

1 XAVIER BECERRA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 JOSEPH F. MCKENNA III
Deputy Attorney General
4 State Bar No. 231195
600 West Broadway, Suite 1800
5 San Diego, California 92101
P.O. Box 85266
6 San Diego, California 92186-5266
Telephone: (619) 738-9417
7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

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

13 In the Matter of the Accusation Against:

Case No. 800-2018-041291

14 **RICHEL YOLANDI STRYDOM, M.D.**
15 **15791 Bear Valley Road**
Hesperia, California 92345-1746

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

16 **Physician's and Surgeon's Certificate No.**
17 **A127315,**

18 Respondent.

19
20 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
21 entitled proceedings that the following matters are true:

22 **PARTIES**

23 1. Christine J. Lally (Complainant) is the Interim Executive Director of the Medical
24 Board of California (Board). This action was brought by then Complainant Kimberly
25 Kirchmeyer,¹ solely in her official capacity. Complainant is represented in this matter by Xavier
26 Becerra, Attorney General of the State of California, and by Joseph F. McKenna III, Deputy
27 Attorney General.

28 ¹ Ms. Kirchmeyer became the Director of the Department of Consumer Affairs on October 28, 2019.

2. Respondent Richel Yolandi Strydom, M.D. (Respondent) is representing herself in this proceeding and has chosen not to exercise her right to be represented by counsel.

3. On or about September 10, 2013, the Board issued Physician's and Surgeon's Certificate No. A127315 to Richel Yolandi Strydom, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2018-041291, and will expire on April 30, 2021, unless renewed.

PROCEDURAL HISTORY

4. On May 28, 2019, a stipulated Interim Order Imposing License Restrictions was issued immediately restricting Physician's and Surgeon's Certificate No. A127315, requiring Respondent to comply with multiple license restrictions including, abstain from use of alcohol and controlled substances, biological fluid testing, substance abuse support group meetings, psychotherapy, and have a worksite monitor. The Order will remain in effect, pending a full determination whether Respondent violated the Medical Practice Act or upon further order by the Medical Board.

JURISDICTION

5. On October 3, 2019, Accusation No. 800-2018-041291 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on October 3, 2019. Respondent timely filed her Notice of Defense contesting the Accusation. A true and correct copy of Accusation No. 800-2018-041291 is attached hereto as Exhibit A and hereby incorporated by reference as if fully set forth herein.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read and fully understands the charges and allegations contained in Accusation No. 800-2018-041291. Respondent has also carefully read, and fully understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of her legal rights in this matter, including the right to be represented by counsel in this matter; the right to a hearing on the charges and allegations contained in Accusation No. 800-2018-041291; the right to confront and cross-examine the

1 witnesses against her; the right to present evidence and to testify on her own behalf; the right to
2 the issuance of subpoenas to compel the attendance of witnesses and the production of
3 documents; the right to reconsideration and court review of an adverse decision; and all other
4 rights accorded by the California Administrative Procedure Act and other applicable laws.

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

7 CULPABILITY

8 9. Respondent admits the truth of each and every charge and allegation in Accusation
9 No. 800-2018-041291.

10 10. Respondent agrees that her Physician's and Surgeon's Certificate is subject to
11 discipline and she agrees to be bound by the Board's probationary terms as set forth in the
12 Disciplinary Order below.

13 CONTINGENCY

14 11. This Stipulated Settlement and Disciplinary Order shall be subject to approval of the
15 Board. The parties agree that this Stipulated Settlement and Disciplinary Order shall be
16 submitted to the Board for its consideration in the above-entitled matter and, further, that the
17 Board shall have a reasonable period of time in which to consider and act on this Stipulated
18 Settlement and Disciplinary Order after receiving it. By signing this stipulation, Respondent fully
19 understands and agrees that she may not withdraw her agreement or seek to rescind this
20 stipulation prior to the time the Board considers and acts upon it.

21 12. The parties agree that this Stipulated Settlement and Disciplinary Order shall be
22 null and void and not binding upon the parties unless approved and adopted by the Board,
23 except for this paragraph, which shall remain in full force and effect. Respondent fully
24 understands and agrees that in deciding whether or not to approve and adopt this Stipulated
25 Settlement and Disciplinary Order, the Board may receive oral and written communications from
26 its staff and/or the Attorney General's Office. Communications pursuant to this paragraph shall
27 not disqualify the Board, any member thereof, and/or any other person from future participation
28 in this or any other matter affecting or involving Respondent. In the event that the Board does

1 not, in its discretion, approve and adopt this Stipulated Settlement and Disciplinary Order, with
2 the exception of this paragraph, it shall not become effective, shall be of no evidentiary value
3 whatsoever, and shall not be relied upon or introduced in any disciplinary action by either party
4 hereto. Respondent further agrees that should this Stipulated Settlement and Disciplinary Order
5 be rejected for any reason by the Board, Respondent will assert no claim that the Board, or any
6 member thereof, was prejudiced by its/his/her review, discussion and/or consideration of this
7 Stipulated Settlement and Disciplinary Order or of any matter or matters related hereto.

8 **ADDITIONAL PROVISIONS**

9 13. This Stipulated Settlement and Disciplinary Order is intended by the parties herein
10 to be an integrated writing representing the complete, final and exclusive embodiment of the
11 agreements of the parties in the above-entitled matter.

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

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

18 **DISCIPLINARY ORDER**

19 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A127315 issued
20 to Respondent Richel Yolandi Strydom, M.D., is revoked. However, the revocation is stayed and
21 Respondent is placed on probation for five (5) years from the effective date of the Decision on the
22 following terms and conditions:

23 1. **CONTROLLED SUBSTANCES – ABSTAIN FROM USE.**

24 Respondent shall abstain completely from the personal use or possession of controlled
25 substances as defined in the California Uniform Controlled Substances Act, dangerous drugs as
26 defined by Business and Professions Code section 4022, and any drugs requiring a prescription.
27 This prohibition does not apply to medications lawfully prescribed to Respondent by another
28 practitioner for a bona fide illness or condition.

1 Within fifteen (15) calendar days of receiving any lawfully prescribed medications,
2 Respondent shall notify the Board or its designee of the: issuing practitioner's name, address, and
3 telephone number; medication name, strength, and quantity; and issuing pharmacy name, address,
4 and telephone number.

5 2. ALCOHOL – ABSTAIN FROM USE.

6 Respondent shall abstain completely from the use of products or beverages containing
7 alcohol.

8 3. PROFESSIONALISM PROGRAM (ETHICS COURSE).

9 Within sixty (60) calendar days of the effective date of this Decision, Respondent shall
10 enroll in a professionalism program, that meets the requirements of Title 16, California Code of
11 Regulations (CCR) section 1358.1. Respondent shall participate in and successfully complete that
12 program. Respondent shall provide any information and documents that the program may deem
13 pertinent. Respondent shall successfully complete the classroom component of the program not
14 later than six (6) months after Respondent's initial enrollment, and the longitudinal component of
15 the program not later than the time specified by the program, but no later than one (1) year after
16 attending the classroom component. The professionalism program shall be at Respondent's
17 expense and shall be in addition to the Continuing Medical Education (CME) requirements for
18 renewal of licensure.

19 A professionalism program taken after the acts that gave rise to the charges in Accusation
20 No. 800-2018-041291, but prior to the effective date of the Decision may, in the sole discretion of
21 the Board or its designee, be accepted towards the fulfillment of this condition if the program
22 would have been approved by the Board or its designee had the program been taken after the
23 effective date of this Decision.

24 Respondent shall submit a certification of successful completion to the Board or its
25 designee not later than fifteen (15) calendar days after successfully completing the program or
26 not later than fifteen (15) calendar days after the effective date of the Decision, whichever is later.

27 ////

28 ////

1 4. PSYCHOTHERAPY.

2 Within sixty (60) calendar days of the effective date of this Decision, Respondent shall
3 submit to the Board or its designee for prior approval the name and qualifications of a California-
4 licensed board certified psychiatrist or a licensed psychologist who has a doctoral degree in
5 psychology and at least five (5) years of postgraduate experience in the diagnosis and treatment of
6 emotional and mental disorders. Upon approval, Respondent shall undergo and continue
7 psychotherapy treatment, including any modifications to the frequency of psychotherapy, until the
8 Board or its designee deems that no further psychotherapy is necessary.

9 The psychotherapist shall consider any information provided by the Board or its designee
10 and any other information the psychotherapist deems relevant and shall furnish a written
11 evaluation report to the Board or its designee. Respondent shall cooperate in providing the
12 psychotherapist with any information and documents that the psychotherapist may deem pertinent.

13 Respondent shall have the treating psychotherapist submit quarterly status reports to the
14 Board or its designee. The Board or its designee may require Respondent to undergo psychiatric
15 evaluations by a Board-appointed board certified psychiatrist. If, prior to the completion of
16 probation, Respondent is found to be mentally unfit to resume the practice of medicine without
17 restrictions, the Board shall retain continuing jurisdiction over Respondent's license and the
18 period of probation shall be extended until the Board determines that Respondent is mentally fit
19 to resume the practice of medicine without restrictions.

20 Respondent shall pay the cost of all psychotherapy and psychiatric evaluations.

21 5. MEDICAL EVALUATION AND TREATMENT.

22 Within thirty (30) calendar days of the effective date of this Decision, and on a periodic
23 basis thereafter as may be required by the Board or its designee, Respondent shall undergo a
24 medical evaluation by a Board-appointed physician who shall consider any information provided
25 by the Board or designee and any other information the evaluating physician deems relevant and
26 shall furnish a medical report to the Board or its designee. Respondent shall provide the
27 evaluating physician with any information and documentation that the evaluating physician may
28 deem pertinent.

1 Following the evaluation, Respondent shall comply with all restrictions or conditions
2 recommended by the evaluating physician within fifteen (15) calendar days after being notified
3 by the Board or its designee. If Respondent is required by the Board or its designee to undergo
4 medical treatment, Respondent shall within thirty (30) calendar days of the requirement notice,
5 submit to the Board or its designee for prior approval the name and qualifications of a California
6 licensed treating physician of Respondent's choice. Upon approval of the treating physician,
7 Respondent shall within fifteen (15) calendar days undertake medical treatment and shall
8 continue such treatment until further notice from the Board or its designee.

9 The treating physician shall consider any information provided by the Board or its designee
10 or any other information the treating physician may deem pertinent prior to commencement of
11 treatment. Respondent shall have the treating physician submit quarterly reports to the Board or
12 its designee indicating whether or not the Respondent is capable of practicing medicine safely.
13 Respondent shall provide the Board or its designee with any and all medical records pertaining to
14 treatment that the Board or its designee deems necessary.

15 If, prior to the completion of probation, Respondent is found to be physically incapable
16 of resuming the practice of medicine without restrictions, the Board shall retain continuing
17 jurisdiction over Respondent's license and the period of probation shall be extended until
18 the Board determines that Respondent is physically capable of resuming the practice of
19 medicine without restrictions. Respondent shall pay the cost of the medical evaluation(s) and
20 treatment.

21 6. SOLO PRACTICE PROHIBITION.

22 Respondent is prohibited from engaging in the solo practice of medicine. Prohibited solo
23 practice includes, but is not limited to, a practice where: 1) Respondent merely shares office
24 space with another physician but is not affiliated for purposes of providing patient care, or
25 2) Respondent is the sole physician practitioner at that location.

26 If Respondent fails to establish a practice with another physician or secure employment in
27 an appropriate practice setting within sixty (60) calendar days of the effective date of this
28 Decision, Respondent shall receive a notification from the Board or its designee to cease the

1 practice of medicine within three (3) calendar days after being so notified. The Respondent shall
2 not resume practice until an appropriate practice setting is established.

3 If, during the course of the probation, the Respondent's practice setting changes and the
4 Respondent is no longer practicing in a setting in compliance with this Decision, the Respondent
5 shall notify the Board or its designee within five (5) calendar days of the practice setting change.
6 If Respondent fails to establish a practice with another physician or secure employment in an
7 appropriate practice setting within sixty (60) calendar days of the practice setting change,
8 Respondent shall receive a notification from the Board or its designee to cease the practice of
9 medicine within three (3) calendar days after being so notified. The Respondent shall not resume
10 practice until an appropriate practice setting is established.

11 7. CLINICAL DIAGNOSTIC EVALUATIONS AND REPORTS.

12 Within thirty (30) calendar days of the effective date of this Decision, and on whatever
13 periodic basis thereafter as may be required by the Board or its designee, Respondent shall
14 undergo and complete a clinical diagnostic evaluation, including any and all testing deemed
15 necessary, by a Board-appointed board certified physician and surgeon. The examiner shall
16 consider any information provided by the Board or its designee and any other information he or
17 she deems relevant, and shall furnish a written evaluation report to the Board or its designee.

18 The clinical diagnostic evaluation shall be conducted by a licensed physician and surgeon
19 who holds a valid, unrestricted license, has three (3) years' experience in providing evaluations of
20 physicians and surgeons with substance abuse disorders, and is approved by the Board or its
21 designee. The clinical diagnostic evaluation shall be conducted in accordance with acceptable
22 professional standards for conducting substance abuse clinical diagnostic evaluations. The
23 evaluator shall not have a current or former financial, personal, or business relationship with
24 Respondent within the last five (5) years. The evaluator shall provide an objective, unbiased, and
25 independent evaluation. The clinical diagnostic evaluation report shall set forth, in the
26 evaluator's opinion, whether Respondent has a substance abuse problem, whether Respondent is a
27 threat to herself or others, and recommendations for substance abuse treatment, practice
28 restrictions, or other recommendations related to Respondent's rehabilitation and ability to

1 practice safely. If the evaluator determines during the evaluation process that Respondent is a
2 threat to herself or others, the evaluator shall notify the Board within twenty-four (24) hours of
3 such a determination.

4 In formulating his or her opinion as to whether Respondent is safe to return to either part-
5 time or full-time practice and what restrictions or recommendations should be imposed, including
6 participation in an inpatient or outpatient treatment program, the evaluator shall consider the
7 following factors: Respondent's license type; Respondent's history; Respondent's documented
8 length of sobriety (i.e., length of time that has elapsed since Respondent's last substance use);
9 Respondent's scope and pattern of substance abuse; Respondent's treatment history, medical
10 history and current medical condition; the nature, duration and severity of Respondent's
11 substance abuse problem or problems; and whether Respondent is a threat to herself or the public.

12 For all clinical diagnostic evaluations, a final written report shall be provided to the Board
13 no later than ten (10) days from the date the evaluator is assigned the matter. If the evaluator
14 requests additional information or time to complete the evaluation and report, an extension may
15 be granted, but shall not exceed thirty (30) days from the date the evaluator was originally
16 assigned the matter.

17 The Board shall review the clinical diagnostic evaluation report within five (5) business
18 days of receipt to determine whether Respondent is safe to return to either part-time or full-time
19 practice and what restrictions or recommendations shall be imposed on Respondent based on the
20 recommendations made by the evaluator. Respondent shall not be returned to practice until she
21 has at least thirty (30) days of negative biological fluid tests or biological fluid tests indicating
22 that she has not used, consumed, ingested, or administered to herself a prohibited substance, as
23 defined in section 1361.51, subdivision (e), of Title 16 of the California Code of Regulations.

24 Clinical diagnostic evaluations conducted prior to the effective date of this Decision shall
25 not be accepted towards the fulfillment of this requirement. The cost of the clinical diagnostic
26 evaluation, including any and all testing deemed necessary by the examiner, the Board or its
27 designee, shall be borne by the licensee.

28 ////

1 Respondent shall not engage in the practice of medicine until notified by the Board or its
2 designee that she is fit to practice medicine safely. The period of time that Respondent is not
3 practicing medicine shall not be counted toward completion of the term of probation. Respondent
4 shall undergo biological fluid testing as required in this Decision at least two (2) times per week
5 while awaiting the notification from the Board if she is fit to practice medicine safely.

6 Respondent shall comply with all restrictions or conditions recommended by the examiner
7 conducting the clinical diagnostic evaluation within fifteen (15) calendar days after being notified
8 by the Board or its designee.

9 8. NOTICE OF EMPLOYER OR SUPERVISOR INFORMATION.

10 Within seven (7) days of the effective date of this Decision, Respondent shall provide to the
11 Board the names, physical addresses, mailing addresses, and telephone numbers of any and all
12 employers and supervisors. Respondent shall also provide specific, written consent for the Board,
13 Respondent's worksite monitor, and Respondent's employers and supervisors to communicate
14 regarding Respondent's work status, performance, and monitoring.

15 For purposes of this section, "supervisors" shall include the Chief of Staff and Health or
16 Well Being Committee Chair, or equivalent, if applicable, when the Respondent has medical staff
17 privileges.

18 9. BIOLOGICAL FLUID TESTING.

19 Respondent shall immediately submit to biological fluid testing, at Respondent's expense,
20 upon request of the Board or its designee. "Biological fluid testing" may include, but is not
21 limited to, urine, blood, breathalyzer, hair follicle testing, or similar drug screening approved by
22 the Board or its designee. Respondent shall make daily contact with the Board or its designee to
23 determine whether biological fluid testing is required. Respondent shall be tested on the date of
24 the notification as directed by the Board or its designee. The Board may order a Respondent to
25 undergo a biological fluid test on any day, at any time, including weekends and holidays. Except
26 when testing on a specific date as ordered by the Board or its designee, the scheduling of
27 biological fluid testing shall be done on a random basis. The cost of biological fluid testing shall
28 be borne by the Respondent.

1 During the first year of probation, Respondent shall be subject to fifty-two (52) to one
2 hundred four (104) random tests. During the second year of probation and for the duration of the
3 probationary term, up to five (5) years, Respondent shall be subject to thirty-six (36) to one
4 hundred four (104) random tests per year. Only if there have been no positive biological fluid
5 tests in the previous five (5) consecutive years of probation, may testing be reduced to one (1)
6 time per month. Nothing precludes the Board from increasing the number of random tests to the
7 first-year level of frequency for any reason.

8 Prior to practicing medicine, Respondent shall contract with a laboratory or service,
9 approved in advance by the Board or its designee, that will conduct random, unannounced,
10 observed, biological fluid testing and meets all of the following standards:

11 (a) Its specimen collectors are either certified by the Drug and Alcohol Testing Industry
12 Association or have completed the training required to serve as a collector for the United
13 States Department of Transportation.

14 (b) Its specimen collectors conform to the current United States Department of
15 Transportation Specimen Collection Guidelines.

16 (c) Its testing locations comply with the Urine Specimen Collection Guidelines published
17 by the United States Department of Transportation without regard to the type of test
18 administered.

19 (d) Its specimen collectors observe the collection of testing specimens.

20 (e) Its laboratories are certified and accredited by the United States Department of Health
21 and Human Services.

22 (f) Its testing locations shall submit a specimen to a laboratory within one (1) business day
23 of receipt and all specimens collected shall be handled pursuant to chain of custody
24 procedures. The laboratory shall process and analyze the specimens and provide legally
25 defensible test results to the Board within seven (7) business days of receipt of the
26 specimen. The Board will be notified of non-negative results within one (1) business day
27 and will be notified of negative test results within seven (7) business days.

28 .////

- 1 (g) Its testing locations possess all the materials, equipment, and technical expertise
2 necessary in order to test Respondent on any day of the week.
- 3 (h) Its testing locations are able to scientifically test for urine, blood, and hair specimens
4 for the detection of alcohol and illegal and controlled substances.
- 5 (i) It maintains testing sites located throughout California.
- 6 (j) It maintains an automated 24-hour toll-free telephone system and/or a secure on-line
7 computer database that allows the Respondent to check in daily for testing.
- 8 (k) It maintains a secure, HIPAA-compliant website or computer system that allows staff
9 access to drug test results and compliance reporting information that is available 24 hours a
10 day.
- 11 (l) It employs or contracts with toxicologists that are licensed physicians and have
12 knowledge of substance abuse disorders and the appropriate medical training to interpret
13 and evaluate laboratory biological fluid test results, medical histories, and any other
14 information relevant to biomedical information.
- 15 (m) It will not consider a toxicology screen to be negative if a positive result is obtained
16 while practicing, even if the Respondent holds a valid prescription for the substance.

17 Prior to changing testing locations for any reason, including during vacation or other travel,
18 alternative testing locations must be approved by the Board and meet the requirements above.

19 The contract shall require that the laboratory directly notify the Board or its designee of
20 non-negative results within one (1) business day and negative test results within seven (7)
21 business days of the results becoming available. Respondent shall maintain this laboratory or
22 service contract during the period of probation.

23 A certified copy of any laboratory test result may be received in evidence in any
24 proceedings between the Board and Respondent.

25 If a biological fluid test result indicates Respondent has used, consumed, ingested, or
26 administered to himself or herself a prohibited substance, the Board shall order Respondent to
27 cease practice and instruct Respondent to leave any place of work where Respondent is practicing
28 medicine or providing medical services. The Board shall immediately notify all of Respondent's

1 employers, supervisors and work monitors, if any, that Respondent may not practice medicine or
2 provide medical services while the cease-practice order is in effect.

3 A biological fluid test will not be considered negative if a positive result is obtained while
4 practicing, even if the practitioner holds a valid prescription for the substance. If no prohibited
5 substance use exists, the Board shall lift the cease-practice order within one (1) business day.

6 After the issuance of a cease-practice order, the Board shall determine whether the positive
7 biological fluid test is in fact evidence of prohibited substance use by consulting with the
8 specimen collector and the laboratory, communicating with the licensee, her treating physician(s),
9 other health care provider, or group facilitator, as applicable.

10 For purposes of this condition, the terms "biological fluid testing" and "testing" mean the
11 acquisition and chemical analysis of a Respondent's urine, blood, breath, or hair.

12 For purposes of this condition, the term "prohibited substance" means an illegal drug, a
13 lawful drug not prescribed or ordered by an appropriately licensed health care provider for use by
14 Respondent and approved by the Board, alcohol, or any other substance the Respondent has been
15 instructed by the Board not to use, consume, ingest, or administer to herself.

16 If the Board confirms that a positive biological fluid test is evidence of use of a prohibited
17 substance, Respondent has committed a major violation, as defined in section 1361.52(a), and the
18 Board shall impose any or all of the consequences set forth in section 1361.52(b), in addition to
19 any other terms or conditions the Board determines are necessary for public protection or to
20 enhance Respondent's rehabilitation.

21 10. SUBSTANCE ABUSE SUPPORT GROUP MEETINGS.

22 Within thirty (30) days of the effective date of this Decision, Respondent shall submit to the
23 Board or its designee, for its prior approval, the name of a substance abuse support group which
24 she shall attend for the duration of probation. Respondent shall attend substance abuse support
25 group meetings at least once per week, or as ordered by the Board or its designee. Respondent
26 shall pay all substance abuse support group meeting costs.

27 The facilitator of the substance abuse support group meeting shall have a minimum of three
28 (3) years' experience in the treatment and rehabilitation of substance abuse, and shall be licensed

1 or certified by the state or nationally certified organizations. The facilitator shall not have a
2 current or former financial, personal, or business relationship with Respondent within the last five
3 (5) years. Respondent's previous participation in a substance abuse group support meeting led by
4 the same facilitator does not constitute a prohibited current or former financial, personal, or
5 business relationship.

6 The facilitator shall provide a signed document to the Board or its designee showing
7 Respondent's name, the group name, the date and location of the meeting, Respondent's
8 attendance, and Respondent's level of participation and progress. The facilitator shall report any
9 unexcused absence by Respondent from any substance abuse support group meeting to the Board,
10 or its designee, within 24 hours of the unexcused absence.

11 11. WORKSITE MONITOR FOR SUBSTANCE-ABUSING LICENSEE.

12 Within thirty (30) calendar days of the effective date of this Decision, Respondent shall
13 submit to the Board or its designee for prior approval as a worksite monitor, the name and
14 qualifications of one or more licensed physician and surgeon, other licensed health care
15 professional if no physician and surgeon is available, or, as approved by the Board or its designee,
16 a person in a position of authority who is capable of monitoring the Respondent at work.

17 The worksite monitor shall not have a current or former financial, personal, or familial
18 relationship with Respondent, or any other relationship that could reasonably be expected to
19 compromise the ability of the monitor to render impartial and unbiased reports to the Board
20 or its designee. If it is impractical for anyone but Respondent's employer to serve as the
21 worksite monitor, this requirement may be waived by the Board or its designee, however, under
22 no circumstances shall Respondent's worksite monitor be an employee or supervisee of the
23 licensee.

24 The worksite monitor shall have an active unrestricted license with no disciplinary action
25 within the last five (5) years, and shall sign an affirmation that he or she has reviewed the terms
26 and conditions of Respondent's disciplinary order and agrees to monitor Respondent as set forth
27 by the Board or its designee.

28 Respondent shall pay all worksite monitoring costs.

1 The worksite monitor shall have face-to-face contact with Respondent in the work
2 environment on as frequent a basis as determined by the Board or its designee, but not less than
3 once per week; interview other staff in the office regarding Respondent's behavior, if requested
4 by the Board or its designee; and review Respondent's work attendance.

5 The worksite monitor shall verbally report any suspected substance abuse to the Board and
6 Respondent's employer or supervisor within one (1) business day of occurrence. If the suspected
7 substance abuse does not occur during the Board's normal business hours, the verbal report shall
8 be made to the Board or its designee within one (1) hour of the next business day. A written
9 report that includes the date, time, and location of the suspected abuse; Respondent's actions; and
10 any other information deemed important by the worksite monitor shall be submitted to the Board
11 or its designee within 48 hours of the occurrence.

12 The worksite monitor shall complete and submit a written report monthly or as directed by
13 the Board or its designee which shall include the following:

- 14 (1) Respondent's name and Physician's and Surgeon's Certificate number.
- 15 (2) The worksite monitor's name and signature.
- 16 (3) The worksite monitor's license number, if applicable.
- 17 (4) The location or location(s) of the worksite.
- 18 (5) The dates Respondent had face-to-face contact with the worksite monitor.
- 19 (6) The names of worksite staff interviewed, if applicable.
- 20 (7) A report of Respondent's work attendance.
- 21 (8) Any change in Respondent's behavior and/or personal habits.
- 22 (9) Any indicators that can lead to suspected substance abuse by Respondent.

23 Respondent shall complete any required consent forms and execute agreements with the
24 approved worksite monitor and the Board, or its designee, authorizing the Board, or its designee,
25 and worksite monitor to exchange information.

26 If the worksite monitor resigns or is no longer available, Respondent shall, within five (5)
27 calendar days of such resignation or unavailability, submit to the Board or its designee, for prior
28 approval, the name and qualifications of a replacement monitor who will be assuming that

responsibility within fifteen (15) calendar days. If Respondent fails to obtain approval of a replacement monitor within sixty (60) calendar days of the resignation or unavailability of the monitor, Respondent shall receive a notification from the Board or its designee to cease the practice of medicine within three (3) calendar days after being so notified. Respondent shall cease the practice of medicine until a replacement monitor is approved and assumes monitoring responsibility.

12. VIOLATION OF PROBATION CONDITION FOR SUBSTANCE ABUSING LICENSEES.

Failure to fully comply with any term or condition of probation is a violation of probation.

A. If Respondent commits a major violation of probation as defined by section 1361.52, subdivision (a), of Title 16 of the California Code of Regulations, the Board shall take one or more of the following actions:

(1) Issue an immediate cease-practice order and order Respondent to undergo a clinical diagnostic evaluation to be conducted in accordance with section 1361.5, subdivision (c)(1), of Title 16 of the California Code of Regulations, at Respondent's expense. The cease-practice order issued by the Board or its designee shall state that Respondent must test negative for at least a month of continuous biological fluid testing before being allowed to resume practice. For purposes of determining the length of time a Respondent must test negative while undergoing continuous biological fluid testing following issuance of a cease-practice order, a month is defined as thirty calendar (30) days. Respondent may not resume the practice of medicine until notified in writing by the Board or its designee that she may do so.

(2) Increase the frequency of biological fluid testing.

(3) Refer Respondent for further disciplinary action, such as suspension, revocation, or other action as determined by the Board or its designee.

B. If Respondent commits a minor violation of probation as defined by section 1361.52, subdivision (c), of Title 16 of the California Code of Regulations, the Board shall take one or more of the following actions:

(1) Issue a cease-practice order.

- 1 (2) Order practice limitations.
2 (3) Order or increase supervision of Respondent.
3 (4) Order increased documentation.
4 (5) Issue a citation and fine, or a warning letter.
5 (6) Order Respondent to undergo a clinical diagnostic evaluation to be conducted in
6 accordance with section 1361.5, subdivision (c)(1), of Title 16 of the California Code of
7 Regulations, at Respondent's expense.
8 (7) Take any other action as determined by the Board or its designee.

9 C. Nothing in this Decision shall be considered a limitation on the Board's authority to
10 revoke Respondent's probation if she has violated any term or condition of probation. If
11 Respondent violates probation in any respect, the Board, after giving Respondent notice and the
12 opportunity to be heard, may revoke probation and carry out the disciplinary order that was
13 stayed. If an Accusation, or Petition to Revoke Probation, or an Interim Suspension Order is filed
14 against Respondent during probation, the Board shall have continuing jurisdiction until the matter
15 is final, and the period of probation shall be extended until the matter is final.

16 13. NOTIFICATION.

17 Within seven (7) days of the effective date of this Decision, the Respondent shall provide a
18 true copy of this Decision and Disciplinary Order and Accusation No. 800-2018-041291 to the
19 Chief of Staff or the Chief Executive Officer at every hospital where privileges or membership
20 are extended to Respondent, at any other facility where Respondent engages in the practice of
21 medicine, including all physician and locum tenens registries or other similar agencies, and to the
22 Chief Executive Officer at every insurance carrier which extends malpractice insurance coverage
23 to Respondent. Respondent shall submit proof of compliance to the Board or its designee within
24 fifteen (15) calendar days.

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

26 ////

27 ////

28 ////

1 14. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE
2 NURSES.

3 During probation, Respondent is prohibited from supervising physician assistants and
4 advanced practice nurses.

5 15. OBEY ALL LAWS.

6 Respondent shall obey all federal, state and local laws, all rules governing the practice of
7 medicine in California and remain in full compliance with any court ordered criminal probation,
8 payments, and other orders.

9 16. QUARTERLY DECLARATIONS.

10 Respondent shall submit quarterly declarations under penalty of perjury on forms provided
11 by the Board, stating whether there has been compliance with all the conditions of probation.

12 Respondent shall submit quarterly declarations not later than ten (10) calendar days after
13 the end of the preceding quarter.

14 17. GENERAL PROBATION REQUIREMENTS.

15 Compliance with Probation Unit

16 Respondent shall comply with the Board's probation unit.

17 Address Changes

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

23 Place of Practice

24 Respondent shall not engage in the practice of medicine in Respondent's or patient's place
25 of residence, unless the patient resides in a skilled nursing facility or other similar licensed facility.

26 License Renewal

27 Respondent shall maintain a current and renewed California physician's and surgeon's
28 license.

1 Travel or Residence Outside California

2 Respondent shall immediately inform the Board or its designee, in writing, of travel to any
3 areas outside the jurisdiction of California which lasts, or is contemplated to last, more than thirty
4 (30) calendar days.

5 In the event Respondent should leave the State of California to reside or to practice,
6 Respondent shall notify the Board or its designee in writing thirty (30) calendar days prior to the
7 dates of departure and return.

8 18. INTERVIEW WITH THE BOARD OR ITS DESIGNEE.

9 Respondent shall be available in person upon request for interviews either at Respondent's
10 place of business or at the probation unit office, with or without prior notice throughout the term
11 of probation.

12 19. NON-PRACTICE WHILE ON PROBATION.

13 Respondent shall notify the Board or its designee in writing within fifteen (15) calendar
14 days of any periods of non-practice lasting more than thirty (30) calendar days and within fifteen
15 (15) calendar days of Respondent's return to practice. Non-practice is defined as any period of
16 time Respondent is not practicing medicine as defined in Business and Professions Code sections
17 2051 and 2052 for at least forty (40) hours in a calendar month in direct patient care, clinical
18 activity or teaching, or other activity as approved by the Board. If Respondent resides in
19 California and is considered to be in non-practice, Respondent shall comply with all terms and
20 conditions of probation. All time spent in an intensive training program which has been approved
21 by the Board or its designee shall not be considered non-practice and does not relieve Respondent
22 from complying with all the terms and conditions of probation. Practicing medicine in another
23 state of the United States or Federal jurisdiction while on probation with the medical licensing
24 authority of that state or jurisdiction shall not be considered non-practice. A Board-ordered
25 suspension of practice shall not be considered as a period of non-practice.

26 In the event Respondent's period of non-practice while on probation exceeds 18 calendar
27 months, Respondent shall successfully complete the Federation of State Medical Boards' Special
28 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program

1 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model
2 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

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

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

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

10 20. COMPLETION OF PROBATION.

11 Respondent shall comply with all financial obligations (e.g., restitution and/or probation
12 costs) not later than one hundred twenty (120) calendar days prior to the completion of probation.
13 Upon successful completion of probation, Respondent's certificate shall be fully restored.

14 21. VIOLATION OF PROBATION.

15 Failure to fully comply with any term or condition of probation is a violation of probation.
16 If Respondent violates probation in any respect, the Board, after giving Respondent notice and the
17 opportunity to be heard, may revoke probation and carry out the disciplinary order that was
18 stayed. If an Accusation, or Petition to Revoke Probation, or an Interim Suspension Order is filed
19 against Respondent during probation, the Board shall have continuing jurisdiction until the matter
20 is final, and the period of probation shall be extended until the matter is final.

21 22. LICENSE SURRENDER.

22 Following the effective date of this Decision, if Respondent ceases practicing due to
23 retirement or health reasons or is otherwise unable to satisfy the terms and conditions of
24 probation, Respondent may request to surrender her license. The Board reserves the right to
25 evaluate Respondent's request and to exercise its discretion in determining whether or not to
26 grant the request, or to take any other action deemed appropriate and reasonable under the
27 circumstances. Upon formal acceptance of the surrender, Respondent shall within fifteen (15)
28 calendar days deliver Respondent's wallet and wall certificate to the Board or its designee and

Respondent shall no longer practice medicine. Respondent will no longer be subject to the terms and conditions of probation. If Respondent re-applies for a medical license, the application shall be treated as a petition for reinstatement of a revoked certificate.

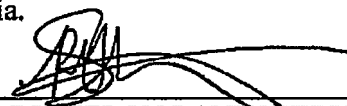
23. PROBATION MONITORING COSTS.

Respondent 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.

ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order. I fully understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate No. A127315. I am representing myself in this proceeding and have chosen not to exercise my right to be represented by counsel. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Disciplinary Order of the Medical Board of California.

DATED: 12/11/2019


RICHEL YOLANDI STRYDOM, M.D.
Respondent

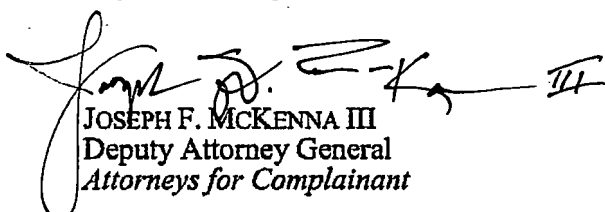
ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California.

DATED: December 13, 2019

Respectfully submitted;

XAVIER BECERRA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General


JOSEPH F. MCKENNA III
Deputy Attorney General
Attorneys for Complainant

SD2019700708 / Doc.No.72059434

Exhibit A

Accusation No. 800-2018-041291

1 XAVIER BECERRA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 JOSEPH F. MCKENNA III
Deputy Attorney General
4 State Bar No. 231195
600 West Broadway, Suite 1800
5 San Diego, California 92101
P.O. Box 85266
6 San Diego, California 92186-5266
Telephone: (619) 738-9417
7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO OCT. 3 20 19
BY A. GEREMIA ANALYST

10 **BEFORE THE**
11 **MEDICAL BOARD OF CALIFORNIA**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
13 **STATE OF CALIFORNIA**

14 In the Matter of the Accusation Against:

15 **RICHEL YOLANDI STRYDOM, M.D.**
16 **15791 Bear Valley Road**
Hesperia, California 92345-1746

17 **Physician's and Surgeon's Certificate**
18 **No. A127315,**

19 Respondent.

Case No. 800-2018-041291

A C C U S A T I O N

20
21 **PARTIES**

22 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
23 capacity as the Executive Director of the Medical Board of California, Department of Consumer
24 Affairs (Board).

25 2. On or about September 10, 2013, the Medical Board issued Physician's and
26 Surgeon's Certificate No. A127315 to Richel Yolandi Strydom, M.D. (Respondent). The
27 Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the
28 charges brought herein and will expire on April 30, 2021, unless renewed.

1

2

9

10

13

14

22

23

27

28

1 “(a) Revoking the licentiate’s certificate or license.

2 “(b) Suspending the licentiate’s right to practice.

3 “(c) Placing the licentiate on probation.

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

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

11 7. Section 824 of the Code states:

12 “The licensing agency may proceed against a licentiate under either Section
13 820, or 822, or under both sections.”

14 8. Section 825 of the Code states:

15 “As used in this article with reference to persons holding licenses as
16 physicians and surgeons, ‘licensing agency’ means a panel of the Division of
17 Medical Quality.²”

18 9. Section 826 of the Code states:

19 “The proceedings under Sections 821 and 822 shall be conducted in
20 accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division
21 3 of Title 2 of the Government Code, and the licensing agency and the licentiate
22 shall have all the rights and powers granted therein.”

23 ////

24 ////

25 ////

26 ² California Business and Professions Code section 2002, as amended and effective
27 January 1, 2008, provides that, unless otherwise expressly provided, the term “board” as used in
28 the State Medical Practice Act (Bus. & Prof. Code, §§ 2000, et seq.) means the “Medical Board
of California,” and references to the “Division of Medical Quality” and “Division of Licensing”
in the Act or any other provision of law shall be deemed to refer to the Medical Board.

1

2

3

7

9

7

2

24

5

27

1 month hospitalization due to traumatic brain injury suffered as a result of a near
2 fatal motor vehicle accident. Based upon the examination, and also information
3 received from Respondent, Dr. L.D. documented evidence of alcohol use disorder,
4 acute anxiety, depression and potential thyroid issues. Dr. L.D. further
5 documented that he did not see or review any recent records regarding
6 Respondent's neurological condition.

7 15. Dr. L.D. opined that it was not safe for Respondent to practice medicine until the
8 following was completed: (1) due to Respondent's past injury involving traumatic brain injury, a
9 current and complete neurological evaluation to "assess any continuing impact from this injury"
10 on her ability to practice medicine; and (2) due to Respondent's history of alcohol use disorder,
11 attention deficit disorder, depression, and anxiety, a psychiatric evaluation and an evaluation by
12 addiction medicine specialists and supervision.

13 16. Pursuant section 820 of the Code, at the request of the Board, Respondent voluntarily
14 presented to a doctor chosen by the Board for a mental examination.

15 A. Psychiatric and Psychological Examination:

16 On July 2, 2018, M.K., M.D., performed a psychiatric and psychological
17 evaluation of Respondent.⁴ The evaluation showed that Respondent had "imperfect"
18 insight into her alcohol use and that she still denied the empty bottles of vodka found
19 by LLUMC were from her use. In a report prepared for the Board, Dr. M.K. found
20 that Respondent met DSM-5 diagnostic criteria for a number of issues including, but
21 not limited to, Alcohol Use Disorder ("Severe."); Persistent Depressive Disorder;
22 Major Depression; and Depressive Disorder Due To Other Medical Conditions.

23 17. Dr. M.K. opined that it was not possible to insure that there was no future safety risk
24 in permitting Respondent to practice family medicine, and that if she resumed alcohol use,
25 experienced a depressive episode, or did not take her thyroid medication, she would not be able to
26 practice medicine safely.

27
28 ⁴ Dr. M.K. is board certified in Psychiatry, Forensic Psychiatry, Addiction Psychiatry,
Geriatric Psychiatry, and Psychosomatic Psychiatry.

1 PRAYER

2 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
3 and that following the hearing, the Medical Board of California issue a decision:


4 1. Revoking or suspending Physician's and Surgeon's Certificate No. A127315, issued
5 to Respondent Richel Yolandi Strydom, M.D.

6 2. Revoking, suspending or denying approval of Respondent Richel Yolandi Strydom,
7 M.D.'s authority to supervise physician assistants and advanced practice nurses, pursuant to
8 section 3527 of the Code.

9 3. Taking action as authorized by section 822 of the Business and Professions Code as
10 the Medical Board, in its discretion, deems necessary and proper.

11 4. Taking such other and further action as deemed necessary and proper.

12
13 DATED: October 3, 2019

14 
15 KIMBERLY KIRCHMEYER
16 Executive Director
17 Medical Board of California
18 Department of Consumer Affairs
19 State of California
20 Complainant

21
22
23
24
25
26
27 SD2019700708
28 Doc.No.71842700