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

In the Matter of the Accusation Against: Robert Glenn Howen, M.D. Physician's and Surgeon's Certificate No. A 37047 Respondent.	Case No. 800-2024-104596

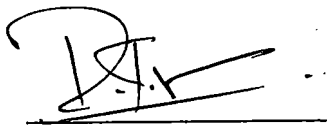
DECISION

The attached Stipulated Surrender of License 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 April 2, 2025.

IT IS SO ORDERED March 27, 2025.

MEDICAL BOARD OF CALIFORNIA



Reji Varghese, Executive Director

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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: **ROBERT GLENN HOWEN, M.D.** 1008 Vienna Dr. Lodi, CA 95242 Physician's and Surgeon's Certificate No. A 37047 Respondent.	Case No. 800-2024-104596 OAH No. **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 John S. Gatschet, Deputy Attorney General.

2. Robert Glenn Howen, M.D. ("Respondent") is represented in this proceeding by attorney Denise Ellen Billups-Slone, whose address is:

McNamara, Ambacher, Wheeler, LLP et. al.
3480 Buskirk Avenue, Ste 250
Pleasant Hill, CA 94523-7310

3. On or about July 13, 1981, the Board issued Physician's and Surgeon's Certificate No. A 37047 to Respondent. That license was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2024-104596 and will expire on June 30, 2025, unless renewed.

JURISDICTION

4. Accusation No. 800-2024-104596 was filed on March 26, 2025, before the Board and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on March 26, 2025. Respondent further waives any discrepancy in timing that may exist in the filing of the Accusation and the signing of the stipulated surrender in this matter. Respondent has chosen to waive his right to file a Notice of Defense contesting the Accusation and has freely and voluntarily entered into a stipulated surrender of his license. A copy of Accusation No. 800-2024-104596 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. 800-2024-104596. 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. 800-2024-104596, 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.

RESERVATION

11. The admissions made by Respondent herein are only for the purposes of this proceeding, or any other proceedings in which the Medical Board of California or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

CONTINGENCY

12. 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."

13. 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 his Physician's and Surgeon's Certificate No. A 37047 without further notice to, or opportunity to be heard by, Respondent.

14. 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 his 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.

15. 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.

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ADDITIONAL PROVISIONS

16. 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.

17. 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.

18. 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. A 37047, issued to Respondent Robert Glenn Howen, 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. 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. 800-2024-104596 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

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5. As a result of the surrender of Respondent's license, no costs of investigation or enforcement are now owed to the Medical Board of California by Respondent. However, if Respondent should ever petition for reinstatement of his Physician's and Surgeon's license in the State of California, Respondent shall pay the Medical Board of California its full costs of investigation and enforcement in the amount of $27,440.50 prior to the issuance of a new or reinstated license.

6. 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. 800-2024-104596 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.

7. The Board, upon acceptance of Respondent's surrender of his certificate to practice medicine, shall close the pending Investigations into Respondent's license in Investigation Nos. 800-2023-102168 and 800-2024-104596.

8. Respondent understands and agrees that all information contained in Investigation Nos. 800-2023-102168 and 800-2024-104596, shall be preserved. Upon a petition for reinstatement, Respondent agrees and understands that the Board shall be able to use the content of the Investigations as a basis for denial of a petition for reinstatement. The Investigations shall be deemed to be true, correct, and admitted by Respondent when the Board determines whether to grant or deny the petition. Respondent understands and agrees that by entering into this stipulation, he is permanently waiving any and all claims of laches and/or statute of limitation defenses as they relate to Investigation Nos. 800-2023-102168 and 800-2024-104596. Respondent makes this voluntary waiver to enter into this stipulated surrender and to close the pending Investigations.

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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Denise Ellen Billups-Slone. 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: 3/17/2025

ROBERT GLENN HOWEN, M.D.
Respondent

I have read and fully discussed with Respondent Robert Glenn Howen, 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: 3/18/2025

Denise Ellen Billups-Slone
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: March 19, 2025

Respectfully submitted,

ROB BONTA
Attorney General of California
MICHAEL C. BRUMMEL
Supervising Deputy Attorney General

John Gatschet
Digitally signed by John Gatschet
Date: 2025.03.19 15:18:36 -07'00'

JOHN S. GATSCHET
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2024-104596

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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: **Robert Glenn Howen, M.D.** 1008 Vienna Dr. Lodi, CA 95242 Physician's and Surgeon's Certificate No. A 37047, Respondent.	Case No. 800-2024-104596 **A C C U S A T I O N**

PARTIES

1. Reji Varghese ("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 or about July 13, 1981, the Medical Board issued Physician's and Surgeon's Certificate Number A 37047 to Robert Glenn Howen, M.D. ("Respondent"). That Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on June 30, 2025, unless renewed.

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.

STATUTORY PROVISIONS

4. Section 820 of the Code states:

> Whenever it appears that any person holding a license, certificate or permit under this division or under any initiative act referred to in this division may be unable to practice his or her profession safely because the licentiate's ability to practice is impaired due to mental illness, or physical illness affecting competency, the licensing agency may order the licentiate to be examined by one or more physicians and surgeons or psychologists designated by the agency. The report of the examiners shall be made available to the licentiate and may be received as direct evidence in proceedings conducted pursuant to Section 822.

5. 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:
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> (a) Revoking the licentiate's certificate or license.
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> (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.
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> The licensing section 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.

6. 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.

7. Section 2234 of the Code states:

> 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.

...

COST RECOVERY

8. 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

9. Respondent is board-certified in Obstetrics and Gynecology ("OB-GYN") and practiced in both labor and delivery and as a gynecological surgeon. Respondent worked as an OB-GYN for Sutter Gould Medical Group from 2008 to 2024. Currently, Respondent is not actively practicing medicine.

10. On December 20, 2019, Patient 1[1] presented with a large symptomatic leiomyoma. Respondent took Patient 1 to surgery for a total laparoscopic hysterectomy with bilateral salpingectomy. Respondent failed to document several details in his operative report, especially about whether proper surgical safety protocols were followed before and during surgery to prevent surgical complications. Following surgery, Respondent documented that there were a few large fibroids present that impaired his visualization during surgery. Despite impaired visualization, Respondent chose not to convert the laparoscopic surgery to an open surgical procedure, and he proceeded to perform the hysterectomy. On December 21, 2019, Patient 1 was discharged home. On December 22, 2019, Patient 1 returned to the emergency room with a complaint of lower abdominal pain. Patient 1 was discharged. On December 28, 2019, Patient 1 sought additional care from her OB-GYN and it was discovered she had evidence of urine leaking

[1] The patient's identity is being omitted to protect patient privacy. The patient's identity is known to Respondent.

from her vagina. Diagnostic imaging revealed the presence of a cysto-vaginal fistula. On December 28, 2019, Patient 1 underwent additional surgeries to correct the complications caused by Respondent's December 20, 2019, surgery. On September 20, 2023, a monetary civil settlement was reported by Respondent's insurance carrier to the Medical Board of California settling Patient 1's claims against Respondent for medical negligence.

11. On or about November 23, 2023, Respondent suffered a medical emergency that led to a lasting physical and/or mental impairment which impacted Respondent's ability to safely practice medicine. Following a battery of neuropsychological testing provided by his employer that indicated possible impairment, Respondent retired from the practice of medicine on or about June 17, 2024. In addition to the medical event that occurred on November 23, 2023, Respondent also suffers from a chronic and progressive condition which may also impact his ability to continue to safely practice medicine in the future.

CAUSE FOR ACTION

(Mental and/or Physical Impairment)

12. Respondent's license is subject to action under sections 820 and 822 of the Code in that Respondent suffers from a mental and/or physical impairment that impacts his ability to safely practice medicine. The circumstances are set forth in paragraph 11, and that paragraph is incorporated by reference as if fully set forth herein.

CAUSE FOR DISCIPLINE

(General Unprofessional Conduct)

13. Respondent's license is subject to disciplinary action under section 2234 of the Code in that he engaged in general unprofessional conduct during the care and treatment of Patient 1. The circumstances are set forth in paragraph 10, and that paragraph is incorporated by reference as if fully set forth herein.

14. Respondent engaged in general unprofessional conduct in the following ways:

A.) He failed to document sufficient information in the operative report to show that proper safety protocols were performed before and during surgery so that a

subsequent treating physician could determine if the surgery was performed within the standard of care; and,

B.) He failed to consider and/or document considering that the lack of visualization caused by the presence of Patient 1's large fibroids necessitated the need to perform the surgery as an open procedure, increasing the risk of complications for Patient 1.

DISCIPLINARY CONSIDERATIONS

15. To determine the degree of discipline, if any, to be imposed on Respondent Robert Glenn Howen, M.D., Complainant alleges that on or about December 11, 2024, in a prior disciplinary action before the Medical Board of California, in Case Number 800-2022-088606, a Public Letter of Reprimand was issued. Respondent's license was disciplined for violating Bus. & Prof. Code § 2234, subdivision (c), repeated negligent acts, when Respondent "failed to document a conversation with a colleague, morcellated the patient's uterus, and proceeded with a supracervical hysterectomy and bilateral salpingectomy of the patient." That decision is now final and is incorporated by reference as if fully set forth herein.

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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 A 37047, issued to Respondent Robert Glenn Howen, M.D.;

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

3. Ordering Respondent Robert Glenn Howen, 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: MAR 26 2025

Sharlene Smith For
REJI VARGHESE
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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