

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

**In the Matter of the Accusation
Against**

Robert Bruce Morrison, M.D.

**Physician's and Surgeon's
Certificate No. G33727**

Respondent.

Case No. 800-2017-038982

DECISION

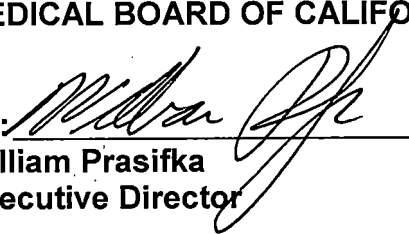
The attached Stipulated Surrender of License and Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on

September 2, 2020.

IT IS SO ORDERED August 26, 2020.

MEDICAL BOARD OF CALIFORNIA

By: 
**William Prasifka
Executive Director**

1 XAVIER BECERRA
Attorney General of California
2 E. A. JONES III
Supervising Deputy Attorney General
3 JOSHUA M. TEMPLET
Deputy Attorney General
4 State Bar No. 267098
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
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Attorneys for Complainant
7

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

12 In the Matter of the Accusation Against:

13 **ROBERT BRUCE MORRISON, M.D.**
14 **361 Pine Tree Lane**
15 **Monrovia, CA 91016-2370**

16 **Physician's and Surgeon's Certificate**
17 **No. G 33727**

18 Respondent.

Case No. 800-2017-038982

OAH No. 2020070103

19 **STIPULATED SURRENDER OF**
20 **LICENSE AND ORDER**

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

23 **PARTIES**

24 1. William Prasifka (Complainant) is the Executive Director of the Medical Board of
25 California (Board). He brought this action solely in his official capacity and is represented in this
26 matter by Xavier Becerra, Attorney General of the State of California, via Joshua M. Templet,
27 Deputy Attorney General.

28 2. Robert Bruce Morrison, M.D. (Respondent) is represented in this proceeding by
attorney Kent Thomas Brandmeyer, 2 North Lake Avenue, Suite 820, Pasadena, CA 91101.

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1 3. On or about March 23, 1977, the Board issued Physician's and Surgeon's Certificate
2 No. G 33727 to Robert Bruce Morrison, M.D. Although Respondent's Physician's and Surgeon's
3 Certificate expired on October 31, 2019, the Board retained continuing jurisdiction over his
4 certificate at all times relevant to the charges brought in Accusation No. 800-2017-038982.

5 **JURISDICTION**

6 4. Accusation No. 800-2017-038982 (Accusation) was filed before the Board and is
7 currently pending against Respondent. The Accusation and all other statutorily required
8 documents were properly served on Respondent, on December 23, 2019. Respondent timely filed
9 his Notice of Defense contesting the Accusation. A copy of the Accusation is attached as
10 Exhibit A and incorporated by reference.

11 **ADVISEMENT AND WAIVERS**

12 5. Respondent has carefully read, fully discussed with counsel, and understands the
13 charges and allegations in the Accusation. Respondent also has carefully read, fully discussed
14 with counsel, and understands the effects of this Stipulated Surrender of License and Order.

15 6. Respondent is fully aware of his legal rights in this matter, including the right to a
16 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
17 the witnesses against him; the right to present evidence and to testify on his own behalf; the right
18 to the issuance of subpoenas to compel the attendance of witnesses and the production of
19 documents; the right to reconsideration and court review of an adverse decision; and all other
20 rights accorded by the California Administrative Procedure Act and other applicable laws.

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

23 **CULPABILITY**

24 8. Respondent understands that the charges and allegations in the Accusation, if proven
25 at a hearing, constitute cause for imposing discipline upon his Physician's and Surgeon's
26 Certificate.

27 9. For the purpose of resolving the Accusation without the expense and uncertainty of
28 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual

1 basis for the charges in the Accusation and that those charges constitute cause for discipline.
2 Respondent hereby gives up his right to contest that cause for discipline exists based on those
3 charges.

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

7 CONTINGENCY

8 11. This stipulation shall be subject to approval by the Board. Respondent understands
9 and agrees that counsel for Complainant and the staff of the Board may communicate directly
10 with the Board regarding this stipulation and surrender, without notice to or participation by
11 Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he
12 may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board
13 considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order,
14 the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this
15 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not
16 be disqualified from further action by having considered this matter.

17 12. The parties understand and agree that Portable Document Format (PDF) and facsimile
18 copies of this Stipulated Surrender of License and Order, including PDF and facsimile signatures
19 thereto, shall have the same force and effect as the originals.

20 13. In consideration of the foregoing admissions and stipulations, the parties agree that
21 the Board may, without further notice or formal proceeding, issue and enter the following Order:

22 ORDER

23 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 33727, issued
24 to Respondent Robert Bruce Morrison, M.D., is surrendered and accepted by the Board.

25 1. The surrender of Respondent's Physician's and Surgeon's Certificate and the
26 acceptance of the surrendered license by the Board shall constitute the imposition of discipline
27 against Respondent. This stipulation constitutes a record of the discipline and shall become a part
28 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 the Accusation shall be deemed to be true, correct, and admitted by Respondent when the Board determines whether to grant or deny the petition.

ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Kent Thomas Brandmeyer. 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: 7/6/20


ROBERT BRUCE MORRISON, M.D.
Respondent

I have read and fully discussed with Respondent ROBERT BRUCE MORRISON, 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: 7/6/2020


KENT THOMAS BRANDMEYER
Attorney for Respondent

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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: July 9, 2020

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
E. A. JONES III
Supervising Deputy Attorney General

Joshua M. Templet
JOSHUA M. TEMPLET
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2017-038982

1 XAVIER BECERRA
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2 E. A. JONES III
Supervising Deputy Attorney General
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Attorneys for Complainant
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10 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
11 **STATE OF CALIFORNIA**
12

13 In the Matter of the Accusation Against:

Case No. 800-2017-038982

14 **ROBERT BRUCE MORRISON, M.D.**
15 **361 Pine Tree Lane**
Monrovia, CA 91016

A C C U S A T I O N

16 **Physician's and Surgeon's Certificate**
17 **No. G 33727,**

Respondent.

18
19
20 **PARTIES**

21 1. Christine J. Lally (Complainant) brings this Accusation solely in her official capacity
22 as the Interim Executive Director of the Medical Board of California, Department of Consumer
23 Affairs (Board).

24 2. On or about March 23, 1977, the Medical Board issued Physician's and Surgeon's
25 Certificate No. G 33727 to Robert Bruce Morrison, M.D. (Respondent). The Physician's and
26 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
27 herein and expired on October 31, 2019.

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1 law or to enter an order suspending or revoking the license or otherwise taking
2 disciplinary action against the licensee on any such ground.

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3 **FIRST CAUSE FOR DISCIPLINE**

4 **(Gross Negligence)**

5 9. Respondent has subjected his Physician's and Surgeon's Certificate No. G 33727 to
6 disciplinary action under Code sections 2227 and 2234, as defined by Code section 2234,
7 subdivision (b), in that he was grossly negligent in his care and treatment of Patient A.¹

8 10. On or about July 21, 2014, Patient A, a then 34-year-old established OB/GYN
9 patient, presented to Respondent with complaints of irregular bleeding. Respondent performed a
10 physical exam, ordered an ultrasound and lab work, and recommended that the patient return in a
11 few weeks. Respondent did not discuss or document a discussion with the patient regarding any
12 further description of her bleeding abnormality, including but not limited to the amount or
13 frequency.

14 11. On or about August 1, 2014, Patient A underwent a pelvic ultrasound that revealed a
15 uterus measuring 11.0 cm and a thickened endometrial canal, possibly with a polyp. Respondent
16 recommended that Patient A proceed with a dilation and curettage (D&C)² and hysteroscopy.³
17 Respondent did not discuss or document a discussion with Patient A regarding other treatment
18 options or the risks and benefits associated with those options.

19 12. On or about September 4, 2014, Patient A presented to Respondent for her pre-
20 operative exam. Respondent identified her pre-operative diagnosis as menometrorrhagia⁴ and
21 endometrial hyperplasia.⁵ At the conclusion of the examination, the documented plan was to
22 proceed with the D&C and hysteroscopy.

23
24 ¹ To protect the privacy of the patient involved, the patient's name has not been included in this
pleading. Respondent is aware of the identity of the patient.

25 ² Dilation and curettage is a procedure to remove tissue from inside the uterus.

26 ³ Hysteroscopy is the inspection of the inside of the uterine cavity using visualization instruments
through the vaginal opening. It is used to aid in diagnosis and minor surgical procedures.

27 ⁴ Menometrorrhagia is a condition marked by abnormally heavy, prolonged, and irregular uterine
bleeding.

28 ⁵ Endometrial hyperplasia is a condition in which the lining of the uterus becomes abnormally
thick.

1 13. On or about September 10, 2014, Patient A presented to the surgical center for her
2 planned D&C and hysteroscopy. On that date, Patient A and Respondent both signed her consent
3 form for the proposed D&C and hysteroscopy. Once in the operating room, a time-out procedure
4 was performed and documented. During the surgery, after Respondent completed the D&C and
5 hysteroscopy, he asked the circulating nurse to bring him the Novasure endometrial ablation⁶
6 equipment. The nurse informed Respondent that Patient A had not consented to an ablation and
7 showed him the consent form. Respondent requested the equipment again, and the nurse
8 eventually complied. Respondent then performed an endometrial ablation on Patient A without
9 her authorization.

10 14. On or about September 22, 2014, Respondent spoke with Patient A by phone to
11 inform her of her surgical pathology results. During this phone call, Respondent apologized for
12 performing the ablation "out of turn."

13 15. Respondent committed gross negligence in his care and treatment of Patient A, which
14 included, but was not limited to, performing an endometrial ablation without informed consent.

15 **SECOND CAUSE FOR DISCIPLINE**

16 **(Repeated Negligent Acts)**

17 16. Respondent has further subjected his Physician's and Surgeon's Certificate No.
18 G 33727 to disciplinary action under code sections 2227 and 2234, as defined by Code section
19 2234, subdivision (c), in that he committed repeated negligent acts in his care and treatment of
20 Patient A, which included but was not limited to the following:

- 21 A. Paragraphs 9 through 15, above, are incorporated by reference;
- 22 B. Failing to appropriately discuss and/or document discussions with the patient
23 regarding her bleeding abnormalities, treatment options, and the risks and
24 benefits associated with the treatment options;
- 25 C. Offering and performing an endometrial ablation without sufficient medical
26 indication; and

27

28 ⁶ Endometrial ablation is a procedure that surgically removes the lining of the uterus.

1 D. Failing to perform or offer to perform an endometrial sampling prior to
2 performing an endometrial ablation.

3 **THIRD CAUSE FOR DISCIPLINE**

4 **(Failure to Maintain Adequate and Accurate Records)**

5 17. Respondent has further subjected his Physician's and Surgeon's Certificate No.
6 G 33727 to disciplinary action under Code sections 2227 and 2234, as defined by Code section
7 2266, in that Respondent failed to maintain adequate and accurate records regarding his care and
8 treatment of Patient A, as more particularly alleged in paragraphs 9 through 16, above.

9 **PRAYER**

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

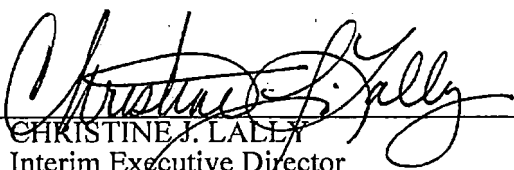
12 1. Revoking or suspending Physician's and Surgeon's Certificate No. G 33727, issued
13 to Respondent, Robert Bruce Morrison, M.D.;

14 2. Revoking, suspending, or denying approval of the authority of Respondent, Robert
15 Bruce Morrison, M.D., to supervise physician assistants and advanced practice nurses;

16 3. Ordering Respondent, Robert Bruce Morrison, M.D., if placed on probation, to pay
17 the Board the costs of probation monitoring; and

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

19
20 DATED: December 23, 2019


CHRISTINE J. LALLY
Interim Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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