

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

In the Matter of the Accusation)
Against:)
)
)
JAMES L. GRISEZ, M.D.)
)
Physician's and Surgeon's)
Certificate No. G 7402)
)
Respondent)
_____)

Case No. 8002014002852

DECISION AND ORDER

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 June 30, 2015.

IT IS SO ORDERED June 23, 2015.

MEDICAL BOARD OF CALIFORNIA

By: _____

Kimberly Kirchmeyer
Kimberly Kirchmeyer
Executive Director

1 KAMALA D. HARRIS
Attorney General of California
2 JOSE R. GUERRERO
Supervising Deputy Attorney General
3 ASHLEY HARLAN
Deputy Attorney General
4 State Bar No. 284586
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-5709
6 Facsimile: (415) 703-1234
Attorneys for Complainant

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

10 In the Matter of the Accusation Against:
11 **JAMES L. GRISEZ, M.D.**
12 **1595 Chesapeake Place**
13 **Arroyo Grande, CA 93420**
14 **Physician's and Surgeon's Certificate No.**
15 **G7402**
16 Respondent.

Case No. 800-2014-002852

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 PARTIES

21 1. Kimberly Kirchmeyer ("Complainant") is the Executive Director of the Medical
22 Board of California. She brought this action solely in her official capacity and is represented in
23 this matter by Kamala D. Harris, Attorney General of the State of California, by Ashley Harlan,
24 Deputy Attorney General.

25 2. James L. Grisez, M.D. ("Respondent") is representing himself in this proceeding and
26 has chosen not to exercise his right to be represented by counsel.

27 3. On or about December 15, 1961, the Medical Board of California issued Physician's
28 and Surgeon's Certificate No. G7402 to Respondent James L. Grisez, M.D. The Physician's and
Surgeon's Certificate expired on February 28, 2015, and has not been renewed.

1 4. If Respondent ever files an application for licensure or a petition for reinstatement in
2 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
3 comply with all the laws, regulations and procedures for reinstatement of a revoked license in
4 effect at the time the petition is filed, and all of the charges and allegations contained in
5 Accusation No. 800-2014-002852 shall be deemed to be true, correct and admitted by Respondent
6 when the Board determines whether to grant or deny the petition.

7 5. If Respondent should ever apply or reapply for a new license or certification, or
8 petition for reinstatement of a license, by any other health care licensing agency in the State of
9 California, all of the charges and allegations contained in Accusation No. 800-2014-002852 shall
10 be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
11 Issues or any other proceeding seeking to deny or restrict licensure.

12 6. Notwithstanding any other provisions regarding applications for licensure and/or
13 petitions for reinstatement, any application or petition for reinstatement shall also comply with
14 section 823 of the Business and Professions Code.

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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: 6/10/15

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
JOSE R. GUERRERO
Supervising Deputy Attorney General


ASHLEY HARLAN
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2014-002852

1 KAMALA D. HARRIS
Attorney General of California
2 JOSE R. GUERRERO
Supervising Deputy Attorney General
3 ASHLEY HARLAN
Deputy Attorney General
4 State Bar No. 284586
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5 San Francisco, CA 94102-7004
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8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
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11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:
13 **James L. Grisez, M.D.**
14 **1595 Chesapeake Place**
15 **Arroyo Grande, CA 93420**
16 **Physician's and Surgeon's Certificate**
17 **No. G7402,**
18 Respondent.

Case No. 800-2014-002852

ACCUSATION

19 Complainant alleges:

PARTIES

20 1. Kimberly Kirchmeyer ("Complainant") brings this Accusation solely in her official
21 capacity as the Executive Director of the Medical Board of California, Department of Consumer
22 Affairs ("Board").

23 2. On or about December 15, 1961, the Medical Board issued Physician's and Surgeon's
24 Certificate Number G7402 to James L. Grisez, M.D. ("Respondent"). The Physician's and
25 Surgeon's Certificate expired on February 28, 2015, and has not been renewed.

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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 unless otherwise indicated.

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

8 5. Code section 822 states:

9 "If a licensing agency determines that its licentiate's ability to practice his or her profession
10 safely is impaired because the licentiate is mentally ill, or physically ill affecting competency, the
11 licensing agency may take action by any one of the following methods:

12 "(a) Revoking the licentiate's certificate or license.

13 "(b) Suspending the licentiate's right to practice.

14 "(c) Placing the licentiate on probation.

15 "(d) Taking such other action in relation to the licentiate as the licensing agency in its
16 discretion deems proper.

17 "The licensing agency shall not reinstate a revoked or suspended certificate or license until
18 it has received competent evidence of the absence or control of the condition which caused its
19 action and until it is satisfied that with due regard for the public health and safety the person's
20 right to practice his or her profession may be safely reinstated."

21 6. Section 118, subdivision (b), of the Code provides that the suspension, expiration,
22 surrender, or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a
23 disciplinary action during the period within which the license may be renewed, restored, reissued
24 or reinstated.

25 PERTINENT DRUGS

26 7. Alprazolam is a psychotropic triazolo analogue of the 1,4 benzodiazepine class of
27 central nervous system-active compounds used for the management of anxiety disorders or for the
28 short-term relief of the symptoms of anxiety. Alprazolam has a central nervous system ("CNS")

1 depressant effect and patients should be cautioned about the simultaneous ingestion of alcohol
2 and other CNS depressant drugs during treatment with alprazolam. It is a dangerous drug as
3 defined in section 4022 and a schedule IV controlled substance and narcotic as defined by section
4 11057, subdivision (d) of the Health and Safety Code.

5 8. Ambien is the trade name for zolpidem tartrate, a non-benzodiazepine hypnotic of the
6 imidazopyridine class used for the short-term treatment of insomnia. It is a central nervous
7 system depressant and should be used cautiously in combination with other central nervous
8 system depressants. Any central nervous system depressant could potentially enhance the CNS
9 depressive effects of Ambien. It is a dangerous drug as defined in section 4022 and a schedule IV
10 controlled substance as defined by section 11057 of the Health and Safety Code.

11 9. Amlodipine is a calcium channel blocker used to treat high blood pressure or chest
12 pain (angina).

13 10. Aspirin is used to treat pain, and reduce fever or inflammation. It is sometimes used
14 to treat or prevent heart attacks, strokes, and chest pain (angina). Aspirin should be used for
15 cardiovascular conditions only under the supervision of a doctor.

16 11. Carvedilol is a beta-blocker that is used to treat high blood pressure and congestive
17 heart failure.

18 12. Docusate Sodium is a stool softener used to treat occasional constipation.

19 13. Folic acid is used for preventing and treating folate deficiency, as well as its
20 complications, including anemia and the inability of the bowel to absorb nutrients properly. Folic
21 acid is also used for other conditions commonly associated with folate deficiency, including
22 ulcerative colitis, liver disease, alcoholism, and kidney dialysis.

23 14. Levothyroxine is a replacement or substitution therapy for diminished or absent
24 thyroid function resulting from functional deficiency, primary atrophy, from partial or complete
25 absence of the gland or from the effects of surgery, radiation or antithyroid agents. It is a
26 dangerous drug within the meaning of Code section 4022.

1 15. Lipitor is a trade name for atorvastatin and is used to treat high cholesterol, and to
2 lower the risk of stroke, heart attack, or other heart complications in people with type 2 diabetes,
3 coronary heart disease, or other risk factors.

4 16. Neurontin is a trade name for gabapentin, is an antiepileptic, and is indicated as
5 adjunctive therapy in the treatment of partial seizures with and without secondary generalization
6 in adults with epilepsy. The most commonly observed adverse events associated with the use of
7 Neurontin in combination with other antiepileptic drugs were somnolence, dizziness, ataxia,
8 fatigue, and nystagmus. It is a dangerous drug within the meaning of Code section 4022.

9 17. Ramipril is an angiotensin-converting enzyme (“ACE”) inhibitor used to treat high
10 blood pressure (“hypertension”) or congestive heart failure, and to improve survival after a heart
11 attack.

12 18. Ranitidine is indicated for the treatment of ulcers, treatment of gastroesophageal
13 reflux disease (“GERD”), and treatment of erosive esophagitis. It is a dangerous drug as defined
14 in Code section 4022.

15 19. Reglan is a trade name for metoclopramide. Reglan is a “prokinetic” agent that
16 increases muscle tone of the lower esophagus sphincter. The lower esophagus sphincter, located
17 between the esophagus and stomach, normally prevents reflux of acid and other stomach contents
18 into the esophagus. Reglan is used short-term to treat heartburn caused by GERD. It is a
19 dangerous drug as defined in Code section 4022.

20 20. Senna is a sennosides that is derived from the leaves of the senna plant. Sennosides
21 irritate the lining of the bowel causing a laxative effect.

22 21. Vicodin is the trade name for a combination of hydrocodone bitartrate and
23 acetaminophen. Vicodin ES tablets contain 7.5 mg of hydrocodone bitartrate and 750 mg of
24 acetaminophen. Alcohol and other CNS depressants may produce an additive CNS depression,
25 when taken with this combination product, and should be avoided. Patients taking other narcotic
26 analgesics, antihistamines, antipsychotics, antianxiety agents, or other CNS depressants (including
27 alcohol) concomitantly with Vicodin ES may exhibit an additive CNS depression. Hydrocodone
28 bitartrate is a semisynthetic narcotic analgesic, a dangerous drug as defined in section 4022, a

1 schedule III controlled substance and narcotic as defined by section 11056, subdivision (e), of the
2 Health and Safety Code.

3 22. Vitamin B12 is a water-soluble vitamin with a key role in the normal functioning of
4 the brain and nervous system, and for the formation of blood.

5 **CAUSE FOR DISCIPLINE**

6 **(Physical Impairment)**

7 23. Respondent's license is subject to disciplinary action under section 822, in that
8 Respondent suffers a physical impairment affecting competency. The circumstances are as
9 follows:

10 24. Respondent is 80 years old with an extensive cardiac medical history, which includes:
11 an aortic valve replacement in 2013, an angioplasty and a six vessel coronary artery bypass graft
12 ("CABG") in 2009, an angioplasty in 2000, and a five vessel CABG with internal mammary to
13 left anterior descending artery bypass in 1997. Respondent is currently taking the following
14 medications: folic acid, amlodipine, levothyroxine, vitamin B12, carvedilol, aspirin 162 m.g.,
15 ranitidine, Reglan, Neurontin, Lipitor, ramipril, senna, docusate sodium, Vicodin 7.5 m.g. twice
16 daily as needed, alprazolam 0.5 m.g. twice daily as needed, and Ambien 0.25 m.g. nightly.

17 25. On or about May 23, 2013 and October 21, 2013, Respondent was performing
18 surgical procedures on anesthetized patients at Marian Regional Medical Center when he
19 experienced an unanticipated altered level of consciousness. Before completing the procedures,
20 Respondent became unresponsive for several minutes. He was placed on a gurney, taken to the
21 emergency room, and examined. He was unable to complete the surgeries.

22 26. On January 15, 2014, Respondent voluntarily reduced his surgical privileges with
23 Marian Regional Medical Center subsequent to an internal safety review of his surgical practice.

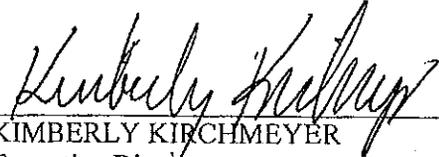
24 **PRAYER**

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

27 1. Revoking or suspending Physician's and Surgeon's Certificate Number G7402, issued
28 to James L. Grisez, M.D.;

- 1 2. Revoking, suspending or denying approval of James L. Grisez, M.D.'s authority to
2 supervise physician assistants, pursuant to section 3527 of the Code;
3 3. Ordering James L. Grisez, M.D., if placed on probation, to pay the Board the costs of
4 probation monitoring; and
5 4. Taking such other and further action as deemed necessary and proper.
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7

8 DATED: April 20, 2015


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

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