

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

**In the Matter of the Accusation
Against:**

Arlene Marie Klink, M.D.

**Physician's and Surgeon's
Certificate No. G 85095**

Case No. 800-2019-055288

Respondent.

DECISION

The attached Stipulated Settlement 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 July 7, 2021.

IT IS SO ORDERED: June 7, 2021.

MEDICAL BOARD OF CALIFORNIA



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

1 XAVIER BECERRA
Attorney General of California
2 MARY CAIN-SIMON
Supervising Deputy Attorney General
3 ALICE W. WONG
Deputy Attorney General
4 State Bar No. 160141
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
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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:

Case No. 800-2019-055288

13 **ARLENE MARIE KLINK, M.D.**
14 **8153 Auberge Circle**
San Diego CA 92127-4205

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

15 **Physician's and Surgeon's Certificate No. G**
16 **85095**

17 Respondent.
18

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

21 **PARTIES**

22 1. William Prasifka (Complainant) is the Executive Director of the Medical Board of
23 California (Board). He brought this action solely in his official capacity and is represented in this
24 matter by Xavier Becerra, Attorney General of the State of California, by Alice W. Wong, Deputy
25 Attorney General.

26 2. Respondent Arlene Marie Klink, M.D. (Respondent) is representing herself in this
27 proceeding and has chosen not to exercise her right to be represented by counsel.
28

1 3. On or about May 19, 1999, the Board issued Physician's and Surgeon's Certificate
2 No. G 85095 to Arlene Marie Klink, M.D. (Respondent). The Physician's and Surgeon's
3 Certificate was in full force and effect at all times relevant to the charges brought in Accusation
4 No. 800-2019-055288, and will expire on October 31, 2020, unless renewed.

5 **JURISDICTION**

6 4. Accusation No. 800-2019-055288 was filed before the Board, and is currently
7 pending against Respondent. The Accusation and all other statutorily required documents were
8 properly served on Respondent on September 23, 2020. Respondent timely filed her Notice of
9 Defense contesting the Accusation.

10 5. A copy of Accusation No. 800-2019-055288 is attached as exhibit A and incorporated
11 herein by reference.

12 **ADVISEMENT AND WAIVERS**

13 6. Respondent has carefully read, and understands the charges and allegations in
14 Accusation No. 800-2019-055288. Respondent has also carefully read, and understands the
15 effects of this Stipulated Settlement and Disciplinary Order.

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

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

25 **CULPABILITY**

26 9. Respondent agrees that, at an administrative hearing, Complainant could establish a
27 *prima facie* case with respect to the charges and allegations in Accusation No. 800-2019-055288,
28

1 and that she has thereby subjected her Physician's and Surgeon's Certificate, No. G 42049 to
2 disciplinary action.

3 10. Respondent agrees to be bound by the Board's imposition of discipline as set forth in
4 the Disciplinary Order below.

5 **CONTINGENCY**

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

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

19 13. In consideration of the foregoing admissions and stipulations, the parties agree that
20 the Board may, without further notice or opportunity to be heard by the Respondent, issue and
21 enter the following Disciplinary Order:

22 **DISCIPLINARY ORDER**

23 A. **PUBLIC REPRIMAND**

24 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 85095 issued
25 to Respondent Arlene Marie Klink, M.D., shall be and is hereby Publicly Reprimanded pursuant
26 to California Business and Professions Code section 2277, subdivision (a)(4). This Public
27 Reprimand is issued in connection with Respondent's failure to timely provide proof of
28 continuing education as set forth in Accusation No. 800-2019-055288(Exhibit A).

1 ACCEPTANCE

2 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the
3 stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this
4 Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree
5 to be bound by the Decision and Order of the Medical Board of California.

6
7 DATED: 2/23/2020


8 ARLENE MARIE KLINK, M.D.
9 Respondent

10 ENDORSEMENT

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

13
14 DATED: March 1, 2021

Respectfully submitted,

15 XAVIER BECERRA
16 Attorney General of California
17 MARY CAIN-SIMON
18 Supervising Deputy Attorney General



19 ALICE W. WONG
20 Deputy Attorney General
21 Attorneys for Complainant

22
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24 Stipulated Settlement and Disciplinary Order.docx

Exhibit A

Accusation No. 800-2019-055288

1 XAVIER BECERRA
Attorney General of California
2 MARY CAIN-SIMON
Supervising Deputy Attorney General
3 ALICE W. WONG
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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:

Case No. 800-2019-055288

13 **Arlene Marie Klink, M.D.**
14 **8153 Auberge Circle**
San Diego, CA 92127-4205

ACCUSATION

15 **Physician's and Surgeon's Certificate**
16 **No. G 85095,**

17 **Respondent.**

18
19
20 **PARTIES**

21 1. William Prasifka (Complainant) brings this Accusation solely in his official capacity
22 as the Executive Director of the Medical Board of California, Department of Consumer Affairs
23 (Board).

24 2. On or about March 19, 1999, the Medical Board issued Physician's and Surgeon's
25 Certificate Number G 85095 to Arlene Marie Klink, 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 will expire on October 31, 2020, unless renewed.
28

1 **JURISDICTION**

2 3. This Accusation is brought before the Board, under the authority of the following
3 laws. All section references are to the Business and Professions Code (Code) unless otherwise
4 indicated.

5 4. Section 2227 of the Code provides that a licensee who is found guilty under the
6 Medical Practice Act may have his or her license revoked, suspended for a period not to exceed
7 one year, placed on probation and required to pay the costs of probation monitoring, or such other
8 action taken in relation to discipline as the Board deems proper.

9 5. Section 2305 of the Code states:

10 The revocation, suspension, or other discipline, restriction or limitation
11 imposed by another state upon a license or certificate to practice medicine issued by
12 that state, or the revocation, suspension, or restriction of the authority to practice
13 medicine by any agency of the federal government, that would have been grounds for
discipline in California of a licensee under this chapter [Chapter 5, the Medical
Practice Act] shall constitute grounds for disciplinary action for unprofessional
conduct against the licensee in this state.

14 6. Section 141 of the Code states:

15 (a) For any licensee holding a license issued by a board under the jurisdiction of
16 the department, a disciplinary action taken by another state, by any agency of the
17 federal government, or by another country for any act substantially related to the
18 practice regulated by the California license, may be a ground for disciplinary action
19 by the respective state licensing board. A certified copy of the record of the
disciplinary action taken against the licensee by another state, an agency of the
federal government, or another country shall be conclusive evidence of the events
related therein.

20 (b) Nothing in this section shall preclude a board from applying a specific
21 statutory provision in the licensing act administered by that board that provides for
discipline based upon a disciplinary action taken against the licensee by another state,
an agency of the federal government, or another country.

22
23 **CAUSE FOR DISCIPLINE**

24 **(Discipline, Restriction, or Limitation Imposed by another State)**

25 7. On or about February 4, 2019, the Michigan Board of Medicine issued a Final Order
26 whereby Respondent's license was placed on probation for up to one year and subjected to the
27 following terms and conditions: submit proof of completion of 150 hours of continuing education
28 to include 75 hours of designated category one and pay a fine of \$1,700.00. The Final Order was

1 based on Respondent's failure to respond to an Administrative Complaint filed on August 31,
2 2018, alleging Respondent failed to comply with continuing education requirements

3 A copy of the Final Order and Administrative Complaint are attached as Exhibit A.

4 8. Respondent's conduct and the action of the Michigan Board of Medicine as set forth
5 in paragraph 7, above, constitute unprofessional conduct within the meaning of section 2305 and
6 cause for discipline pursuant to sections 2305 and/or 141 of the Code.

7
8 PRAYER

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

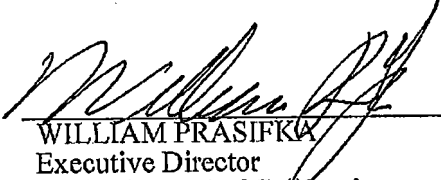
11 1. Revoking or suspending Physician's and Surgeon's Certificate Number G 85095,
12 issued to Arlene Marie Klink, M.D.;

13 2. Revoking, suspending or denying approval of Arlene Marie Klink, M.D.'s authority to
14 supervise physician assistants and advanced practice nurses;

15 3. Ordering Arlene Marie Klink, M.D., if placed on probation, to pay the Board the
16 costs of probation monitoring; and

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

18
19 DATED: SEP 23 2020


WILLIAM PRASIFKA
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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Exhibit A

**Final Order and Administrative Complaint
File No. 43-18-152642**

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of:

ARLENE MARIE KLINK, M.D.
License No. 43-01-091336,
Respondent.

File No. 43-18-152642

FINAL ORDER

On August 31, 2018, the Department of Licensing and Regulatory Affairs executed an Administrative Complaint charging Respondent with violating the Public Health Code, MCL 333.1101 et seq.

The Complaint notified Respondent that, pursuant to MCL 333.16231, Respondent's failure to respond to the Complaint within 30 days from the date of receipt would be treated as an admission of the allegations contained in the Complaint and would result in transmittal of the Complaint directly to the Michigan Board of Medicine Disciplinary Subcommittee (DSC) for imposition of an appropriate sanction.

Contrary to MCL 333.16231, Respondent failed to provide a written response to the allegations set forth in the Complaint within 30 days from the date of receipt.

The DSC, having read the Complaint, considered this matter at a regularly scheduled meeting held in Lansing, Michigan on January 16, 2019, and imposed a sanction pursuant to MCL 333.16231. Therefore,

IT IS ORDERED that for violating MCL 333.16221(h) Respondent is placed on PROBATION for a minimum of one day and not to exceed one year, commencing on the effective date of this Order. The terms of probation shall be as follows:

1. CONTINUING EDUCATION: During the probationary period, Respondent shall submit proof acceptable to the Department of Licensing and Regulatory Affairs (Department) of completing a total of 150 hours of Michigan Board of Medicine accepted continuing education to include 75 hours designated as category one. This continuing education shall not apply in computing Respondent's current continuing education requirements for license renewal.

Respondent shall mail proof of the successful completion of the continuing education to Department of Licensing and Regulatory Affairs, Enforcement Division, Compliance Section, P.O. Box 30670, Lansing, MI 48909.

2. COSTS: Respondent shall be solely responsible for payment of all costs incurred in complying with the terms of this Order.

IT IS FURTHER ORDERED that Respondent shall be automatically discharged from probation upon receipt by the Department of satisfactory evidence of the successful completion of the continuing education as set forth above, PROVIDED Respondent has paid the fine set forth below, complied with the terms of this Order and has not violated the Public Health Code.

IT IS FURTHER ORDERED that for the cited violation of the Public Health Code, Respondent is FINED \$1,700.00 to be paid to the State of Michigan within 60 days of the effective date of this Order. The fine shall be mailed to the Department of Licensing and Regulatory Affairs, Enforcement Division, Compliance Section, P.O. Box 30189,

Lansing, MI 48909. The fine shall be paid by check or money order, made payable to the State of Michigan, and the check or money order shall clearly display file number 43-18-152642.

IT IS FURTHER ORDERED that if Respondent fails to comply with the terms and conditions of this Order, Respondent's license shall be automatically suspended for a minimum of one day. If, within six months of the suspension of the license, Respondent complies with the terms of this Order, the license shall be automatically reinstated.

IT IS FURTHER ORDERED that if Respondent's license remains suspended for more than six months, Respondent must apply for reinstatement of the license. If Respondent applies for reinstatement of the license, application for reinstatement shall be in accordance with sections MCL 333.16245 and 333.16247.

This matter is a public record required to be published and made available to the public pursuant to the Michigan Freedom of Information Act, MCL 15.231 et seq., and this action will be reported to the National Practitioner Data Bank and any other entity as required by state or federal law.

IT IS FURTHER ORDERED that this Order shall be effective 30 days after the date signed by the DSC's Chairperson or authorized representative, as set forth below.

Dated: 02/04/19

**MICHIGAN BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE**

By: 
Cheryl Wykoff Pezon, Director
Bureau of Professional Licensing
Authorized Representative

KP

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

ARLENE MARIE KLINK
License No. 4301091336

File No. 43-18-152642

ADMINISTRATIVE COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs, by Cheryl Wykoff Pezon, Director, Bureau of Professional Licensing, complains against Arlene Marie Klink as follows:

1. The Michigan Board of Medicine is an administrative agency established by the Public Health Code, MCL 333.1101 et seq. Pursuant to MCL 333.16226, the Board's Disciplinary Subcommittee is empowered to discipline licensees for violations of the Code.
2. Respondent is licensed as a(n) Medical Doctor in the state of Michigan.
3. The Department audited Respondent's compliance with the continuing education requirements set forth in Mich Admin Code, R 338.2441 and Respondent failed to submit proof of compliance with the requirements. A copy of the Department's audit results, marked Exhibit A, is attached and incorporated.

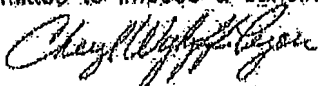
COUNT I

Respondent failed to comply with the continuing education requirements for license renewal set forth in Mich Admin Code, R 338.2441 in violation of MCL 333.16221(h).

RESPONDENT IS NOTIFIED that Respondent has 30 days from the date of receipt of this Complaint to answer this Complaint in writing. Respondent shall submit the response to the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, CE Audit, P.O. Box 30670, Lansing, MI 48909.

Respondent's failure to submit an answer within 30 days is an admission of the allegation in this Complaint. If Respondent fails to answer, the Department shall transmit this Complaint directly to the Board's Disciplinary Subcommittee to impose a sanction, pursuant to MCL 333.16231(9).

Date: August 31, 2018


Cheryl Wykoff Pezon, Director
Bureau of Professional Licensing

Attachment