

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 JOSE R. GUERRERO
Supervising Deputy Attorney General
3 BRENDA P. REYES, State Bar No. 129718
Deputy Attorney General
4 455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
5 Telephone: (415) 703-5541
Facsimile: (415) 703-5480
6 E-mail: Brenda.Reyes@doj.ca.gov

7 Attorneys for Complainant

8

9

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

10

11

12 In the Matter of the Accusation Against:

Case No. 12-2006-172659

13 KENNETH R. GEIGER, M.D.
181 Andrieux Street, Suite 106
14 Sonoma, California 95476

**STIPULATED SURRENDER OF
PHYSICIAN'S AND SURGEON'S
CERTIFICATE AND ORDER**

15 Physician and Surgeon's Certificate No. G 55346

16

Respondent.

17

18

19

20

21

22

23

24

25

26

27

28

IT IS HEREBY STIPULATED by and between KENNETH R. GEIGER, M.D., with the advice and counsel of his attorneys, and complainant BARBARA JOHNSTON, in her official capacity as Executive Director of the Medical Board of California ("Medical Board" or "Board"), by and through her attorney, Edmund G. Brown Jr., Attorney General, by Brenda P. Reyes, Deputy Attorney General, as follows:

1. Complainant is the Executive Director of the Medical Board of California and brought the Accusation in case No. 12-2006-172659 solely in her official capacity. A copy of the Accusation in case No. 12-2006-172659 is attached hereto as Exhibit A and incorporated by reference in this Stipulated Surrender of Physician's and Surgeon's Certificate ("Stipulation"). Complainant enters into this agreement solely in her official capacity.

1 2. Kenneth R. Geiger, M.D. ("respondent" or "Dr. Geiger") is represented in this
2 proceeding by John A. Etchevers, Esq., of the law firm Hassard Bonnington, LLP, whose address
3 is Two Embarcadero Center , Suite 1800, San Francisco, CA 94111-3933.

4 3. Respondent's license history and status, as set forth in paragraph 2 of the
5 Accusation is true and correct.

6 4. Respondent has received and carefully read the Accusation which Complainant
7 proposes to file with the Medical Board.

8 5. Respondent has fully discussed with his counsel and understands the nature of the
9 charges alleged in the Accusation and that those charges and allegations, if proved, would
10 constitute cause for imposing discipline upon his physician's and surgeon's certificate.

11 6. Respondent is fully aware of his legal rights in this matter, including the right to a
12 hearing on the charges and allegations contained in the Accusation; the right to confront and to
13 cross-examine witnesses against him; the right to present evidence and to testify on his own
14 behalf; the right to issuance of subpoenas to compel the attendance of witnesses and the
15 production of documents; the right to reconsideration, judicial review, and appeal of an adverse
16 decision; and, any and all other rights which may be accorded him pursuant to the California
17 Administrative Procedure Act (Govt. Code, § 11500, *et seq.*) and other laws of the State of
18 California.

19 7. Respondent hereby freely, voluntarily, and knowingly waives each and every right
20 set forth above in exchange for the parties' agreement to enter into this Stipulation.

21 8. Any and all admissions of fact and conclusions of law contained in this
22 Stipulation are made exclusively for the purposes of settlement and compromise of this
23 proceeding and any future proceedings in which the Board or other professional licensing agency
24 is involved and shall not be deemed to be admissions for any purpose in any other civil or
25 criminal proceeding.

26 9. Respondent desires to cooperate in this matter, and he agrees that it is in the best
27 interest of all parties if he agrees not to practice medicine and surrenders his license at this time.
28 Therefore, in order to avoid the expense and uncertainty of an administrative hearing, respondent

1 desires and agrees to surrender his California physician's and surgeon's certificate to the Board,
2 thereby relinquishing his right to practice medicine in the State of California.

3 10. Respondent understands that by signing this Stipulation he is enabling the
4 Medical Board of California to issue its order accepting the surrender of his license without
5 further process. Upon acceptance of this Stipulation by the Board, respondent understands that
6 he will no longer be permitted to practice as a physician and surgeon in the State of California,
7 and he agrees to surrender and cause to be delivered to the Board both his license and wallet
8 certificates no later than the effective date of this decision.

9 11. Respondent fully understands and agrees that should he in the future file an
10 application for renewal, relicensure, or reinstatement of his certificate, the Board shall treat it as a
11 petition for reinstatement, and respondent must comply with all laws, regulations and procedures
12 for reinstatement of a revoked license in effect at the time the petition is filed. Respondent also
13 agrees that, upon the filing of any petition for reinstatement, as a condition precedent to the
14 consideration of such petition by the Board, he will be required, at his own expense, to submit to
15 a comprehensive health assessment consisting of a physical examination conducted by a
16 physician approved by the Board and a psychiatric evaluation (with neuropsychological testing, if
17 deemed necessary) by a psychiatrist approved by the Board. Respondent shall pay the costs of
18 this assessment. The Board may consider the results of this assessment in determining whether
19 to grant reinstatement of his certificate. Should respondent seek reinstatement, the Board
20 reserves the right to grant or deny reinstatement on the basis of respondent's medical condition.
21 The Board also expressly reserves the right to issue respondent a probationary certificate on
22 terms and conditions within its discretion as deemed appropriate to his medical condition.

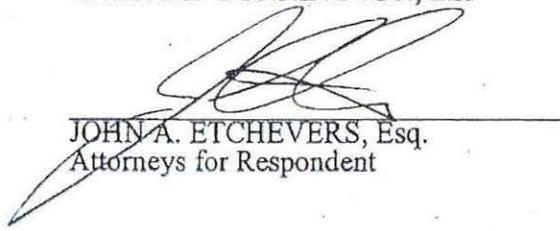
23 12. Respondent further understands and agrees that should he in the future petition for
24 reinstatement of his certificate, the Board may consider the materials included in the Board's
25 investigation in Case No. 12-2006-172659. For purposes of the reinstatement hearing, as earlier
26 stipulated in Paragraph 8, above, the allegations contained in Accusation No. 12-2006-172659,
27 shall be deemed to be admitted by respondent, and respondent hereby waives any time-based
28 defenses based on a claim of laches or the statute of limitations.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I have read and fully discussed with Respondent Kenneth Geiger, M.D., the terms and conditions and all related matters contained in this Stipulated Surrender of Physician's and Surgeon's Certificate and Order. I approve its form and content.

DATED: 3/9/08

HASSARD BONNINGTON, LLP


JOHN A. ETCHEVERS, Esq.
Attorneys for Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of Physician's and Surgeon's Certificate and Order is hereby respectfully submitted for consideration by the Medical Board of California.

DATED: March 6, 2008

EDMUND G. BROWN JR., Attorney General
of the State of California
JOSE R. GUERRERO
Supervising Deputy Attorney General

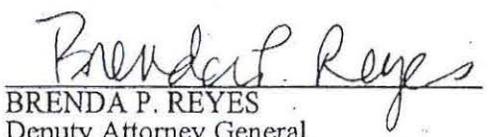

BRENDA P. REYES
Deputy Attorney General
Attorneys for Complainant

Exhibit A

MBC Case No. 12-2006-172659

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 JOSE R. GUERRERO
Supervising Deputy Attorney General
3 BRENDA P. REYES, State Bar No. 129718
Deputy Attorney General
4 455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
5 Telephone: (415) 703-5541
Facsimile: (415) 703-5480
6 E-mail: Brenda.Reyes@doj.ca.gov

7 Attorneys for Complainant

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 **KENNETH R. GEIGER, M.D.**
13 **181 Andrieux Street, Suite 106**
Sonoma, California 95476

14 Physician's and Surgeon's Certificate
15 No. G 55346

16 Respondent.

Case No. 12-2006-172659

A C C U S A T I O N

17
18 Complainant alleges:

19 **PARTIES**

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

23 2. On or about July 16, 1985, the Medical Board of California issued Physician's
24 and Surgeon's Certificate Number G 55346 to Kenneth R. Geiger, M.D. (Respondent). At all times
25 relevant to the charges brought herein this license has been in full force and effect. Unless renewed,
26 the certificate will expire on February 28, 2009. There is no Board record of previous disciplinary
27 action having been taken against this certificate.

28 ///

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO March 24, 2008
BY Valerie Mob ANALYST

1 PRAYER

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

- 4 1. Revoking or suspending Physician's and Surgeon's Certificate Number
5 G 55346, issued to Kenneth R. Geiger, M.D.;
- 6 2. Revoking, suspending or denying approval of Kenneth R. Geiger, M.D.'s
7 authority to supervise physician's assistants, pursuant to section 3527 of the Code;
- 8 3. Ordering Kenneth R. Geiger, M.D., if placed on probation, to pay the costs
9 of probation monitoring; and,
- 10 4. Taking such other and further action as deemed necessary and proper.
- 11
- 12

13 DATED: March 24, 2008

14

15 
16 BARBARA JOHNSTON
17 Executive Director
18 Medical Board of California
19 Department of Consumer Affairs
20 State of California
21 Complainant
22
23
24
25
26
27
28