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

12 In the Matter of the Petition to Revoke  
13 Probation Against:

14 **MICHAEL F. SCHAFLE, M.D.**  
15 **21 Pinecrest Drive**  
16 **Fortuna, CA 95540**

17 **Physician's and Surgeon's Certificate**

18 **No. C 42249**

19 **Respondent**

Case No. 800-2022-088483

**DEFAULT DECISION  
AND ORDER**

[Gov. Code, §11520]

20 **FINDINGS OF FACT**

21 1. On June 15, 2022, Complainant William Prasifka, in his official capacity as the  
22 Executive Director of the Medical Board of California, Department of Consumer Affairs, filed  
23 Petition to Revoke Probation No. 800-2022-088483 against Michael F. Schafle, M.D.  
24 (Respondent) before the Medical Board of California.

25 2. On October 3, 1986, the Medical Board of California (Board) issued Physician's and  
26 Surgeon's Certificate No. C 42249 to Respondent. The Physician's and Surgeon's Certificate  
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1 expired on December 31, 2021, and has not been renewed.<sup>1</sup> (Exhibit Package, Exhibit 1,  
2 Certificate of Licensure).

3 3. On June 15, 2022, Sharee Woods, an employee of the Board, served by Certified  
4 Mail a copy of the Petition to Revoke Probation No. 800-2022-088483, Statement to Respondent,  
5 Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and  
6 11507.7 to Respondent's address of record with the Board, which was and is 21 Pinecrest Drive,  
7 Fortuna, CA 95540. (Exhibit Package, Exhibit 2, Petition to Revoke Probation, related  
8 documents, and Declaration of Service).

9 4. Service of the Petition to Revoke Probation was effective as a matter of law under the  
10 provisions of Government Code section 11505, subdivision (c).

11 5. On July 8, 2022, the aforementioned documents were returned by the U.S. Postal  
12 Service marked "Unclaimed." (Exhibit Package, Exhibit 3, returned envelope from the post  
13 office).

14 6. On July 6, 2022, counsel for Complainant served a Courtesy Notice of Default upon  
15 Respondent at Respondent's address of record, which was and is 21 Pinecrest Dr., Fortuna, CA  
16 95540. The Courtesy Notice of Default provided Respondent with a copy of the Accusation and  
17 the Accusation Packet, which included, the Statement to Respondent, a Notice of Defense,  
18 Request for Discovery, Government Code sections 11507.5, 11507.6, and 11507.7, and advised  
19 Respondent that he was in default. (Exhibit Package, Exhibit 4, Courtesy Notice of Default and  
20 Declaration of Service.)

21 7. On August 5, 2022, the aforementioned documents sent to Respondent were returned  
22 by the U.S. Postal Service marked "Return to Sender, Insufficient Address, Unable to Forward."  
23 (Exhibit Package, Exhibit 5, envelope returned by the post office.)

24 8. Respondent failed to file a Notice of Defense within 15 days after service upon him  
25 of the Petition to Revoke Probation, and therefore waived his right to a hearing on the merits of  
26 the Petition to Revoke Probation No. 800-2022-088483.

27  
28 <sup>1</sup> The evidence in support of this Default Decision and order is submitted herewith as the  
Exhibit Package."

**STATUTORY AUTHORITY**

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2           9.     Service of the Petition to Revoke Probation was effective as a matter of law under the  
3 provisions of Government Code section 11505, subdivision (c).

4           10.    Government Code section 11506 states, in pertinent part:

5           "(c) The respondent shall be entitled to a hearing on the merits if the respondent files a  
6 notice of defense, and the notice shall be deemed a specific denial of all parts of the accusation  
7 not expressly admitted. Failure to file a notice of defense shall constitute a waiver of  
8 respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing."

9           11.    California Government Code section 11520 states, in pertinent part:

10          "(a) If the respondent either fails to file a notice of defense or to appear at the hearing, the  
11 agency may take action based upon the respondent's express admissions or upon other evidence  
12 and affidavits may be used as evidence without any notice to respondent."

13          12.    Pursuant to its authority under Government Code section 11520, the Board finds  
14 Respondent is in default. The Board will take action without further hearing and, based on  
15 Respondent's express admissions by way of default and the evidence before it, contained in  
16 **Exhibits 1, 2, 3, 4, and 5** finds the allegations in the Petition to Revoke Probation No. 800-2022-  
17 088483 are true.

**DETERMINATION OF ISSUES**

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19          13.    Based on the foregoing findings of fact, Respondent Michael F. Schafle, M.D. has  
20 subjected his Physician's and Surgeon's Certificate No. C 42249 to discipline within the meaning  
21 of Business and Professions Code section 2227, 2305 and 141.

22          14.    A copy of the Petition to Revoke Probation and the related documents and  
23 Declaration of Service are attached.

24          15.    The agency has jurisdiction to adjudicate this case by default.

25          16.    The Medical Board of California is authorized to revoke Respondent's Physician's and  
26 Surgeon's Certificate based upon the following violations alleged in the Petition to Revoke  
27 Probation:

- 1 a. Respondent failed to provide proof he has maintained a record of all controlled  
2 substances ordered, prescribed, dispensed, administered or possessed.
- 3 b. Respondent failed to provide proof of enrollment in or successful completion of  
4 education courses, a Prescribing Practices course, a Professionalism Program (ethics  
5 course) or a Clinical Competence Assessment Program.
- 6 c. Respondent failed to provide proof of a practice monitor in place.
- 7 d. Respondent failed to provide proof he is not engaging in the solo practice of medicine.
- 8 e. Respondent failed to provide proof he has provided the Stipulation and Order and the  
9 Accusation to every hospital where he practices and every insurance carrier who  
10 extends coverage to him.
- 11 f. Respondent failed to submit quarterly declarations for the years 2020, 2021 and through  
12 the first quarter of 2022.
- 13 g. Respondent failed to maintain a current and renewed California physician's and  
14 surgeon's license.
- 15 h. Respondent failed to respond to multiple attempts by Board staff to contact him  
16 regarding his probation, including the scheduling of interviews.
- 17 i. Respondent failed to ensure his period of non-practice did not exceed two years. On  
18 March 13, 2022, Respondent's period of non-practice while on probation exceeded two  
19 years.
- 20 j. Respondent failed to pay his 2020 probation monitoring costs in the amount of \$3,856  
21 and his 2021 probation monitoring costs in the amount of \$6,843.

22 **ORDER**

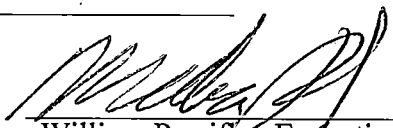
23 IT IS SO ORDERED that Physician's and Surgeon's Certificate No. C 42249, heretofore  
24 issued to Respondent Michael F. Schafle, M.D., is revoked.

25 Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a  
26 written motion requesting that the Decision be vacated and stating the grounds relied on within  
27 seven (7) days after service of the Decision on Respondent. The agency in its discretion may  
28 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

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This Decision shall become effective on OCT 06 2022

It is so ORDERED SEP 06 2022



William Prasifka, Executive Director  
FOR THE MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS

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