

ACTION REPORT

BOARD OF MEDICAL QUALITY ASSURANCE

No. 2 DECEMBER 1976

A Report on Board Activities Prepared as an Information Service for Licensees and Health Facilities

REPORTING REQUIREMENTS OF HOSPITALS FOR PHYSICIANS RESTRICTED FOR DISCIPLINARY CAUSE

Section 805 of the Business & Professions Code states that the chief administrator or chief executive officer of a hospital is required to report those persons holding a license, certificate or similar authority under any agency mentioned in Section 805 who for any medical disciplinary cause or reason are:

- A. Denied staff privileges.
- B. Removed from the medical staff of the institution.
- C. Restricted in exercising medical staff privileges for a cumulative total of 45 days in a calendar year.
- D. If the removal or restriction is by resignation or voluntary action, the report shall state whether the resignation was requested or bargained for.

The agencies specified in Section 805 are: "County hospital or county medical facility or any clinic, health facility, general acute care hospital, acute psychiatric hospital, skilled nursing facility, intermediate care facility or special hospital licensed pursuant to Division 2 of the Health and Safety Code (commencing with Section 1200) or any health care service plan or medical care foundation."

A significant percentage of restrictions are, in fact, imposed for incomplete medical records. An Attorney General's opinion states in summary that a physician who fails to maintain or complete such records when requested to do so may be guilty of unprofessional conduct under the State Medical Practice Act. With this in mind, the Board of Medical Quality Assurance asks that all of its licentiates keep complete and up to date medical records on all patients.

Remember hospitals are *required* to file reports with this Board for any of the above reasons and such a report could lead to a disciplinary action.

SUMMARY OF DISCIPLINARY ACTIONS

	1971	1972	1973	1974	1975	1/1/76 thru 9/30/76
Accusations pending as of January 1 of each year	70	94	75	150	137	146
Accusations Filed	82	71	70	91	123	190
Licenses Revoked	14	20	15	18	28	22
Licenses Revoked, Revocation Stayed, Probation	21	40	45	47	60	53
Licenses Suspended	4	2	1	3	0	0
Licenses Suspended, Stayed, Probation	4	9	3	7	10	12
Dismissed	7	8	12	6	25	8
Investigations Opened	1,007	1,373	1,392	1,455	1,932	1,652
Investigations Closed	1,106	1,129	1,134	1,125	1,715	1,635
Number of pending investigations	600	800	1,512	1,726	1,682	1,414



DISCIPLINARY ACTIONS

June 17, 1976—September 30, 1976

- Barth, Tucker, M.D., Stockton**
2361 Business & Professions Code (B&P)
General unprofessional conduct—Sexual advances while rendering professional services within physician's office.
Revoked, stayed, 5 years probation with terms and conditions.
September 6, 1976
- Berger, Robert Hugh, M.D., Orange**
490, 2384, 2390, 2391.5 B&P Code, 11173(a) Health & Safety Code (H&S)
Self administration of drugs/controlled substances violations.
Revoked, stayed, 3 years probation with terms and conditions.
September 6, 1976
- Bowman, Gary A., M.D., San Francisco**
2361, 2390, 2395.1, 2399.5, 4227, 4230 B&P Code
Self administration of drugs.
Revoked, stayed, 10 years probation with terms and conditions.
September 20, 1976
- Bremer, Elvin, M.D., Covina**
2360, 2390 B&P Code
Self administration of drugs.
Revoked.
August 9, 1976
- Byrne, Patrick, Jr., M.D., Hollywood**
490, 2360, 2383, 2384, 2391.5, 2399.5 B&P Code, 11154 H&S Code
Prescribing dangerous drugs without good faith prior examination, criminal conviction related thereto.
90 day suspension, 30 days stayed, 5 years probation with terms and conditions.
August 19, 1976
- Cole, Irwin, M.D., Hermosa Beach**
2361, 2361.5, 2391.5 B&P Code, 11190 H&S Code
Excessive prescribing of controlled substances, failure to make record of prescriptions for controlled substances.
Revoked.
September 20, 1976
- Cornell, Elmer, M.D., Willow Creek**
2361, 2384, 2399.5 B&P Code
Prescribing dangerous drugs without good faith prior examination, criminal conviction related thereto.
Revoked, stayed, probation 1 year with terms and conditions.
August 2, 1976
- Devlin, Leo Bartholomew, M.D., San Clemente**
2390 B&P Code, 23102(a) Vehicle Code
Use of alcoholic beverages to the extent to be dangerous to himself and to the public.
Revoked, stayed, 5 years probation with terms and conditions.
August 9, 1976
- Dunn, Frank Lanier, M.D., San Diego**
490, 2361, 2361(d)(e), 2383 B&P Code
Conviction of crime involving moral turpitude (contributing to the delinquency of minors).
Revoked.
September 20, 1976
- Ervin, Robert Norman, M.D., Los Angeles**
490, 2384, 2391.5 B&P Code
Conviction of crime involving violation of state statute regulating controlled substances (forgery of a prescription).
Revoked, stayed, 3 years probation with terms and conditions.
August 9, 1976
- Fuller, Leland J., M.D., Sacramento**
Matter of Accusation charging violation of B&P Code 2361(e) and 2411 through allegedly fraudulent billing continued. Interim Order, respondent shall not engage in practice of medicine until receives written permission from Board. Other terms and conditions.
September 7, 1976
- Gray, Logan, M.D., San Mateo**
2372, 2383, 2384, 2390, 2391.5, 4390 B&P Code, 11170, 11173(a), 11390 H&S Code
Conviction of crime of self administration of controlled substances. Conviction of a crime involving moral turpitude. Obtaining drugs by fraud, falsifying prescriptions, forgery of prescriptions, unlawful possession of controlled substance.
Revoked.
August 9, 1976
- Graybill, Glen A., M.D., Barstow**
2361.5, 2399.5 B&P Code, 11190 H&S Code
Prescribing dangerous drugs without good faith prior examination. Prescribing excessive medication.
Revoked, stayed, 5 years probation with terms and conditions.
June 28, 1976
- Hee, Wallace, M.D., Chula Vista**
490, 2383 B&P Code
Conviction of second degree murder.
Revoked.
September 20, 1976
- Howlett, William L., M.D., Burney**
2361, 2391.5, 2392, 2399.5, 3527 B&P Code
Aiding and abetting unlicensed person, prescribing dangerous drug without good faith prior examination or medical indication thereof.
Revoked, stayed, 5 years probation with terms and conditions. Certificate as supervising physician to physician's assistant revoked with conditions.
June 28, 1976
- Kelley, William, M.D., Anaheim**
2361, 2390 B&P Code
Self-administration of dangerous drugs and/or alcohol.
Revoked, stayed, 5 years probation with terms and conditions.
September 20, 1976
- Ketcham, James S., M.D., La Mesa**
2361.5, 2391.5, 2399.5 B&P Code
Prescribing dangerous drugs without good faith prior examination or medical indication thereof, excessive prescribing of dangerous drugs.
Revoked, stayed, 5 years probation with terms and conditions.
September 20, 1976
- Knight, R. Lynn, M.D., Los Angeles**
2361(a), 2392 B&P Code
Aiding and abetting unlicensed person.
Suspended 30 days, stayed, 1 year probation with terms and conditions.
September 20, 1976
- Michals, Robert Anthony, M.D., Los Angeles**
490, 2361, 2383, 2384, 2392 B&P Code, 11910 H&S Code
Conviction of crime (possession of restricted dangerous drugs), and aiding and abetting unlicensed person.
Revoked, stayed, 10 years probation with terms and conditions.
September 6, 1976
- Murray, James O., M.D., El Centro**
2361, 2361(b) B&P Code
Gross negligence in management of injury.
Revoked, stayed, 3 years probation with terms and conditions.
August 9, 1976
- O'Roark, Henry Clyde, M.D., Merced**
2361, 2390 B&P Code
Use of alcoholic beverages to the extent to be dangerous to himself and other persons.
Revoked, stayed, 10 years probation with terms and conditions.
August 19, 1976
- Oxenhandler, Harry Steven, M.D., Palo Alto**
2361, 2361(a), 2392 B&P Code
Aiding and abetting unlicensed person.
Revoked, stayed, 5 years probation with terms and conditions.
July 9, 1976
- Parker, Milton F., M.D., Placerville**
2390 B&P Code.
Self administration of controlled substances.
Revoked, stayed, 10 years probation with terms and conditions.
August 9, 1976
- Renck, Robert W., M.D., Sonora**
2361, 2361(a), 2411 B&P Code
Signing Health Statements of individuals without seeing persons and performing physical examination.
Suspended 90 days, stayed, 2 years probation with terms and conditions.
June 28, 1976
- Robbins, Harold, M.D., Huntington Beach**
2361, 2361.5 B&P Code
Gross negligence and incompetence regarding series of injections. Clearly excessive treatment.
Revoked.
September 20, 1976
- Romig, Richard Alvin, M.D., Fullerton**
490, 2361, 2391.5 B&P Code, 11170 H&S Code
Conviction of crime of self use of controlled substances.
Revoked, stayed, 5 years probation with terms and conditions.
August 16, 1976
- Roschen, Fritz Paul, M.D., Vacaville**
2361, 2383 B&P Code
Convicted of crime of conspiracy to import a controlled substance.
Revoked, stayed, 5 years probation with terms and conditions.
July 9, 1976
- Rosenberg, Maurice W., M.D., Hollywood**
2361, 2383, 2399.5 B&P Code
Prescribing dangerous drugs without a prior examination or medical indication thereof.
Conviction of crime (multiple offenses) of distribution of controlled substances.
Revoked, stayed, 7 years probation with terms and conditions.
July 9, 1976
- Rossi, Felix R., Jr., M.D., Fairfield**
Accusation charging violation of B&P Code 2361(d), 2361(e), and 2372 through alleged sexual misconduct during course of physician-patient privilege dismissed without prejudice in consideration of voluntary surrender of license, with terms and conditions.
June 28, 1976
- Sheridan, Paul Thomas, M.D., San Marino**
2391.5 B&P Code, 11174 H&S Code
Conviction of crime involving State Statute regulating controlled substances (fraudulent issuance of prescriptions).
Revoked, stayed, 10 years probation with terms and conditions.
September 20, 1976
- Stafford, Vernon L., M.D., Mission Hills**
2361, 2390, 2391.5 B&P Code, 11157, 11170 H&S Code
Issuance of false and fictitious prescriptions, self administration of controlled substances.
Revoked, stayed, 3 years probation with terms and conditions.
September 6, 1976
- Thatcher, Blair Van Heekeren, M.D., Los Angeles**
Accusation charged, violation of B&P 2361, 2387, and 2390, through allegedly false statements on application for Boenmaure, and allegedly excessive use of alcohol.
Disposition—Respondent formally surrendered license.
September 20, 1976
- Van Buren, John R., M.D., Benicia**
2391.5, 2399.5 B&P Code, 11170 H&S Code
Prescribing dangerous drug without prior medical examination or medication indication thereof, self prescribing of controlled substances.
Voluntary surrender of license.
Yantis, Richard Tower, M.D., Sacramento
2361, 2361(a), 2384, 2390, 2391 B&P, 11156 H&S Code
Prescribing and furnishing controlled substances to a habitue and addict, conviction of crime involving violation of state statute regulating controlled substances (prescribing a controlled substance to an addict)
September 6, 1976

Correction on previous Action Report Disciplinary Action concerning Delgado, Carlos, M.D., should read:

Stipulated Decision: Stipulated agreement including public reprimand, provide psychiatric evaluation by Board approved psychiatrist, quarterly reports and compliance for 3 years with conditions set forth.

For additional information about matters that are public record such as accusations, decisions and stipulations, contact the BOARD OF MEDICAL QUALITY ASSURANCE, 1430 Howe Avenue, Sacramento, CA. 95825.

All scheduled meetings of the Board and its Divisions are open to the public and are listed below for your information. If you would like to be placed on the mailing list for Board agendas, which are mailed out approximately one week prior to each meeting, write: AGENDAS, BOARD OF MEDICAL QUALITY ASSURANCE, 1430 Howe Avenue, Sacramento, CA 95825

BOARD OF MEDICAL QUALITY ASSURANCE
DIVISION OF ALLIED HEALTH PROFESSIONS
DIVISION OF LICENSING
DIVISION OF MEDICAL QUALITY
MEETING DATES—1977

Date	Time	Location		Board and/or Division
Jan. 6	7:00 PM	1020 N St., Sacramento	# 601	Div. Med. Quality
Jan. 7	8:30 AM	" " "	# 102	Div. Med. Quality
Jan. 7	9:00 AM	" " "	# 601, 602	Div. Lic. & A.H.P.
Jan. 7	2:00 PM	" " "	# 102	Board
Jan. 8	9:00 AM	" " "	# 102, 601, 602	Board and Divisions
Jan. 22	10:00 AM	Los Angeles		Board—Consumerism Meeting
Feb. 3	7:00 PM	30 Van Ness, S.F.	# 2100	Div. Med. Quality
Feb. 4	8:30 AM	" " "	# 2100	Div. Med. Quality
Feb. 4	9:00 AM	" " "	# 2100	Div. Lic. & A.H.P.
Feb. 4	2:00 PM	" " "	# 2100	Board
Feb. 5	9:00 AM	" " "	# 2100	Board & Divisions
Mar. 3	7:00 PM	107 So. Broadway, L.A.	# 1107	Div. Med. Quality
Mar. 4	8:30 AM	" " "	Auditorium	Div. Med. Quality
Mar. 4	9:00 AM	" " "	# 1012 & 1070	Div. Lic. & A.H.P.
Mar. 4	2:00 PM	" " "	Auditorium	Board
Mar. 5	9:00 AM	" " "	Aud., 1012 & 1070	Bd. &/or Divisions
Apr. 14	7:00 PM	1020 N St., Sacramento	# 601	Div. Med. Quality
Apr. 15	8:30 AM	" " "	# 102	Div. Med. Quality
Apr. 15	9:00 AM	" " "	# 601, 602	Div. Lic. & A.H.P.
Apr. 15	2:00 PM	" " "	# 102	Board
Apr. 16	9:00 AM	" " "	# 102, 601, 602	Board & Divisions
May 12	7:00 PM	Central rural area		Div. Med. Quality
May 13	8:30 AM	" " "		Div. Med. Quality
May 13	9:00 AM	" " "		Div. Lic. & A.H.P.
May 13	2:00 PM	" " "		Board
May 14	9:00 AM	" " "		Board and Divisions
June 9	7:00 PM	107 So. Broadway, L.A.	# 1012	Div. Med. Quality
June 10	8:30 AM	" " "	Auditorium	Div. Med. Quality
June 10	9:00 AM	" " "	1012 & 1070	Div. Lic. & A.H.P.
June 10	2:00 PM	" " "	Auditorium	Board
June 11	9:00 AM	" " "	Aud., 1012, 1070	Board & Division
July 14	7:00 PM	San Diego		Div. Med. Quality
July 15	8:30 AM	" " "		Div. Med. Quality
July 15	9:00 AM	" " "		Div. Lic. & A.H.P.
July 15	2:00 PM	" " "		Board
July 16	9:00 AM	" " "		Board and Divisions
Aug. 25	7:00 PM	Northern rural area	# 2100	Div. Med. Quality
Aug. 26	8:30 AM	" " "	# 2100	Div. Med. Quality
Aug. 26	9:00 AM	" " "	# 2100	Div. Lic. & AHP
Aug. 26	2:00 PM	" " "	# 2100	Board
Aug. 27	9:00 AM	" " "	# 2100	Board and Divisions
Sept. 29	7:00 PM	30 Van Ness, S.F.		Div. Med. Quality
Sept. 30	8:30 AM	" " "		Div. Med. Quality
Sept. 30	9:00 AM	" " "		Div. Lic. & AHP
Sept. 30	2:00 PM	" " "		Board
Oct. 1	9:00 AM	" " "		Board and Divisions
Oct. 27	7:00 PM	Sacramento		Div. Med. Quality
Oct. 28	8:30 AM	" " "		Div. Med. Quality
Oct. 28	9:00 AM	" " "		Div. Lic. & AHP
Oct. 28	2:00 PM	" " "		Board
Oct. 29	9:00 AM	" " "		Board & Divisions
Nov. 17	7:00 PM	Rural southern area		Div. Med. Quality
Nov. 18	8:30 AM	" " "		Div. Med. Quality
Nov. 18	9:00 AM	" " "		Div. Lic. & AHP
Nov. 18	2:00 PM	" " "		Board
Nov. 19	9:00 AM	" " "		Board & Divisions

Date	Time	Location	Board and/or Division
Dec. 15	7:00 PM	Los Angeles	Div. Med. Quality
Dec. 16	8:30 AM	-	Div. Med. Quality
Dec. 16	9:00 AM	-	Div. Lic. & AHP
Dec. 16	2:00 PM	-	Board
Dec. 17	9:00 AM	-	Board & Divisions

ARE YOU SURE YOU HAVE A CURRENT LICENSE?

It may be difficult to believe but the Board frequently receives calls from physicians who have found out that they have not renewed their license for periods of over two to four years. Under the law, it is the responsibility of the physician to notify the Board when he changes his address so that renewals which are currently mailed out at the beginning of every even numbered year reach him. In order to check whether you have a current renewal, we suggest that you check your wallet receipt which is mailed with every renewal. The receipt will indicate whether you have a valid license to practice in the State at this time.

CONTINUING EDUCATION

A number of physicians have begun to submit their continuing education records of courses completed to the Board. Although recent legislation did make a continuing education program a mandatory requirement for all licensed physicians in California, the Board has not yet developed specific regulations on the types and amounts of continuing education which will be required. As soon as this is accomplished, all licensees will be advised accordingly and provided with forms to report their continuing education programs.

DIRECTORY OF PHYSICIANS & SURGEONS

The Board does not currently publish a directory due to the fact the information is dated soon after publication. In lieu of the directory, we ask that you write the Verifications Section, Board of Medical Quality Assurance, 1430 Howe Avenue, Sacramento, CA 95825, or call (916) 322-2831 for the current status of licensees.

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DEPARTMENT OF CONSUMER AFFAIRS
 BOARD OF MEDICAL QUALITY ASSURANCE
 1430 HOWE AVE.
 SACRAMENTO, CA 95825

ALLIED HEALTH PROFESSIONS (916) 322-5043
 APPLICATIONS AND EXAMINATIONS (916) 322-5040
 COMPLAINTS (916) 322-5030
 DISCIPLINARY INFORMATION (916) 322-2341
 FICTITIOUS NAMES AND CORPORATIONS (916) 322-5040
 VERIFICATIONS OF LICENSES (916) 322-2831