoe is an offense substantially related to the practice of medicine.

SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct – Battery Against Child)

18. Paragraphs 10 through 17, above, are incorporated by reference and re-alleged as if fully set forth herein.

19. Respondent Lisa Anne Hudson, M.D. is subject to disciplinary action under Code sections 2234 [unprofessional conduct] in that, by striking her child with a shoe, she has engaged in unprofessional conduct.

THIRD CAUSE FOR DISCIPLINE

(Failure to Report Conviction to the Board)

20. Paragraphs 10 through 19, above, are incorporated by reference and re-alleged as if fully set forth herein.

21. Respondent Lisa Anne Hudson, M.D. is subject to disciplinary action under sections 2234; and/or 2234, subdivision (a); and/or section 802.1 of the Code, in that she failed to disclose her conviction to the Board within 30 days of the conviction.

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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 G 77153, issued to Respondent Lisa Anne Hudson, M.D.;

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

3. Ordering Respondent Lisa Anne Hudson, 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; and

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

DATED: DEC 17 2021

Reji Varghese
Deputy Director

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

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