

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

**In the Matter of the Accusation)
And Petition to Revoke)
Probation Against:)**

Raymond Joseph Rowell, M.D.)

Case No. 800-2016-024149

**Physician's and Surgeon's)
Certificate No. G 81772)**

Respondent)

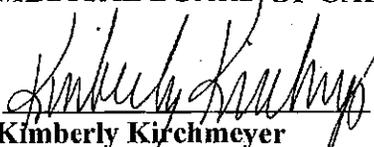
DECISION

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 June 15, 2017.

IT IS SO ORDERED June 8, 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 BRENDA P. REYES
Deputy Attorney General
4 State Bar No. 129718
455 Golden Gate Avenue, Suite 11000
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Attorneys for Complainant
7

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

11 In the Matter of the Accusation and Petition to
Revoke Probation Against:
12
13 **RAYMOND J. ROWELL, M.D.**
11133 Bay Laurel Street
Dublin, CA 94568
14
15 **Physician's and Surgeon's Certificate**
No. G 81772
16
17 Respondent.

Case No. 800-2016-024149
OAH No. 2017021019
**STIPULATED SURRENDER OF
LICENSE AND ORDER**

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

21 PARTIES

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

26 2. Raymond J. Rowell, M.D. (Respondent) is representing himself in this proceeding
27 and has chosen not to exercise his right to be represented by counsel.

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1 the attendance of witnesses and the production of documents; the right to reconsideration and
2 court review of an adverse decision; and all other rights accorded by the California
3 Administrative Procedure Act and other applicable laws.

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

6 CULPABILITY

7 10. Respondent admits the truth of each and every charge and allegation in Accusation
8 No. 800-2016-024149, agrees that cause exists for discipline and hereby surrenders his
9 Physician's and Surgeon's Certificate No. G 81772 for the Board's formal acceptance.

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

13 CONTINGENCY

14 12. This stipulation shall be subject to approval by the Board. Respondent understands
15 and agrees that counsel for Complainant and the staff of the Board may communicate directly
16 with the Board regarding this stipulation and surrender, without notice to or participation by
17 Respondent. By signing the stipulation, Respondent understands and agrees that he may not
18 withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers
19 and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the
20 Stipulated Surrender and Order shall be of no force or effect, except for this paragraph, it shall be
21 inadmissible in any legal action between the parties, and the Board shall not be disqualified from
22 further action by having considered this matter.

23 13. The parties understand and agree that Portable Document Format (PDF) and facsimile
24 copies of this Stipulated Surrender of License and Order, including Portable Document Format
25 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

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

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2 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G 81772, issued
3 to Respondent Raymond J. Rowell, M.D., is surrendered and accepted by the Medical Board of
4 California.

5 1. The surrender of Respondent's Physician's and Surgeon's Certificate and the
6 acceptance of the surrendered license by the Board shall constitute the imposition of discipline
7 against Respondent. This stipulation constitutes a record of the discipline and shall become a part
8 of Respondent's license history with the Medical Board of California.

9 2. Respondent shall lose all rights and privileges as a physician and surgeon in
10 California as of the effective date of the Board's Decision and Order.

11 3. Respondent shall cause to be delivered to the Board his pocket license and, if one was
12 issued, his wall certificate on or before the effective date of the Decision and Order.

13 4. If Respondent ever files an application for licensure or a petition for reinstatement in
14 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
15 comply with all the laws, regulations and procedures for reinstatement of a revoked license in
16 effect at the time the petition is filed, and all of the charges and allegations contained in
17 Accusation No. 800-2016-024149 and in Accusation No. 12-2007-184030 shall be deemed to be
18 true, correct and admitted by Respondent when the Board determines whether to grant or deny the
19 petition.

20 5. If Respondent should ever apply or reapply for a new license or certification, or
21 petition for reinstatement of a license, by any other health care licensing agency in the State of
22 California, all of the charges and allegations contained in Accusation No. 800-2016-024149 and
23 in Accusation No. 12-2007-184030 shall be deemed to be true, correct, and admitted by
24 Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or
25 restrict licensure.

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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender 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: 05/10/2017 _____
RAYMOND J. ROWELL, M.D.
Respondent

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: May 27, 2017 _____
Respectfully submitted,
XAVIER BECERRA
Attorney General of California
JANE ZACK SIMON
Supervising Deputy Attorney General
Brenda P. Reyes
BRENDA P. REYES
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2016-024149

1 KAMALA D. HARRIS
Attorney General of California
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3 BRENDA P. REYES
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8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation and Petition to
12 Revoke Probation Against:

13 **Raymond J. Rowell, M.D.**
14 **42 Fenton Street**
Livermore CA 94550

15 **Physician's and Surgeon's Certificate**
No. G 81772,

16 Respondent.

Case No. 800-2016-024149

**ACCUSATION AND PETITION TO
REVOKE PROBATION**

18 Complainant alleges:

19 **PARTIES**

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

23 2. On or about July 12, 1995, the Medical Board issued Physician's and Surgeon's
24 Certificate Number G 81772 to Raymond J. Rowell, M.D. (Respondent). The Physician's and
25 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein
26 and will expire on December 31, 2016, unless renewed.

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1 LICENSE STATUS: PROBATION AND INTERIM ORDER OF SUSPENSION

2 3. On April 27, 2010, the Board filed an Accusation against Respondent in Case No. 12-
3 2007-184030, charging Respondent with multiple causes for discipline arising from his care and
4 treatment of six patients with intractable pain.

5 4. On December 20, 2011, the Board issued a stipulated Decision and Order, effective
6 January 19, 2012, revoking Respondent's Physician's and Surgeon's Certificate, staying the
7 revocation, and placing Respondent on probation for five (5) years with various terms and
8 conditions.

9 5. On August 3, 2016, following a contested hearing in Case No. 800-2015-017756, an
10 Interim Suspension Order was issued against Respondent by an administrative law judge of the
11 Office of Administrative Hearings. In said Interim Suspension Order it was found, pursuant to
12 Government Code section 11529, that Respondent suffers from a mental illness or physical illness
13 affecting competency and that permitting Respondent to continue to practice medicine will
14 endanger the public health, safety, or welfare. Respondent's Physician's and Surgeon's
15 Certificate was immediately restrained and he is prohibited completely from engaging in the
16 practice of medicine. The Interim Suspension Order remains in force and effect until such time as
17 a final decision on the matter is issued and adopted by the Medical Board.

18 **JURISDICTION**

19 6. This Accusation and Petition to Revoke Probation is brought before the Board, under
20 the authority of the following laws. All section references are to the Business and Professions
21 Code unless otherwise indicated.

22 7. Section 2004 of the Code states, in pertinent part:

23 "The board shall have the responsibility for the following:

24 "(a) The enforcement of the disciplinary and criminal provisions of the Medical Practice
25 Act.

26 "(b) The administration and hearing of disciplinary actions.

27 "(c) Carrying out disciplinary actions appropriate to findings made by a panel or an
28 administrative law judge.

1 her interview with him as evasive, intimidating, intense, and labile and frequently off topic. She
2 noted he was “disinhibited, impulsive and not socially appropriate.”

3 16. Dr. K. reported that because Respondent is under the influence of two narcotics,
4 Lyrica and oxycodone, as well as two other substances on a routine basis – alcohol and cannabis –
5 she was unable to ascertain Respondent’s baseline personality, cognitive function, and demeanor.
6 Dr. K. concluded that Respondent is currently impaired due to an addiction problem and likely an
7 underlying psychiatric illness, and that he is not fit to practice medicine safely at this time. Dr. K.
8 determined that Respondent’s exact diagnosis needs to be ferreted out starting with an inpatient
9 substance rehabilitation program.

10 17. Dr. K.’s DSM V psychiatric diagnoses for Respondent include Alcohol Use Disorder
11 and Cannabis Use Disorder, as well as multiple other possible psychiatric disorders that would
12 need to be ruled out.

13 18. Based upon the information gathered during the Board’s investigation of Respondent
14 and the opinions of Dr. K. following her evaluation of Respondent, the Interim Suspension Order
15 prohibiting Respondent from engaging in the practice of medicine was obtained on August 3,
16 2016.

17 19. Therefore, Respondent’s probation is subject to revocation and/or his license is
18 subject to action pursuant to section 822 of the Code, in that Respondent is unable to practice
19 medicine with safety to the public due to a physical and/or mental condition.

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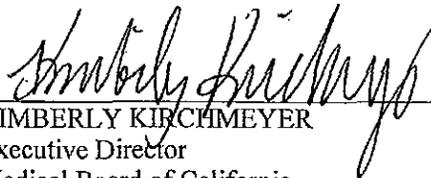
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PRAYER

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

1. Revoking the probation granted by the Medical Board of California in Case No. 12-2007-184030, and imposing the disciplinary order that was stayed, thereby revoking Physician's and Surgeon's Certificate Number G 81772 issued to Respondent Raymond J. Rowell, M.D.;
2. Revoking, suspending or denying approval of Raymond J. Rowell, M.D.'s authority to supervise physician assistants, pursuant to section 3527 of the Code;
3. Ordering Raymond J. Rowell, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and,
4. Taking such other and further action as deemed necessary and proper.

DATED: September 1, 2016


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

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