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

In the Matter of the Application of:	)	
	)	
	)	
Paige Catherine Bates, M.D.	)	**Case No. 800-2019-059416**
	)	
	)	
	)	
Applicant	)	
	)	

DECISION

The attached Stipulation for a Probationary License 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 16, 2019.

IT IS SO ORDERED: December 9, 2019.

MEDICAL BOARD OF CALIFORNIA

Ronald H. Lewis, M.D., Chair
Panel A

BEFORE THE

MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Application of:	)	Case No. 800-2019-059416
	)	
PAIGE CATHERINE BATES	)	
	)	STIPULATION FOR A PROBATIONARY LICENSE
	)	
For a Physician's and Surgeon's License	)	
	)	

1) Paige Catherine Bates, applicant for a physician's and surgeon's license (hereinafter "applicant"), and Kimberly Kirchmeyer, Executive Director of the Medical Board of California (Board), hereby stipulate as follows:

2) Applicant is eligible for medical licensure in California upon meeting all licensure requirements.

3) On March 7, 2018, the Board received an application for a Physician's and Surgeon's License. During applicant's training, in August 2018, the program issued applicant a written warning for professionalism concerns related to timely completion of documentation. On November 29, 2018, applicant was placed on probation for failure to meet the program's standards of timely documentation and completion of administrative documents. After demonstrating significant improvement, applicant's probationary term was lifted on April 1, 2019. Subsequently, on June 17, 2019, applicant was re-placed on probation for ongoing concerns regarding her documentation and for failure to obtain a medical license prior to the beginning of her third year of training.

4) Section 480(a) of the Business and Professions Code states, the Board may deny a license on the grounds that the applicant has done one of the following: done any act that would be grounds for suspension or revocation of a license. Section 2234 of the Business and Professions Code states that the Board may take action against any licensee who is charged with unprofessional conduct. Unprofessional conduct includes, but is not limited to, incompetence. Section 2266 of the Business and Professions Code states that the failure to maintain adequate and accurate records relating to the provision of services to patients constitutes unprofessional conduct.

The above supports a conclusion that grounds exist for denial pursuant to sections 480(a)(3)(A), 2234, 2234(d), and 2266 of the Business and Professions Code.

5) Pursuant to Section 2221 of the Business and Professions Code, the Board may deny a license to an applicant because of unprofessional conduct. Alternatively, the Board has the discretionary authority to issue a probationary license with terms and conditions.

6) Applicant acknowledges she has a right to request a Statement of Issues and a hearing upon denial of license for cause.

Applicant waives notice of hearing and judicial review in favor of this Stipulation for a Probationary License, which is subject to approval by the Board. If not approved, this Stipulation is null and void and may not be used for any purpose.

7) Applicant understands and agrees that counsel for the staff of the Board may communicate directly with the Board regarding this proposed Stipulation, without notice to or participation by applicant or her counsel. By signing the Stipulation, applicant understands and agrees that she may not withdraw this 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, the offer of a Stipulation for a Probationary License 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.

ORDER

IT IS ORDERED THAT PAIGE CATHERINE BATES, applicant, be issued a Physician's and Surgeon's License on a probation basis for a period of 35 months, subject to the following terms and conditions. Probation shall begin on the date the applicant is issued a probationary license.

1) Practice Restriction
During the first year of probation, applicant is prohibited from practicing medicine outside of an Accreditation Council for Graduate Medical Education (ACGME) accredited postgraduate training and must successfully complete 12 months of ACGME accredited postgraduate training in the same training.

2) Medical Record Keeping Course
Within 60 calendar days of the effective date of this Decision, applicant shall enroll in a course in medical record keeping approved in advance by the Board or its designee. Applicant shall provide the approved course provider with any information and documents that the approved course provider may deem pertinent. Applicant shall participate in and successfully complete the classroom component of the course not later than six (6) months after applicant's initial enrollment. Applicant shall successfully complete any other component of the course within one (1) year of enrollment. The medical record keeping course shall be at applicant's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

A medical record keeping course taken after the acts that gave rise to the charges in the 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 course would have been approved by the Board or its designee had the course been taken after the effective date of this Decision.

Applicant shall submit a certification of successful completion to the Board or its designee not later than 15 calendar days after successfully completing the course, or not later than

15 calendar days after the effective date of the Decision, whichever is later.

3) Notification
Within seven (7) days of the effective date of this Decision, the applicant shall provide a true copy of this Decision to the Chief of Staff or the Chief Executive Officer at every hospital where privileges or membership are extended to applicant, at any other facility where applicant engages in the practice of medicine, including all physician and locum tenens registries or other similar agencies, and to the Chief Executive Officer at every insurance carrier which extends malpractice insurance coverage to applicant. Applicant shall submit proof of compliance to the Board or its designee within 15 calendar days.

This condition shall apply to any change(s) in hospitals, other facilities or insurance carrier.

4) Supervision of Physician Assistants and Advanced Practice Nurses
During probation, applicant is prohibited from supervising physician assistants and advanced practice nurses.

5) Obey All Laws
Applicant shall obey all federal, state and local laws, all rules governing the practice of medicine in California and remain in full compliance with any court ordered criminal probation, payments, and other orders.

6) Quarterly Declarations
Applicant shall submit quarterly declarations under penalty of perjury on forms provided by the Board, stating whether there has been compliance with all the conditions of probation. Applicant shall submit quarterly declarations not later than 10 calendar days after the end of the preceding quarter.

7) General Probation Requirements

a) Compliance with Probation Unit
Applicant shall comply with the Board's probation.

b) Address Changes
Applicant shall, at all times, keep the Board informed of applicant's business and residence addresses, email address (if available), and telephone number. Changes of such addresses shall be immediately communicated in writing to the Board or its designee. Under no circumstances shall a post office box serve as an address of record, except as allowed by Business and Professions Code section 2021(b).

c) Place of Practice
Applicant shall not engage in the practice of medicine in applicant's or patient's place of residence, unless the patient resides in a skilled nursing facility or other similar licensed facility.

d) License Renewal
Applicant shall maintain a current and renewed California physician's and surgeon's license.

e) Travel or Residence Outside California
Applicant shall immediately inform the Board or its designee, in writing, of travel to any areas outside the jurisdiction of California which lasts, or is contemplated to last, more than thirty (30) calendar days.

In the event applicant should leave the State of California to reside or to practice applicant shall notify the Board or its designee in writing 30 calendar days prior to the dates of departure and return.

8) Interview with the Board or its Designee
Applicant shall be available in person upon request for interviews either at applicant's place of business or at the probation unit office, with or without prior notice throughout the term of probation.

9) Non-practice While on Probation
Applicant shall notify the Board or its designee in writing within 15 calendar days of any periods of non-practice lasting more than 30 calendar days and within 15 calendar days of applicant's return to practice. Non-practice is defined as any period of time applicant is not practicing medicine as defined in Business and Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct patient care, clinical activity or teaching, or other activity as approved by the Board. If applicant resides in California and is considered to be in non-practice, applicant shall comply with all terms and conditions of probation. All time spent in an intensive training program which has been approved by the Board or its designee shall not be considered non-practice and does not relieve applicant from complying with all the terms and conditions of probation. Practicing medicine in another state of the United States or Federal jurisdiction while on probation with the medical licensing authority of that state or jurisdiction shall not be considered non-practice. A Board-ordered suspension of practice shall not be considered as a period of non-practice.

In the event applicant's period of non-practice while on probation exceeds 18 calendar months, applicant shall successfully complete the Federation of State Medical Board's Special Purpose Examination, or, at the Board's discretion, a clinical competence assessment program that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

Applicant's period of non-practice while on probation shall not exceed two (2) years.

Periods of non-practice will not apply to the reduction of the probationary term.

Periods of non-practice for an applicant residing outside of California, will relieve applicant of the responsibility to comply with the probationary terms and conditions with the exception of this condition and the following terms and conditions of probation: Obey All Laws; General Probation Requirements; Quarterly Declarations; Abstain from the Use of Alcohol and/or Controlled Substances; and Biological Fluid Testing.

10) Completion of Probation
Applicant shall comply with all financial obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the completion of probation. Upon successful completion of probation, applicant's license shall be unrestricted.

11) Violation of Probation
Failure to fully comply with any term or condition of probation is a violation of probation. If applicant violates probation in any respect, the Board, after giving applicant notice and the opportunity to be heard, may petition to revoke probation and take appropriate action. If an Accusation, or Petition to Revoke Probation, or an Interim Suspension Order is filed against applicant during probation, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

12) License Surrender
Following the effective date of this Decision, if applicant ceases practicing due to retirement or health reasons or is otherwise unable to satisfy the terms and conditions of probation, applicant may request to surrender her license. The Board reserves the right to evaluate applicant request and to exercise its discretion in determining whether or not to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances. Upon formal acceptance of the surrender, applicant shall within 15 calendar days deliver applicant's wallet and wall certificate to the Board or its designee and applicant shall no longer practice medicine. Applicant will no longer be subject to the terms and conditions of probation. If applicant re-applies for a medical license, the application shall be treated as a petition for reinstatement of a revoked certificate.

13) Probation Monitoring Costs
Applicant shall pay the costs associated with probation monitoring each and every year of probation, as designated by the Board, which may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of California and delivered to the Board or its designee no later than January 31 of each calendar year.

Applicant agrees to comply with the terms and conditions of the above Order.

10/08/2019

Paige Catherine Bates, Applicant Date

11/5/19

~~Kimberly Kirchmeyer, Executive~~ Director Date

Deputy