

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

In the Matter of the Accusation)	
Against:)	
)	
)	
EDMOND JACKSON CLINTON, III M.D.)	Case No. 8002014006409
)	
Physician's and Surgeon's)	
Certificate No. G29665)	
)	
Respondent)	
_____)	

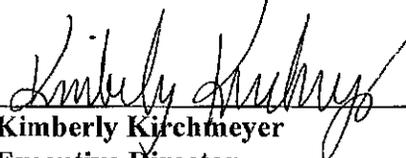
DECISION

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 March 6, 2017.

IT IS SO ORDERED February 27, 2017.

MEDICAL BOARD OF CALIFORNIA

By: 
Kimberly Kirchmeyer
Executive Director

1 KAMALA D. HARRIS
Attorney General of California
2 ROBERT MCKIM BELL
Supervising Deputy Attorney General
3 TRINA L. SAUNDERS
Deputy Attorney General
4 State Bar No. 207764
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 620-2193
6 Facsimile: (213) 897-9395
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. 800-2014-006409

11 EDMOND CLINTON, M.D.

OAH No. 2016020244

12 65 N. Madison Avenue, #707
13 Pasadena, CA 91101

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

14 Physician's and Surgeon's Certificate G29665,
15 Respondent.

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

19 PARTIES

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

24 2. Edmond Clinton, M.D. (Respondent) is represented in this proceeding by attorney
25 Raymond J. McMahon, whose address is 100 Spectrum Center Dr., Suite 520, Irvine, CA 92618.

26 3. On July 1, 1975, the Board issued Physician's and Surgeon's Certificate No. G29665
27 to Respondent. That license was in full force and effect at all times relevant to the charges
28 brought in Accusation No. 800-2014-006409 and will expire on August 31, 2018, unless 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 First
 5 Amended Accusation No. 800-2014-006409 shall be deemed to be true, correct and admitted by
 6 Respondent when the Board determines whether to grant or deny the petition.

7 ACCEPTANCE

8 I have carefully read the above Stipulated Surrender of License and Order and have fully
 9 discussed it with my attorney, Raymond J. McMahon. I understand the stipulation and the effect
 10 it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Surrender of
 11 License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the
 12 Decision and Order of the Medical Board of California.

13
 14 DATED: 9/28/2016 Edmond Clinton
 15 EDMOND CLINTON, M.D.
 16 Respondent

17 I have read and fully discussed with Respondent EDMOND CLINTON, M.D. the terms and
 18 conditions and other matters contained in this Stipulated Surrender of License and Order. I
 19 approve its form and content.

20 DATED: September 28, 2016 Raymond J. McMahon
 21 RAYMOND J. MCMAHON
 22 Attorney for Respondent

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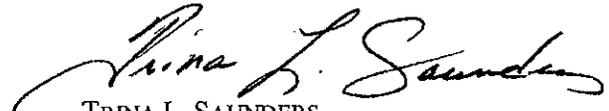
ENDORSEMENT

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: *Sept 28, 2016*

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
ROBERT MCKIM BELL
Supervising Deputy Attorney General



TRINA L. SAUNDERS
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

First Amended Accusation No. 800-2014-006409

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO Sept 26 20 16
BY D. Richards ANALYST

1 KAMALA D. HARRIS
Attorney General of California
2 ROBERT MCKIM BELL
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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 First Amended Accusation
12 Against:

Case No. 800-2014-006409

FIRST AMENDED ACCUSATION

13 Edmond Jackson Clinton, III, M.D.
14 65 N. Madison Ave., #707
Pasadena, CA 91101

15 Physician's and Surgeon's Certificate
No. G29665,

16 Respondent.
17

18
19 Complainant alleges:

20 **PARTIES**

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

24 2. On or about July 1, 1975, the Medical Board issued Physician's and Surgeon's
25 Certificate Number G29665 to Edmond Jackson Clinton, III, M.D. (Respondent). The Physician's
26 and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
27 herein and will expire on August 31, 2018, unless renewed.
28

1 JURISDICTION

2 3. This First Amended Accusation is brought before the Board, under the authority of
3 the following laws. All section references are to the Business and Professions Code unless
4 otherwise indicated.

5 4. Section 2227 of the Code states:

6 "(a) A licensee whose matter has been heard by an administrative law judge of the Medical
7 Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default
8 has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary
9 action with the board, may, in accordance with the provisions of this chapter:

10 "(1) Have his or her license revoked upon order of the board.

11 "(2) Have his or her right to practice suspended for a period not to exceed one year upon
12 order of the board.

13 "(3) Be placed on probation and be required to pay the costs of probation monitoring upon
14 order of the board.

15 "(4) Be publicly reprimanded by the board. The public reprimand may include a
16 requirement that the licensee complete relevant educational courses approved by the board.

17 "(5) Have any other action taken in relation to discipline as part of an order of probation, as
18 the board or an administrative law judge may deem proper.

19 "(b) Any matter heard pursuant to subdivision (a), except for warning letters, medical
20 review or advisory conferences, professional competency examinations, continuing education
21 activities, and cost reimbursement associated therewith that are agreed to with the board and
22 successfully completed by the licensee, or other matters made confidential or privileged by
23 existing law, is deemed public, and shall be made available to the public by the board pursuant to
24 Section 803.1."

25 5. Section 2234 of the Code, states:

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

1 “(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the
2 violation of, or conspiring to violate any provision of this chapter.

3 “(b) Gross negligence.

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

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

9 “(2) When the standard of care requires a change in the diagnosis, act, or omission that
10 constitutes the negligent act described in paragraph (1), including, but not limited to, a
11 reevaluation of the diagnosis or a change in treatment, and the licensee's conduct departs from the
12 applicable standard of care, each departure constitutes a separate and distinct breach of the
13 standard of care.

14 “(d) Incompetence.

15 “(e) The commission of any act involving dishonesty or corruption which is substantially
16 related to the qualifications, functions, or duties of a physician and surgeon.

17 “(f) Any action or conduct which would have warranted the denial of a certificate.

18 “(g) The practice of medicine from this state into another state or country without meeting
19 the legal requirements of that state or country for the practice of medicine. Section 2314 shall not
20 apply to this subdivision. This subdivision shall become operative upon the implementation of the
21 proposed registration program described in Section 2052.5.

22 “(h) The repeated failure by a certificate holder, in the absence of good cause, to attend and
23 participate in an interview by the board. This subdivision shall only apply to a certificate holder
24 who is the subject of an investigation by the board.”

25 6. Section 2266 of the Code states: “The failure of a physician and surgeon to maintain
26 adequate and accurate records relating to the provision of services to their patients constitutes
27 unprofessional conduct.
28

1 CAUSE FOR DISCIPLINE ONE

2 (Gross Negligence)

3 7. Respondent is subject to disciplinary action under section 2234 (b) in that he kissed a
4 patient during her office visit. The circumstances are as follows:

5 8. On May 30, 2013, patient K.M. presented to Respondent with complaints of excessive
6 weight gain. She was diagnosed with depression, type-2 diabetes, hyperlipidemia, chronic kidney
7 disease, hepatitis B, and diabetic retinopathy. The patient was given a referral for an eye
8 examination and laboratory testing was ordered.

9 9. Patient K.M. was seen for follow-up appointments on June 20, 2013, and August 8,
10 2013.

11 10. On October 16, 2013, patient K.M. presented to Respondent with complaints of right
12 knee and upper leg pain. There was no documentation of a neurologic or musculoskeletal
13 examination. She was diagnosed with diabetes, diabetic neuropathy, drug dependency and,
14 hypertension. Respondent referred the patient to physical therapy.

15 11. On February 10, 2014, patient K.M. presented to Respondent with complaints of pain
16 and swelling in her right knee and leg for about a month. Respondent prescribed Aleve.

17 12. Patient K.M. presented on February 20, 2014, with complaints of right knee pain. She
18 indicated that her left knee also bothered her due to a fall two days prior. She was diagnosed with
19 major depressive disorder, probable diabetic retinopathy, and keloid in left forehead. Following
20 the visit, patient K.M. left the examination room and attempted to leave Respondent's office suite.
21 When she made it to the receptionist's desk, Respondent called her, requesting that she come
22 back to his office. She complied. When she entered his office, Respondent kissed her on the lips.
23 Thereafter the patient left the office.

24 13. Patient K.M. did not return to Respondent's office for any additional visits.

25 14. Patient K.M. was discharged from Respondent's care on April 21, 2014.

26 15. Respondent is subject to disciplinary action under section 2234 (b) in that
27 Respondent's conduct constitutes an extreme departure from the standard of care. The
28 commission of any act of sexual misconduct or relations with a patient constitutes unprofessional

1 conduct. Respondent committed gross negligence when he kissed a patient on the lips without
2 her consent.

3 CAUSE FOR DISCIPLINE TWO

4 (Failure to Maintain Adequate Records)

5 16. Respondent is subject to disciplinary action under section 2266 in that Respondent
6 failed to maintain adequate and complete medical records for patient K.M. The circumstances
7 are follows:

8 17. Respondent evaluated the patient for right knee and right leg pain, and diabetic
9 neuropathy on both October 16, 2013 and February 10, 2014. He did not document a physical
10 examination evaluating the patient's knee or leg. In addition, the record does not clearly
11 demonstrate how he reached the diagnosis of diabetic neuropathy, as no appropriate history,
12 physical examination or EMG/nerve conduction study is documented to justify the diagnosis.

13 18. Respondent is subject to disciplinary action under section 2266 in that Respondent
14 failed to maintain adequate records related to the care and treatment of patient K.M.

15
16 PRAYER

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

19 1. Revoking or suspending Physician's and Surgeon's Certificate Number G29665,
20 issued to Edmond Jackson Clinton, III, M.D.;

21 2. Revoking, suspending or denying approval of Edmond Jackson Clinton, III, M.D.'s
22 authority to supervise physician assistants, pursuant to section 3527 of the Code;

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- 3. Ordering Edmond Jackson Clinton, III, 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 26, 2016


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

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