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

In the Matter of the First Accusation Against: Petra Paule, M.D. Physician's and Surgeon's Certificate No. G 78702 Respondent.	Case No. 800-2022-085407

DECISION

The attached Stipulated Surrender of License and 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 December 12, 2024. IT IS SO ORDERED December 5, 2024.

MEDICAL BOARD OF CALIFORNIA

Reji Varghese
Executive Director

ROB BONTA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
ROBERT W. LINCOLN
Deputy Attorney General
State Bar No. 316290
600 West Broadway, Suite 1800
San Diego, CA 92101
P.O. Box 85266
San Diego, CA 92186-5266
Telephone: (619) 738-9453
Facsimile: (619) 645-2012
E-mail: Robert.Lincoln@doj.ca.gov
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: **PETRA PAULE, M.D.** **26033 Cape Dr., Apt 355** **Laguna Niguel, CA 92677** **Physician's and Surgeon's Certificate No. G 78702** Respondent.	Case No. 800-2022-085407 OAH No. 2024060478 **STIPULATED SURRENDER OF LICENSE 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. Reji Varghese (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 Robert W. Lincoln, Deputy Attorney General.

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2. PETRA PAULE, M.D. (Respondent) is represented in this proceeding by attorney Robert Keith Weinberg, Esq., whose address is: 19200 Von Karman Avenue, Suite 380, Irvine, CA 92612-8508.

3. On or about April 20, 1994, the Board issued Physician's and Surgeon's Certificate No. G 78702 to Respondent. That license was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2022-085407 and will expire on November 30, 2025, unless renewed.

JURISDICTION

4. First Amended Accusation No. 800-2022-085407 was filed before the Board and is currently pending against Respondent. The First Amended Accusation and all other statutorily required documents were properly served on Respondent on August 22, 2024. Respondent timely filed her Notice of Defense contesting the First Amended Accusation. A copy of First Amended Accusation No. 800-2022-085407 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 First Amended Accusation No. 800-2022-085407. Respondent also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Disciplinary Order.

6. 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.

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

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CULPABILITY

8. Respondent understands that the charges and allegations in First Amended Accusation No. 800-2022-085407, if proven at a hearing, constitute cause for imposing discipline upon her Physician's and Surgeon's Certificate.

9. Respondent agrees that, at a hearing, Complainant could establish a prima facie case or factual basis for the charges in the First Amended Accusation and that those charges constitute cause for discipline. Respondent hereby gives up her right to contest that cause for discipline exists based on those charges.

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

CONTINGENCY

11. Business and Professions Code section 2224, subdivision (b), provides, in pertinent part, that the Medical Board "shall delegate to its executive director the authority to adopt a ... stipulation for surrender of a license."

12. Respondent understands that, by signing this stipulation, he enables the Executive Director of the Board to issue an order, on behalf of the Board, accepting the surrender of her Physician's and Surgeon's Certificate No. G 78702 without further notice to, or opportunity to be heard by, Respondent.

13. This Stipulated Surrender of License and Disciplinary Order shall be subject to the approval of the Executive Director on behalf of the Board. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be submitted to the Executive Director for her consideration in the above-entitled matter and, further, that the Executive Director shall have a reasonable period of time in which to consider and act on this Stipulated Surrender of License and Disciplinary Order after receiving it. By signing this stipulation, Respondent fully understands and agrees that he may not withdraw his agreement or seek to rescind this stipulation prior to the time the Executive Director, on behalf of the Medical Board, considers and acts upon it.

14. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be null and void and not binding upon the parties unless approved and adopted by the Executive Director on behalf of the Board, except for this paragraph, which shall remain in full force and effect. Respondent fully understands and agrees that in deciding whether or not to approve and adopt this Stipulated Surrender of License and Disciplinary Order, the Executive Director and/or the Board may receive oral and written communications from its staff and/or the Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the Executive Director, the Board, any member thereof, and/or any other person from future participation in this or any other matter affecting or involving respondent. In the event that the Executive Director on behalf of the Board does not, in his discretion, approve and adopt this Stipulated Surrender of License and Disciplinary Order, with the exception of this paragraph, it shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied upon or introduced in any disciplinary action by either party hereto. Respondent further agrees that should this Stipulated Surrender of License and Disciplinary Order be rejected for any reason by the Executive Director on behalf of the Board, Respondent will assert no claim that the Executive Director, the Board, or any member thereof, was prejudiced by its/his/her review, discussion and/or consideration of this Stipulated Surrender of License and Disciplinary Order or of any matter or matters related hereto.

ADDITIONAL PROVISIONS

15. This Stipulated Surrender of License 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.

16. The parties agree that copies of this Stipulated Surrender of License and Disciplinary Order, including copies of the signatures of the parties, may be used in lieu of original documents and signatures and, further, that such copies shall have the same force and effect as originals.

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

ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 78702, issued to Respondent PETRA PAULE, 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 her pocket license and, if one was issued, her wall certificate on or before the effective date of the Decision and Order.

4. Respondent shall have the right to petition for reinstatement beginning three (3) years from the effective date of the Board's Decision and Order.

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 First Amended Accusation No. 800-2022-085407 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 agency its costs of investigation and enforcement in the amount of $30,930.03 (thirty thousand nine-hundred thirty dollars and three cents) 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. 800-2022-085407 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.

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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Disciplinary Order and have fully discussed it with my attorney Robert Keith Weinberg, Esq. 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 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 11-8-2024

PETRA PAULE, M.D.
Respondent

I have read and fully discussed with Respondent PETRA PAULE, M.D., the terms and conditions and other matters contained in this Stipulated Surrender of License and Disciplinary Order. I approve its form and content.

DATED: 11-8-2024

ROBERT KEITH WEINBERG, ESQ.
Attorney for Respondent

ENDORSEMENT

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

DATED: _____

Respectfully submitted,

ROB BONTA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General

ROBERT W. LINCOLN
Deputy Attorney General
Attorneys for Complainant

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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Disciplinary Order and have fully discussed it with my attorney Robert Keith Weinberg, Esq. 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 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: _____

_____
PETRA PAULE, M.D.
Respondent

I have read and fully discussed with Respondent PETRA PAULE, M.D., the terms and conditions and other matters contained in this Stipulated Surrender of License and Disciplinary Order. I approve its form and content.

DATED: _____

_____
ROBERT KEITH WEINBERG, ESQ.
Attorney for Respondent

ENDORSEMENT

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

DATED: November 8, 2024.

Respectfully submitted,

ROB BONTA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General

/s. Robert W. Lincoln

ROBERT W. LINCOLN
Deputy Attorney General
Attorneys for Complainant

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ROB BONTA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
ROBERT W. LINCOLN
Deputy Attorney General
State Bar No. 316290
California Department of Justice
600 West Broadway, Suite 1800
San Diego, CA 92101
P.O. Box 85266
San Diego, CA 92186-5266
Telephone: (619) 738-9453
Facsimile: (619) 645-2012
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: **Petra Paule, M.D.** **1006 E. Bastanchury Rd.** **Fullerton, CA 92835-2782** **Physician's and Surgeon's Certificate No. G 78702,** Respondent.	Case No. 800-2022-085407 **FIRST AMENDED ACCUSATION**

PARTIES

1. Reji Varghese (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 April 20, 1994, the Medical Board issued Physician's and Surgeon's Certificate No. G 78702 to Petra Paule, 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 November 30, 2025, 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 states:

> (a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary action with the board, may, in accordance with the provisions of this chapter:
>
> (1) Have his or her license revoked upon order of the board.
>
> (2) Have his or her right to practice suspended for a period not to exceed one year upon order of the board.
>
> (3) Be placed on probation and be required to pay the costs of probation monitoring upon order of the board.
>
> (4) Be publicly reprimanded by the board. The public reprimand may include a requirement that the licensee complete relevant educational courses approved by the board.
>
> (5) Have any other action taken in relation to discipline as part of an order of probation, as the board or an administrative law judge may deem proper.
>
> (b) Any matter heard pursuant to subdivision (a), except for warning letters, medical review or advisory conferences, professional competency examinations, continuing education activities, and cost reimbursement associated therewith that are agreed to with the board and successfully completed by the licensee, or other matters made confidential or privileged by existing law, is deemed public, and shall be made available to the public by the board pursuant to Section 803.1.

STATUTORY PROVISIONS

5. Section 2228.1 of the Code states, in pertinent part:

> (a) On and after July 1, 2019, except as otherwise provided in subdivision (c), the board and the Podiatric Medical Board of California shall require a licensee to provide a separate disclosure that includes the licensee's probation status, the length of the probation, the probation end date, all practice restrictions placed on the licensee 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 licensee's profile page on the board's online license information internet website, to a patient or the patient's guardian or health care surrogate before the patient's guardian or health care surrogate before the patient's first visit following the probationary order while the licensee is on probation pursuant to a probationary order made on and after July 1, 2019, in any of the following circumstances:

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(1) A final adjudication by the board following an administrative hearing or admitted findings or prima facie showing in a stipulated settlement establishing any of the following:

"...

(B) Drug or alcohol abuse directly resulting in harm to patients or the extent that such use impairs the ability of the licensee to practice safely.

"..."

6. Section 2234 of the Code states, in pertinent 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.

"...

(f) Any action or conduct that would have warranted the denial of a certificate.

"..."

7. Section 2236 of the Code states:

(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 [Chapter 5, the Medical Practice Act]. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred.

(b) The district attorney, city attorney, or other prosecuting agency shall notify the Medical Board of the pendency of an action against a licensee charging a felony or misdemeanor immediately upon obtaining information that the defendant is a licensee. The notice shall identify the licensee and describe the crimes charged and the facts alleged. The prosecuting agency shall also notify the clerk of the court in which the action is pending that the defendant is a licensee, and the clerk shall record prominently in the file that the defendant holds a license as a physician and surgeon.

(c) The clerk of the court in which a licensee is convicted of a crime shall, within 48 hours after the conviction, transmit a certified copy of the record of conviction to the board. The division may inquire into the circumstances surrounding the commission of a crime in order to fix the degree of discipline or to determine if the conviction is of an offense substantially related to the qualifications, functions, or duties of a physician and surgeon.

(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.

8. Section 2239 of the Code states:

(a) The use or prescribing for or administering to himself or herself, of any controlled substance; or the use of any of the dangerous drugs specified in Section 4022, or of alcoholic beverages, 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 or more than one misdemeanor or any felony involving the use, consumption, or self-administration of any of the substances referred to in this section, or any combination thereof, constitutes unprofessional conduct. The record of the conviction is conclusive evidence of such unprofessional conduct.

(b) A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this section. The Medical Board may order discipline of the licensee in accordance with Section 2227 or the Medical Board may order the denial of the license when the time for appeal has elapsed or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such person to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, complaint, information, or indictment.

9. Section 822 of the Code states:

If a licensing agency determines that its licentiate's ability to practice his or her profession safely is impaired because the licentiate is mentally ill, or physically ill affecting competency, the licensing agency may take action by any one of the following methods:

(a) Revoking the licentiate's certificate or license.

(b) Suspending the licentiate's right to practice.

(c) Placing the licentiate on probation.

(d) Taking such other action in relation to the licentiate as the licensing agency in its discretion deems proper.

The licensing agency shall not reinstate a revoked or suspended certificate or license until it has received competent evidence of the absence or control of the condition which caused its action and until it is satisfied that with due regard for the public health and safety the person's right to practice his or her profession may be safely reinstated.

REGULATORY PROVISIONS

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

(a) 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

11. 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 CAUSE FOR DISCIPLINE

(Conviction of an Offense Substantially Related to the Qualifications, Functions, or Duties of a Physician and Surgeon)

12. Respondent has subjected her Physician's and Surgeon's Certificate No. G 78702 to disciplinary action under sections 2227 and 2234, as further defined by section 2236, of the Code, and California Code of Regulations, title 16 section 1360, in that Respondent was convicted of a crime substantially related to the qualifications, functions, or duties of a physician and surgeon. The circumstances are as follows:

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13. On or about January 23, 2022, at approximately 6:57 p.m., officers from the Orange County Sheriff's Department were dispatched to Dana Point Marina Inn regarding a possible restraining order violation by Respondent[1].

14. Upon arrival at the parking lot, Deputy G. M.[2] parked his patrol vehicle behind Respondent's Jeep, turned on his lights and began to approach. Deputy L.V. entered the lobby of the hotel to speak to the victim. Respondent started her vehicle and began to back towards the patrol vehicle. Deputy G.M. instructed her to stop.

15. When Respondent rolled down her window to ask Deputy G.M. why she should stop, the deputy smelled the odor of alcohol on Respondent's breath and saw that her eyes were bloodshot and watery. Respondent's speech was rapid and slurred.

16. At the deputy's instruction, Respondent parked and exited her vehicle. As she approached the patrol vehicle, the deputy observed that Respondent's gait was unsteady.

17. Respondent consented to Field Sobriety Tests (FSTs). The results were as follows:

a) During the Horizontal Gaze Nystagmus test, Deputy G.M. observed a lack of smooth pursuit, distinct and sustained nystagmus as maximum deviation, and an angle of onset prior to 45 degrees.

b) Respondent was unable to maintain the starting position for the One Leg Stand while the deputy provided instructions; she raised both of her arms farther than six inches away from her body to help maintain balance, swayed, and placed her foot down twice before being told to stop the test.

c) Respondent was also unable to maintain the starting position for the Walk and Turn while the officer provided instructions.

18. Respondent was placed under arrest for Vehicle Code 23152(a), driving under the influence. Respondent consented to a blood draw, which resulted in a 0.09% blood alcohol content.

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[1] The officers learned that the restraining order had not yet been served on Respondent. Deputy L.V. served Respondent with the restraining order during this incident.

[2] Identities of individuals have been withheld for privacy reasons throughout this document.

19. On or about February 23, 2022, a complaint was filed in the Superior Court of California, County of Orange, Case No. 22HM01146, titled *The People of the State of California v. Petra Paule*, charging Respondent with one misdemeanor count of VC 23152(a), driving under the influence of alcohol, and one misdemeanor count of VC 23152(b), driving with blood alcohol .08% or more.

20. On or about August 18, 2023, Respondent was found guilty as to VC 23152(a) following a jury trial. On August 25, 2023, Respondent was sentenced to three (3) years of informal probation; payment of fines, fees, penalties and restitution; a three-month Level 1 First Offender Alcohol Program; Victim Impact Counseling; and various terms and admonishments.

SECOND CAUSE FOR DISCIPLINE

(Use of Alcoholic Beverages to the Extent, or in Such a Manner, as to be Dangerous or Injurious to Herself, Another Person, or the Public)

21. Respondent has further subjected her Physician's and Surgeon's Certificate No. G 78702 to disciplinary action under sections 2227 and 2234, as defined by section 2239, of the Code, in that Respondent has used alcoholic beverages, 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. The circumstances are detailed in paragraphs 11 to 20, above, and incorporated herein by reference as if fully set forth. Additional circumstances are as follows:

22. Following a request to the Orange County Sheriff's Department for certified records, the Board learned of the following prior incidents:

a) On or about June 14, 2021, officers of the Orange County Sheriff's Department were dispatched to the area of Dana Point Harbor Drive and Island Way in response to reports of an intoxicated female (later identified as Respondent) walking in the roadway with an unleashed dog. A witness observed Respondent stumbling onto the docks and boarding a boat. The responding officers found Respondent speaking to the victim described above at the rear of the boat. Respondent appeared extremely unsteady; she had bloodshot watery eyes, slurred speech, and a strong smell of alcohol emanating from her person.

b) While officers were speaking with Respondent and victim, Respondent appeared to want to jump from the boat to the dock in an unsafe manner. One officer grabbed her for safety, and she struggled, so the other officer also grabbed hold to prevent Respondent from falling into the water and hurting herself. Respondent defecated on herself during this struggle. Respondent was placed under arrest for Penal Code section 647(f), public intoxication, and Penal Code section 148(a)(1), resisting or delaying a peace officer.

c) Respondent was transported to Mission Hospital Laguna Beach for possible alcohol poisoning. During admission to the hospital, Respondent began to make suicidal threats and was placed on a 5150 hold.

d) On or about December 19, 2021, at approximately 6:46 p.m., uniformed patrol officers with the County of Orange were dispatched to a multi-family residential building in response to concerns about Respondent's mental health. They found the victim described above holding Respondent to the ground. The officers observed that Respondent appeared to be heavily intoxicated, belligerent, and unpredictable. The officers separated the parties to talk. While speaking with the victim, Respondent suddenly jumped up and ran at the victim, screaming. Two officers subdued Respondent, who was yelling unintelligibly during the incident and made several attempts to free herself from the officers. After Respondent was assessed by the Orange County Fire Authority, she was transported to Mission Hospital Laguna Beach for further treatment and mental health assessment. Respondent was ultimately placed on a 5150 hold.

e) On or about January 20, 2022, at approximately 7:14 p.m., Harbor Patrol officers at the Dana Point Harbor were dispatched for possible domestic violence at the West Basin Dock B. They located Respondent and the same victim as above, who both stated that the altercation was verbal only. Officers observed old scratch marks on Respondent's face, which Respondent stated had been self-inflicted several days prior after receiving news of a family death. Officers advised Respondent that she could not return to the victim's boat, or she would be arrested for trespassing. After the officers left, at approximately 9:15 p.m., the victim called 911 to report that Respondent had returned to his boat and was refusing to leave. When officers arrived, the victim declined to have Respondent arrested.

f) On or about February 20, 2022, uniformed patrol officers inspecting the West Basin B Dock at Dana Point Harbor by boat were flagged down by the same victim of the incident described above, concerned that Respondent was in violation of a Domestic Violence Restraining Order protecting the victim. Respondent had boarded the victim's boat and nearly fallen into the water when told to leave. Respondent told the officers she had been ordered to stay away, but "I just wanted to talk to him because I love him." Respondent was arrested, but it does not appear that she was formally charged for this incident.

g) On or about April 30, 2023, Respondent was detained by officers of the Orange County Sheriff's Department for violation of Penal Code section 166(A)(4), contempt, for disobeying a criminal protective order in place against Respondent for the same victim above.

23. On or about July 19, 2023, Respondent submitted to a voluntary mental examination with a Board expert, during which it was determined that Respondent is unable to safely practice medicine due to illness or impairment. Without restrictions, Respondent presents a danger to the public health, safety and welfare.

THIRD CAUSE FOR DISCIPLINE

(General Unprofessional Conduct)

24. Respondent has further subjected her Physician's and Surgeon's Certificate No. G 78702 to disciplinary action under sections 2227 and 2234 of the Code, in that Respondent has engaged in conduct which constitutes unprofessional conduct for a physician and surgeon. The circumstances are detailed in paragraphs 12 to 23, above, and are incorporated by reference herein as if fully set forth.

SECTION 822 CAUSE FOR ACTION

(Mental Illness and/or Physical Illness Affecting Competency)

25. Respondent's Physician's and Surgeon's Certificate No. G. 78702 is subjected to action under section 822 of the Code, in that Respondent's ability to practice medicine safely is impaired because she is mentally ill, and/or physically ill affecting competency, as more particularly alleged hereafter:

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26. On or about June 28, 2023, M.N., M.D. (Dr. M.N.) conducted a mental examination of Respondent. Dr. M.N. opined Respondent has a psychiatric disorder that impacts her ability to practice medicine safely. Further, Dr. M.N. opined that Respondent is not safe to practice medicine without restrictions.

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 No. G 78702, issued to Respondent Petra Paule, M.D.;

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

3. Ordering Respondent Petra Paule, 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 Petra Paule, 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: AUG 22 2024

Jenna Jones for
REJI VARGHESE
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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