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

In the Matter of the Accusation Against: **MICHAEL PATRICK BARNA, M.D.** **18550 Burnham Drive** **Arcadia, MI 49613-9631** **Physician's and Surgeon's Certificate No. G 87366** Respondent.	Case No. 800-2021-077594 **DEFAULT DECISION AND ORDER** [Gov. Code §11520]

1. On May 16, 2022, an employee of the Medical Board of California (Board) served by certified and First Class Mail, a copy of Accusation No. 800-2021-077594, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7, to Micheal Patrick Barna, M.D. (Respondent) at his address of record with the Board, which was and is 18550 Burnham Drive, Arcadia, MI 49613-9631. According to the U.S. Postal Service, the package was returned to the Board because on May 20, 2022,

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a forwarding address for Respondent had expired. (Exhibit Package, Exhibit 1[1]: Accusation, the related documents, Declaration of Service, U.S. Postal Service track and confirm results.)

2. There was no response to the Accusation. On or about June 1, 2022, an employee of the Attorney General's Office sent a Courtesy Notice of Default, by certified mail, addressed to the Respondent at the above-stated address of record. The Courtesy Notice of Default advised Respondent of the service of the Accusation, provided him with an opportunity to file a Notice of Defense and request relief from default. The United States Post Office tracking system shows that service was unsuccessful. (Exhibit Package, Exhibit 2: Courtesy Notice of Default, Declaration of Service and U.S. Postal Service Track and confirm results.)

3. Respondent has not responded to service of the Accusation or to the Notice of Default. He has not filed a Notice of Defense. As a result, Respondent has waived his right to a hearing on the merits to contest the allegations contained in the Accusation.

FINDINGS OF FACT

4. On May 16, 2022, Complainant William Prasifka, in his official capacity as the Executive Director of the Medical Board, filed Accusation No. 800-2021-077594 against Respondent before the Medical Board of California.

5. On or about November 24, 2004, the Board issued Physician's and Surgeon's Certificate No. G 87366 to Respondent. The Physician's and Surgeon's Certificate expired on July 31, 2018, and has not been renewed. (Exhibit Package, Exhibit 3: Certificate of License.)

6. The allegations of the Accusation are true as follows:

On November 4, 2020, Respondent placed three separate plastic water bottles containing dry ice into three separate trashcans within the hospital, which caused three loud explosions while he was working at McLaren Port Huron Hospital in Port Huron, Michigan. There were no reported injuries or death. On January 25, 2021, Respondent was convicted of violating MCL 333.16221(b)(v), explosive violation with the intent to frighten, a felony conviction. Respondent

[1] The evidence in support of this Default Decision and Order is separately contained in the "Exhibit Package" filed herewith.

was sentenced to serve 93 days in jail with credit for three days served, followed by three years' probation with terms, and ordered to pay restitution, fines, and costs.

On March 24, 2021, the Michigan Medical Board issued an Administrative Complaint against Respondent to suspend his medical license because the felony conviction constituted a violation of MCL 333.16221(b)(v). A copy of the Administrative Complaint by the Michigan Medical Board is attached as Exhibit 4 in the Exhibit Package. The Board also issued an Order of Summary Suspension. (Exhibit 5 in the Exhibit Package). On April 30, 2021, the Board received a copy of the Federation of State Medical Board's Disciplinary Alert Report about Respondent's out of state suspension. (Exhibit 6 in the Exhibit Package.) On December 1, 2021, the Board issued Respondent a Notice of Out of State Suspension Order (Exhibit 7 in the Exhibit Package.)

7. Respondent's conduct and the action of the Michigan Medical Board constitutes cause for discipline pursuant to section 2305 and/or 141 of the code.

8. Pursuant to its authority under Government Code section 11520, the Board finds Respondent is in default. The Board will take action without further hearing and, based on Respondent's express admissions by way of default and the evidence before it, contained in Exhibits 1, 2, 3, 4, 5, 6 and 7, finds that the allegations in Accusation No. 800-2021-077594 are true.

DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Michael Patrick Barna, M.D. has subjected his Physician's and Surgeon's Certificate No. G 87366 to discipline.

2. A copy of the Accusation and the related documents and Declaration of Service are attached.

3. The agency has jurisdiction to adjudicate this case by default.

4. The Medical Board of California is authorized to revoke Respondent's Physician's and Surgeon's Certificate based upon the violations alleged in the Accusation.

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ORDER

IT IS SO ORDERED that Physician's and Surgeon's Certificate No. G 87366, heretofore issued to Respondent Michael Patrick Barna, M.D., is revoked.

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

This Decision shall become effective on OCT 24 2022.

It is so ORDERED SEP 22 2022

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

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