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

In the Matter of the Accusation Against:	)	
Christopher Thompson, M.D.	)	Case No. 11-2008-192720
Physician's and Surgeon's Certificate No. G31475	)	
Respondent	)	

DECISION

The attached Stipulated Revocation 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 February 24, 2012.

IT IS SO ORDERED January 26, 2012.

MEDICAL BOARD OF CALIFORNIA

By: _____
Hedy Chang, Chair
Panel B

KAMALA D. HARRIS
Attorney General of California
ROBERT MCKIM BELL
Supervising Deputy Attorney General
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State Bar No. 197775
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Attorneys for Complainant

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

In the Matter of the Accusation Against: **CHRISTOPHER THOMPSON, M.D.** **5426 Villas Drive** **Bonsall, CA 92003** **Physician and Surgeon's Certificate No. G31475** Respondent.	Case No. 11-2008-192720 **STIPULATED REVOCATION OF LICENSE AND ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties in this proceeding that the following matters are true:

PARTIES

1. Linda K. Whitney (Complainant) is the Executive Director of the Medical Board of California. She brought this action solely in her official capacity and is represented in this matter by Kamala D. Harris, Attorney General of the State of California, by Tan N. Tran, Deputy Attorney General.

2. Christopher Thompson, M.D. (Respondent) is represented in this proceeding by attorney Bruce G. Landau, Esq., whose address is 8306 Wilshire Blvd., #1803 Beverly Hills, CA 90211.

3. On or about February 6, 1976, the Medical Board of California issued Physician and Surgeon's Certificate No. G31475 to Respondent. The Physician and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 11-2008-192720 and expired on July 31, 2009.

JURISDICTION

4. Accusation No. 11-2008-192720 was filed before the Medical Board of California (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on March 11, 2011. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 11-2008-192720 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 11-2008-192720. Respondent also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Revocation of License and Order.

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

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

CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation No. 11-2008-192720, agrees that cause exists for revocation and hereby agrees to surrender his Physician and Surgeon's Certificate No. G31475 for the Board's formal acceptance.

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

RESERVATION

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

CONTINGENCY

11. This stipulation shall be subject to approval by the Medical Board of California. Respondent understands and agrees that counsel for Complainant and the staff of the Medical Board of California may communicate directly with the Board regarding this stipulation and revocation, without notice to or participation by Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he may not withdraw his 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 as its Decision and Order, the Stipulated Revocation and Disciplinary Order 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.

12. The parties understand and agree that facsimile copies of this Stipulated Revocation of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

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

ORDER

IT IS HEREBY ORDERED that Physician and Surgeon's Certificate No. G31475, issued to Respondent, is revoked by the Medical Board of California.

1. The revocation of Respondent's Physician and Surgeon's Certificate by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Medical Board of California.

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 understands he will no longer be permitted to practice as a physician and surgeon in California and shall cause to be delivered to the Board his wallet/pocket license, if in his possession, or if it comes into his possession, and, if one was issued, his wall certificate/license and D.E.A. Certificate(s) on or before the effective date of the Decision and Order.

4. Respondent may petition for reinstatement after two years of the effective date of the Decision and Order or the completion of his prison sentence, whichever is later in date.

5. 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 license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 11-2008-192720 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

6. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 11-2008-192720 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

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ACCEPTANCE

I have carefully read the above Stipulated Revocation of License and Order and have fully discussed it with my attorney, Bruce G. Landau, Esq. I understand the stipulation and the effect it will have on my Physician and Surgeon's Certificate. I enter into this Stipulated Revocation 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: 12/12/11

CHRISTOPHER THOMPSON, M.D.
Respondent

I have read and fully discussed with Respondent the terms and conditions and other matters contained in this Stipulated Revocation of License and Order. I approve its form and content.

DATED: 12/12/11

BRUCE G. LANDAU, ESQ.
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Revocation of License and Order is hereby respectfully submitted for consideration by the Medical Board of California of the Department of Consumer Affairs.

Dated: 12/13/11

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
ROBERT MCKIM BELL
Supervising Deputy Attorney General

TAN N. TRAN
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 11-2008-192720

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO Mar. 11 2011
BY Brenda Allen ANALYST

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

In the Matter of the Accusation Against: **CHRISTOPHER THOMPSON, M.D.** **5426 Villas Drive** **Bonsall, CA 92003** Physician's and Surgeon's Certificate No. G31475. Respondent.	Case No. 11-2008-192720 **ACCUSATION**

Complainant alleges:

PARTIES

1. Linda K. Whitney (Complainant) brings this Accusation solely in her official capacity as the Executive Director of the Medical Board of California.

2. On or about February 6, 1976, the Medical Board of California issued Physician's and Surgeon's Certificate Number G 31475 to Christopher Thompson, M.D. (Respondent).

3. In a disciplinary action entitled, "In the Matter of the Automatic Suspension of Christopher Thompson M.D.," Case No. 11-2008-192720, the Board issued an Order, effective December 24, 2009, in which Respondent's Physician's and Surgeon's Certificate was suspended. A copy of that decision is attached as Exhibit A, and is incorporated by reference. Respondent's Physician's and Surgeon's Certificate will expire on July 31, 2011, unless renewed.

JURISDICTION

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

5. Section 2227 of the Code provides that a licensee who is found guilty under the Medical Practice Act may have his or her license revoked, suspended for a period not to exceed one year, placed on probation and required to pay the costs of probation monitoring, or such other action taken in relation to discipline as the Division[1] deems proper."

6. Section 2234 of the Code states:

"The Division of Medical Quality shall take action against any licensee who is charged with unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:

"(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the violation of, or conspiring to violate any provision of this chapter [Chapter 5, the Medical Practice Act].

"(b) Gross negligence.

"(c) Repeated negligent acts. To be repeated, there must be two or more negligent acts or omissions. An initial negligent act or omission followed by a separate and distinct departure from the applicable standard of care shall constitute repeated negligent acts.

"(1) An initial negligent diagnosis followed by an act or omission medically appropriate for that negligent diagnosis of the patient shall constitute a single negligent act.

"(2) When the standard of care requires a change in the diagnosis, act, or omission that constitutes the negligent act described in paragraph (1), including, but not limited to, a reevaluation of the diagnosis or a change in treatment, and the licensee's conduct departs from the

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[1] California Business and Professions Code section 2002, as amended and effective January 1, 2008, provides that, unless otherwise expressly provided, the term "Board" as used in 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 Board.

applicable standard of care, each departure constitutes a separate and distinct breach of the standard of care.

"(d) Incompetence.

"(e) The commission of any act involving dishonesty or corruption which is substantially related to the qualifications, functions, or duties of a physician and surgeon.

"(f) Any action or conduct which would have warranted the denial of a certificate."

7. Section 2236 of the Code states:

"(a) The conviction of any offense substantially related to the qualifications, functions, or duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this chapter [Chapter 5, the Medical Practice Act]. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred.

"(b) The district attorney, city attorney, or other prosecuting agency shall notify the Division of Medical Quality of the pendency of an action against a licensee charging a felony or misdemeanor immediately upon obtaining information that the defendant is a licensee. The notice shall identify the licensee and describe the crimes charged and the facts alleged. The prosecuting agency shall also notify the clerk of the court in which the action is pending that the defendant is a licensee, and the clerk shall record prominently in the file that the defendant holds a license as a physician and surgeon.

"(c) The clerk of the court in which a licensee is convicted of a crime shall, within 48 hours after the conviction, transmit a certified copy of the record of conviction to the board. The division may inquire into the circumstances surrounding the commission of a crime in order to fix the degree of discipline or to determine if the conviction is of an offense substantially related to the qualifications, functions, or duties of a physician and surgeon.

"(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to be a conviction within the meaning of this section and Section 2236.1. The record of conviction shall be conclusive evidence of the fact that the conviction occurred."

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8. Section 2236.1 of the Code states:

"(a) A physician and surgeon's certificate shall be suspended automatically during any time that the holder of the certificate is incarcerated after conviction of a felony, regardless of whether the conviction has been appealed. The Division of Medical Quality shall, immediately upon receipt of the certified copy of the record of conviction, determine whether the certificate of the physician and surgeon has been automatically suspended by virtue of his or her incarceration, and if so, the duration of that suspension. The division shall notify the physician and surgeon of the license suspension and of his or her right to elect to have the issue of penalty heard as provided in this section.

"(b) Upon receipt of the certified copy of the record of conviction, if after a hearing it is determined therefrom that the felony of which the licensee was convicted was substantially related to the qualifications, functions, or duties of a physician and surgeon, the Division of Medical Quality shall suspend the license until the time for appeal has elapsed, if no appeal has been taken, or until the judgment of conviction has been affirmed on appeal or has otherwise become final, and until further order of the division. The issue of substantial relationship shall be heard by and administrative law judge from the Medical Quality Panel sitting alone or with a panel of the division, in the discretion of the division.

"(c) Notwithstanding subdivision (b), a conviction of any crime referred to in Section 2237, or a conviction of Section 187, 261, 262 or 288 of the Penal Code, shall be conclusively presumed to be substantially related to the qualifications, functions, or duties of a physician and surgeon and no hearing shall be held on this issue. Upon its own motion or for good cause shown, the division may decline to impose or may set aside the suspension when it appears to be in the interest of justice to do so, with due regard to maintaining the integrity of and confidence in the medical profession.

"(d) (1) Discipline may be ordered in accordance with Section 2227, or the Division of Licensing may order the denial of the license when the time for appeal has elapsed, the judgment of conviction has been affirmed on appeal, or an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of the Penal Code

allowing the person to withdraw his or her plea of guilty and to enter a plea of not guilty, setting aside the verdict of guilty, or dismissing the accusation, complaint, information, or indictment.

"(2) The issue of penalty shall be heard by an administrative law judge from the Medical Quality Panel sitting alone or with a panel of the division, in the discretion of the division. The hearing shall not be had until the judgment of conviction has become final or, irrespective of a subsequent order under Section 1203.4 of the Penal Code, an order granting probation has been made suspending the imposition of sentence; except that a licensee may, at his or her option, elect to have the issue of penalty decided before those time periods have elapsed. Where the licensee so elects, the issue of penalty shall be heard in the manner described in this section at the hearing to determine whether the conviction was substantially related to the qualifications, functions, or duties of a physician and surgeon. If the conviction of a licensee who has made this election is overturned on appeal, any discipline ordered pursuant to this section shall automatically cease. Nothing in this subdivision shall prohibit the division from pursuing disciplinary action based on any cause other than the overturned conviction.

"(e) The record of the proceedings resulting in the conviction, including a transcript of the testimony therein, may be received in evidence.

"(f) The other provisions of this article setting forth a procedure for the suspension or revocation of a physician and surgeon's certificate shall not apply to proceedings conducted pursuant to this section."

9. Section 490 of the Code provides, in pertinent part, that a Board may suspend or revoke a license on the ground that the licensee has been convicted of a crime substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

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CAUSE FOR DISCIPLINE

(Unprofessional Conduct/Conviction of a Crime)

[B&P Code §§ 490, 2234, 2236, and 2236.1]

10. Respondent is subject to disciplinary action under sections 490, 2234, 2236, and 2236.1 in that he has committed unprofessional conduct and has been convicted of a crime substantially related to the qualifications, functions, or duties of a physician and surgeon. The circumstances are as follows:

A. On or about January 15, 2009, a seven count Felony Complaint was filed in the Superior Court of the State of California, for the County of Los Angeles, in Case No. SA068297, entitled *The People of the State of California vs. Christopher Thomas Thompson*, as a result of a July 4, 2008, crash involving his car and two cyclists. Count I of the Complaint charged Respondent with Reckless Driving Causing Specific Injury, in violation of Vehicle Code Section 23105 (A). Counts 2 and 3 of the Complaint charged him with Battery Causing Serious Bodily Injury, in violation of Penal Code Section 243 (D). Count 4 of the Complaint charged Respondent with Reckless Driving, in violation of Vehicle Code Section 23103 (A). Counts 5 and 6 of the Complaint charged him with Assault with a Deadly Weapon, in violation of Penal Code Section 245 (A)(1). It was further alleged as to counts 5 and 6 that Respondent personally inflicted great bodily injury, within the meaning of Penal Code Section 12022.7, subdivision (A). Count 7 of the Complaint charged Respondent with Mayhem, in violation of Penal Code Section 203.

B. On or about November 2, 2009, in Case Number SA068297, before the Superior Court of the State of California for the County of Los Angeles (Hon. Scott T. Millington), a jury returned guilty verdicts on all Counts and the allegations Respondent personally and intentionally caused great bodily injury were found to be true. Counts 1, 2, 3, 5 and 6 were found to be felonies. The trial court found Respondent ineligible for probation and, in any event, found him unsuitable for probation. He was sentenced to serve five years in state prison.

C. The conviction arose from an event in which Respondent intentionally caused two bicyclists riding downhill to crash into his automobile. On July 4, 2008, two bicycle enthusiasts, C.S.[2] and R.P., rode in a "holiday" ride from Manhattan Beach to Mandeville Canyon Road. As they began to ride down Mandeville Canyon Road at about 30 miles per hour, C.S. heard a long steady horn honk from Respondent's car approximately 35 to 40 feet behind him. Upon seeing the car coming from behind, C.S. signaled to R.P. and the two began to ride in single file along the right side of the road. Respondent pulled his car up to about a foot from R.P. and the two men exchanged words. R.P. yelled back at the Respondent, "f**k you." Respondent yelled something, accelerated in front of R.P., pulled his car directly in front of the two cyclists and slammed on his brakes. As the car stopped, R.P. went straight into the trunk of the car, and then flew into the back window of the car with his face going through the glass. C.S. swerved to the left to avoid the car, but hit the back, catapulted over the car, and landed in front of the stopped vehicle. Wearing medical scrubs, Respondent got out of his car and told C.S., "you better get your bike out of the road." Respondent, an emergency room physician, did not render medical attention to the victims. Another doctor, who coincidentally was passing by, stopped and aided the cyclists.

D. Respondent called 911. He told the 911 operator, there were "three bikes in the road (unintelligible) said, f**k you to me I slammed on the brakes they ran into the back of me." When asked if there were injuries, Respondent said there were two injuries. The operator asked, "Any serious injuries?" and he responded, "Uh, not really (unintelligible) they'll claim that."

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[2] For privacy protection, each victim will be referred to in this Accusation by his initials.

DISCIPLINE CONSIDERATIONS

11. In determining the penalty, Respondent's statements and actions on the date of the incident should be considered. A Los Angeles Police Officer was called to the scene of the incident. Upon arriving, he asked Respondent what happened. Respondent stated that when he yelled at the cyclists to ride single file, they gave him the finger and yelled back at him. Respondent then told the officer, "I passed them up, and I stopped in front of them to teach them a lesson. I'm tired of them."

PRAYER

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

1. Revoking or suspending Physician's and Surgeon's Certificate No. G31475, issued to Christopher Thompson, M.D.;

2. Revoking, suspending or denying approval of Christopher Thompson, M.D.'s authority to supervise physician assistants, pursuant to section 3527 of the Code;

3. Ordering Christopher Thompson, M.D., if placed on probation, to pay the Medical Board of California the costs of probation monitoring; and

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

DATED: March 11, 2011

LINDA K. WHITNEY
Executive Director
Medical Board of California
State of California
Complainant