

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

**In the Matter of the Accusation)
Against:)
)
)
KATHRYN LISA COOK, M.D.)
)
Physician's and Surgeon's)
Certificate No. G67531)
)
Respondent)
_____)**

Case No. 8002017030084

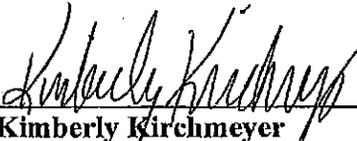
DECISION

The attached Stipulated Surrender of License 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 21, 2017

IT IS SO ORDERED AUGUST 22, 2017

MEDICAL BOARD OF CALIFORNIA

By: 
Kimberly Kirchmeyer
Executive Director

1 XAVIER BECERRA
Attorney General of the State of California
2 JANE ZACK SIMON
State Bar No. 116564
3 Supervising Deputy Attorney General
455 Golden Gate Avenue, Suite 11000
4 San Francisco, CA 94102
Telephone: (415) 703-5544
5 Fax: (415) 703-5480
6 Email: janezack.simon@doj.ca.gov

7 *Attorneys for Complainant*
8 *Medical Board of California*

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

11 **In the Matter of the Accusation Against:**
12 **KATHRYN LISA COOK, M.D.**

Case No.: 800-2017-030084

**STIPULATED SURRENDER OF
LICENSE**

13
14 Physician's and Surgeon's Certificate No. G67531

15
16 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
17 proceeding, that the following matters are true:

18 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical
19 Board of California. She brought this action solely in the official capacity, and is represented by
20 Xavier Becerra, Attorney General of the State of California, by Jane Zack Simon, Supervising
21 Deputy Attorney General.

22 2. Respondent Kathryn Lisa Cook, M.D. (Respondent) is representing herself in this
23 proceeding. Respondent's current address is 7725 N. Foothill Drive S, Paradise Valley, AZ
24 85253.

25 3. On November 20, 1989, the Medical Board of California issued Physician's and
26 Surgeon's Certificate No. G67531 to Respondent. The certificate is delinquent, having expired
27 on April 30, 2017.

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1 4. Respondent has received, read and understands the Accusation which is presently
2 on file and pending in case number 800-2017-030084 (Accusation) a copy of which is attached as
3 Exhibit A. Respondent also has carefully read and understands the effects of this Stipulated
4 Surrender of License (Stipulation).

5 5. Respondent is fully aware of her legal rights in this matter, including the right to a
6 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
7 her own expense; the right to confront and cross-examine the witnesses against her; the right to
8 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to
9 compel the attendance of witnesses and the production of documents; the right to reconsideration
10 and court review of an adverse decision; and all other rights accorded by the California
11 Administrative Procedure Act and other applicable laws. Respondent voluntarily, knowingly, and
12 intelligently waives and gives up each and every right set forth above.

13 6. For the purpose of resolving the charges and allegations in the Accusation, without
14 the expense and uncertainty of further proceedings, Respondent agrees that based on the action
15 taken by the Arizona Medical Board as alleged in the Accusation, cause exists to take action
16 against her California physician's and surgeon's certificate. Respondent wishes to surrender her
17 California certificate at this time.

18 7. Pursuant to section 2224(b) of the Business and Professions Code, this Stipulation
19 for Surrender of License shall be subject to the approval of the Board. Respondent understands
20 and agrees that the Medical Board's staff and counsel for Complainant may communicate directly
21 with the Board regarding this Stipulation without notice to or participation by Respondent. By
22 signing this Stipulation, Respondent understands and agrees that she may not withdraw her
23 agreement or seek to rescind the Stipulation prior to the time the Board considers and acts upon it.
24 In the event that this Stipulation is rejected for any reason by the Board, it will be of no force or
25 effect for either party. The Board will not be disqualified from further action in this matter by
26 virtue of its consideration of this Stipulation.

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and wallet certificate in my possession before the effective date of the decision.

DATED: July 29, 2017 *Kathryn Lisa Cook MD*
KATHRYN LISA COOK, M.D.
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License is hereby respectfully submitted for consideration by the Medical Board of California.

DATED: 8/7/17
XAVIER BECERRA
Attorney General of the State of California
Xavier Becerra
JANE ZACK SIMON
Supervising Deputy Attorney General
Attorneys for Complainant

EXHIBIT A

1 XAVIER BECERRA
Attorney General of California
2 JANE ZACK SIMON
Supervising Deputy Attorney General
3 State Bar No. 116564
4 455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 703-5544
5 Facsimile: (415) 703-5480
E-mail: Janezack.simon@doj.ca.gov
6 Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO July 5 2017
BY ANALYST

7
8 BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
9 STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:
11 **KATHRYN LISA COOK, M.D.**
Newport Imaging Center
12 360 San Miguel Drive, Suite 105
Newport Beach, CA 92660
13
14 Physician's and Surgeon's Certificate
No. G67531,
15
16 Respondent.

Case No. 800-2017-030084
ACCUSATION

17
18
19 The Complainant alleges:

- 20 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
21 of California, Department of Consumer Affairs, and brings this Accusation solely in her official
22 capacity.
23 2. On November 20, 1989, Physician's and Surgeon's Certificate No. G67531 was
24 issued by the Medical Board of California to Kathryn Lisa Cook, M.D. (Respondent). The
25 certificate is in delinquent status, having expired on April 30, 2017.

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1 JURISDICTION

2 3. This Accusation is brought before the Medical Board of California (Board) under the
3 authority of the following sections of the California Business and Professions Code (Code) and/or
4 other relevant statutory enactment:

5 A. Section 2227 of the Code provides in part that the Board may revoke, suspend
6 for a period not to exceed one year, or place on probation, the license of any licensee who
7 has been found guilty under the Medical Practice Act, and may recover the costs of
8 probation monitoring.

9 B. Section 2305 of the Code provides, in part, that the revocation, suspension, or
10 other discipline, restriction or limitation imposed by another state upon a license to practice
11 medicine issued by that state, or the revocation, suspension, or restriction of the authority
12 to practice medicine by any agency of the federal government, that would have been
13 grounds for discipline in California under the Medical Practice Act, constitutes grounds for
14 discipline for unprofessional conduct.

15 C. Section 141 of the Code provides:

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

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

24 FIRST CAUSE FOR DISCIPLINE

25 (Discipline, Restriction, or Limitation Imposed by Another State)

26 4. On February 2, 2017, the Arizona Medical Board issued an Order for Surrender of
27 Licensure and Consent to Same. The Order for Surrender of Licensure contains factual findings
28 that the Arizona Board initiated a case after receiving notification that Respondent may have a

1 medical condition that limited her ability to safely engage in the practice of medicine and that
2 Respondent requested to surrender her license due to her ongoing health condition. A copy of the
3 Order for Surrender of License and Consent to the Same issued by the Arizona Medical Board is
4 attached as Exhibit A.

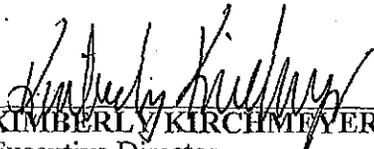
5 5. The action of the Arizona Medical Board, as set forth in paragraph 4, above,
6 constitutes cause for discipline pursuant to sections 2305 and/or 141 of the Code.

7 **PRAYER**

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

- 10 1. Revoking or suspending Physician's and Surgeon's Certificate Number G67531
11 issued to Respondent Kathryn Lisa Cook, M.D.;
- 12 2. Revoking, suspending or denying approval of Respondent's authority to supervise
13 physician assistants and advanced practice nurses;
- 14 3. Ordering Respondent, if placed on probation, to pay the costs of probation
15 monitoring; and
- 16 4. Taking such other and further action as the Board deems necessary and proper.

17
18 DATED: JULY 5, 2017


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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EXHIBIT A

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BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

KATHRYN L. COOK, M.D.

Holder of License No. 23642
For the Practice of Medicine
In the State of Arizona.

Case No. MD-16-1037A

**ORDER FOR SURRENDER OF
LICENSURE AND CONSENT
TO THE SAME**

Kathryn L. Cook, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Order for Surrender of Licensure; admits the jurisdiction of the Arizona Medical Board ("Board") as well as the facts stated herein; and consents to the entry of this Order by the Board.

FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.

2. Respondent is the holder of license number 23642 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-16-1037A after receiving notification that Respondent may have a medical condition that limited her ability to safely engage in the practice of medicine.

4. There has been no finding of unprofessional conduct against the Respondent.

5. On January 11, 2017, Respondent requested to surrender her license due to her ongoing health condition.

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CONCLUSIONS OF LAW

1. The Board possesses jurisdiction over the subject matter hereof and over Respondent.

2. The Board possesses statutory authority to enter into a consent agreement with a physician and accept the surrender of an active license from a physician who admits to being unable to safely engage in the practice of medicine. A.R.S. § 32-1451(T)(1).

ORDER

IT IS HEREBY ORDERED THAT Respondent immediately surrender License Number 23642, issued to Kathryn L. Cook, M.D., for the practice of allopathic medicine in the State of Arizona, and return her certificate of licensure to the Board.

DATED and effective this 2nd day of February, 2017.

ARIZONA MEDICAL BOARD

By: Patricia E. McSorley
Patricia E. McSorley
Executive Director

CONSENT TO ENTRY OF ORDER

1. Respondent has read and understands this Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent acknowledges she has the right to consult with legal counsel regarding this matter.

2. Respondent acknowledges and agrees that this Order is entered into freely and voluntarily and that no promise was made or coercion used to induce such entry.

3. By consenting to this Order, Respondent voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged, or to

1 challenge this Order in its entirety as issued by the Board, and waives any other cause of
2 action related thereto or arising from said Order.

3 4. The Order is not effective until approved by the Board and signed by its
4 Executive Director.

5 5. All admissions made by Respondent are solely for final disposition of this
6 matter and any subsequent related administrative proceedings or civil litigation involving
7 the Board and Respondent. Therefore, said admissions by Respondent are not intended
8 or made for any other use, such as in the context of another state or federal government
9 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
10 any other state or federal court.

11 6. Upon signing this agreement, and returning this document (or a copy
12 thereof) to the Board's Executive Director, Respondent may not revoke the consent to the
13 entry of the Order. Respondent may not make any modifications to the document. Any
14 modifications to this original document are ineffective and void unless mutually approved
15 by the parties.

16 7. This Order is a public record that will be publicly disseminated as a formal
17 disciplinary action of the Board and will be reported to the National Practitioner's Data
18 Bank and on the Board's web site as a disciplinary action.

19 8. If the Board does not adopt this Order, Respondent will not assert as a
20 defense that the Board's consideration of the Order constitutes bias, prejudice,
21 prejudgment or other similar defense.

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9. Respondent has read and understands the terms of this agreement.

Kathryn L. Cook MD
KATHRYN L. COOK, M.D.

Dated: Jan 21, 2017

EXECUTED COPY of the foregoing mailed by
US Mail this 2nd day of February 2017 to:

Kathryn L. Cook, M.D.
Address of Record

ORIGINAL of the foregoing filed this
2nd day of February 2017 with:

The Arizona Medical Board
9545 East Doubletree Ranch Road
Scottsdale, AZ 85258

Maura Bales
Board Staff