

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

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

George N. Queeley, M.D.)

Case No. 800-2017-029799

**Physician's and Surgeon's)
Certificate No. G 12912)**

Respondent)

DECISION

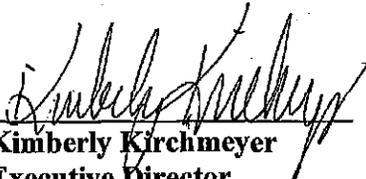
The attached Stipulated Surrender of License and Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on October 12, 2017.

IT IS SO ORDERED October 5, 2017.

MEDICAL BOARD OF CALIFORNIA

By:


**Kimberly Kirchmeyer
Executive Director**

1 XAVIER BECERRA
Attorney General of California
2 JANE ZACK SIMON
Supervising Deputy Attorney General
3 KEITH C. SHAW
Deputy Attorney General
4 State Bar No. 227029
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-5385
6 Facsimile: (415) 703-5480
Attorneys for Complainant

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

10 In the Matter of the Accusation Against:

Case No. 800-2017-029799

11 **GEORGE N. QUEELEY, M.D.**

12 354 Orange Street #106
13 Oakland, CA 94610-2956

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

14 **Physician's and Surgeon's Certificate No. G
12912**

15
16 Respondent.

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

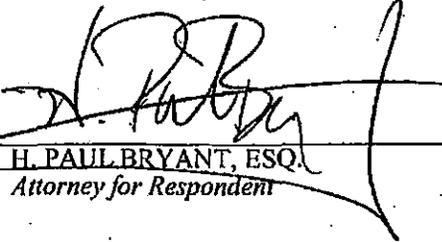
20 PARTIES

21 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
22 of California (Board). She brought this action solely in her official capacity and is represented in
23 this matter by Xavier Becerra, Attorney General of the State of California, by Keith C. Shaw,
24 Deputy Attorney General.

25 2. Respondent George N. Queeley, M.D. (Respondent) is represented in this proceeding
26 by attorney H. Paul Bryant, Esq., whose address is: Law Offices of H. Paul Bryant, 825
27 Washington Street, Suite 303, Oakland, California 94607.
28

1 I have read and fully discussed with Respondent George N. Queeley, M.D. the terms and
2 conditions and other matters contained in the above Stipulated Surrender of License and Order. I
3 approve its form and content:

4
5 DATED: 9/20/17


6 H. PAUL BRYANT, ESQ.
7 Attorney for Respondent

8 ENDORSEMENT

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

11 Dated: 9/22/17

12 Respectfully submitted,

13 XAVIER BECERRA
14 Attorney General of California
15 JANE ZACK SIMON
16 Supervising Deputy Attorney General


17 KEITH C. SHAW
18 Deputy Attorney General
19 Attorneys for Complainant

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Exhibit A

Accusation No. 800-2017-029799

1 XAVIER BECERRA
Attorney General of California
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Supervising Deputy Attorney General
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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:
George N. Queeley, M.D.
354 Orange Street #106
Oakland, CA 94610-2956
**Physician's and Surgeon's Certificate
No. G 12912,**

Respondent.

Case No. 800-2017-029799
ACCUSATION

Complainant alleges:

PARTIES

1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official capacity as the Executive Director of the Medical Board of California.
2. On or about February 10, 1967, the Medical Board issued Physician's and Surgeon's Certificate Number G 12912 to George N. Queeley, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on February 28, 2019, unless renewed.

JURISDICTION

3. 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.

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

5 5. Section 2234 of the Code, states:

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

9 "(b) Gross negligence."

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

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

15 "(2) When the standard of care requires a change in the diagnosis, act, or omission that
16 constitutes the negligent act described in paragraph (1), including, but not limited to, a
17 reevaluation of the diagnosis or a change in treatment, and the licensee's conduct departs from the
18 applicable standard of care, each departure constitutes a separate and distinct breach of the
19 standard of care."

20 6. Section 726 of the Code states:

21 "The commission of any act of sexual abuse, misconduct, or relations with a patient, client,
22 or customer constitutes unprofessional conduct and grounds for disciplinary action for any person
23 licensed under this or any initiative act referred to in this division.

24 "This section shall not apply to sexual contact between a physician and surgeon and his or
25 her spouse or person in an equivalent domestic relationship when that licensee provides medical
26 treatment, other than psychotherapeutic treatment, to his or her spouse or person in an equivalent
27 domestic relationship."

28 ///

1 Respondent was grossly negligent and/or committed repeated negligent acts in his care and
2 treatment of Patient, including but not limited to the following:

- 3 a) During the examination, Respondent failed to provide an adequate
4 occupational medicine assessment for a possible nasal fracture of Patient, who
5 had experienced blunt trauma to the nose;
- 6 b) Respondent failed to assess Patient's spinal range of motion and neurological
7 functioning in the lower extremities, which should have occurred in the
8 evaluation of a back injury caused by blunt force trauma;
- 9 c) Respondent did not appropriately re-check or comment on Patient's high blood
10 pressure;
- 11 d) Respondent failed to document a thorough history of Patient;
- 12 e) Respondent provided an inadequate recommendation regarding Patient's work
13 restrictions, as a period off work to allow for initial physical therapy and
14 reassessment of functional status would have been more appropriate;
- 15 f) The medical record created by Respondent is incomplete given Patient's report
16 to the police and Respondent's admissions of sexual misconduct.

17
18 **PRAYER**

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

- 21 1. Revoking or suspending Physician's and Surgeon's Certificate Number G 12912,
22 issued to George N. Queeley, M.D.;
- 23 2. Revoking, suspending or denying approval of George N. Queeley, M.D.'s authority to
24 supervise physician assistants and advanced practice nurses;
- 25 3. Ordering George N. Queeley, M.D., if placed on probation, to pay the Board the costs
26 of probation monitoring; and

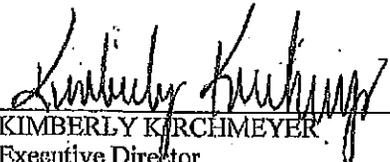
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4. Taking such other and further action as deemed necessary and proper.

DATED: September 22, 2017


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
State of California
Complainant

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