

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

In the Matter of the Accusation
Against:

DANIEL GORDON SMILEY, M.D.

Physician's and Surgeon's Certificate
No. G74108

No. 10-2011-213864

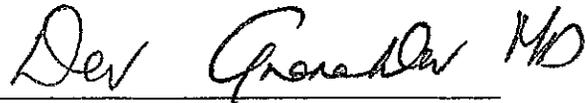
ORDER FOR LICENSE SURRENDER DURING PROBATION

The above named respondent was placed on three (3) years' probation effective July 26, 2013. Pursuant to the terms and conditions of the probationary order, the respondent elected to surrender his license effective November 7, 2016.

WHEREFORE, THE ABOVE IS ORDERED by the Medical Board of California.

So ordered January 26, 2017.

MEDICAL BOARD OF CALIFORNIA



Dev GnanaDev, President

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

In the Matter of the Accusation Against:)
)
)
DANIEL GORDON SMILEY, M.D.) Case No. 10-2011-213864
)
Physician's and Surgeon's)
Certificate No. G 74108)
)
Respondent.)
_____)

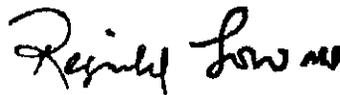
DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Medical Board of California, Department of Consumer Affairs, State of California, as its Decision in this matter.

This Decision shall become effective at 5:00 p.m. on July 26, 2013.

IT IS SO ORDERED June 28, 2013.

MEDICAL BOARD OF CALIFORNIA



By: _____
Reginald Low, M.D., Chair
Panel B

1 KAMALA D. HARRIS
Attorney General of California
2 THOMAS S. LAZAR
Supervising Deputy Attorney General
3 TESSA L. HEUNIS
Deputy Attorney General
4 State Bar No. 241559
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6 San Diego, CA 92186-5266
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8 *Attorneys for Complainant*

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

13 In the Matter of the Accusation Against:
14 **DANIEL GORDON SMILEY, M.D.**
15 **4405 Vandever Avenue**
San Diego, CA 92120
16 Physician's and Surgeon's Certificate
No. G74108
17
18 Respondent.

Case No. 10-2011-213864

OAH No. 2012061136

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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. Linda K. Whitney (Complainant) is the Executive Director of the Medical Board of
23 California. She brought this action solely in her official capacity and is represented in this matter
24 by Kamala D. Harris, Attorney General of the State of California, by Tessa L. Heunis, Deputy
25 Attorney General.

26 2. Respondent DANIEL GORDON SMILEY, M.D. is represented in this proceeding by
27 attorney Paul Spackman, Esq., whose address is: 28441 Highridge Rd., Ste. 201, Rolling Hills
28 Estates, CA 90274.

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CULPABILITY

9. Respondent does not contest that, at an administrative hearing, Complainant could establish a *prima facie* case with respect to the charges and allegations contained in Accusation No. 10-2011-213864 and that his Physician's and Surgeon's Certificate No. G74108 is therefore subject to discipline. Respondent further agrees that if he ever petitions for early termination or modification of probation, or if an Accusation is filed against him before the Board, all of the charges and allegations contained in Accusation No. 10-2011-213864 shall be deemed true, correct and fully admitted by Respondent for purposes of any such proceeding or any other licensing proceeding involving Respondent in the State of California.

10. Respondent agrees that his Physician's and Surgeon's Certificate No. G74108 is subject to discipline and he agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

11. This Stipulated Settlement and Disciplinary Order shall be subject to approval of the Board. The parties agree that this Stipulated Settlement and Disciplinary Order shall be submitted to the Board for its consideration in the above-entitled matter and, further, that the Board shall have a reasonable period of time in which to consider and act on this Stipulated Settlement and Disciplinary Order after receiving it. By signing this stipulation, Respondent fully understands and agrees that he may not withdraw his agreement or seek to rescind this stipulation prior to the time the Board considers and acts upon it.

12. The parties agree that this Stipulated Settlement and Disciplinary Order shall be null and void and not binding upon the parties unless approved and adopted by the Board, except for this paragraph, which shall remain in full force and effect. Respondent fully understands and agrees that in deciding whether or not to approve and adopt this Stipulated Settlement and Disciplinary Order, the Board may receive oral and written communications from its staff and/or the Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the Board, any member thereof, and/or any other person from future participation in this or any other matter affecting or involving Respondent. In the event that the Board does not, in its

1 discretion, approve and adopt this Stipulated Settlement and Disciplinary Order, with the
2 exception of this paragraph, it shall not become effective, shall be of no evidentiary value
3 whatsoever, and shall not be relied upon or introduced in any disciplinary action by either party
4 hereto. Respondent further agrees that should this Stipulated Settlement and Disciplinary Order
5 be rejected for any reason by the Board, Respondent will assert no claim that the Board, or any
6 member thereof, was prejudiced by its/his/her review, discussion and/or consideration of this
7 Stipulated Settlement and Disciplinary Order or of any matter or matters related hereto.

8 **ADDITIONAL PROVISIONS**

9 13. This Stipulated Settlement and Disciplinary Order is intended by the parties herein to
10 be an integrated writing representing the complete, final and exclusive embodiment of the
11 agreements of the parties in the above-entitled matter.

12 14. The parties agree that facsimile copies of this Stipulated Settlement and Disciplinary
13 Order, including facsimile signatures of the parties, may be used in lieu of original documents and
14 signatures and, further, that facsimile copies shall have the same force and effect as originals.

15 15. In consideration of the foregoing admissions and stipulations, the parties agree the
16 Board may, without further notice to or opportunity to be heard by Respondent, issue and enter
17 the following Disciplinary Order:

18 **DISCIPLINARY ORDER**

19 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G74108 issued
20 to Respondent DANIEL GORDON SMILEY, M.D. (Respondent) is revoked. However, the
21 revocation is stayed and Respondent is placed on probation for three (3) years from the effective
22 date of this Decision on the following terms and conditions:

23 1. **MEDICAL RECORD KEEPING COURSE.** Within 60 calendar days of the effective
24 date of this Decision, Respondent shall enroll in a course in medical record keeping equivalent to
25 the Medical Record Keeping Course offered by the Physician Assessment and Clinical Education
26 Program, University of California, San Diego School of Medicine (Program), approved in
27 advance by the Board or its designee. Respondent shall provide the program with any
28 information and documents that the Program may deem pertinent. Respondent shall participate in

1 and successfully complete the classroom component of the course not later than six (6) months
2 after Respondent's initial enrollment. Respondent shall successfully complete any other
3 component of the course within one (1) year of enrollment. The medical record keeping course
4 shall be at Respondent's expense and shall be in addition to the Continuing Medical Education
5 (CME) requirements for renewal of licensure.

6 A medical record keeping course taken after the acts that gave rise to the charges in the
7 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
8 or its designee, be accepted towards the fulfillment of this condition if the course would have
9 been approved by the Board or its designee had the course been taken after the effective date of
10 this Decision.

11 Respondent shall submit a certification of successful completion to the Board or its
12 designee not later than 15 calendar days after successfully completing the course, or not later than
13 15 calendar days after the effective date of the Decision, whichever is later.

14 2. CLINICAL TRAINING PROGRAM. Within 60 calendar days of the effective date
15 of this Decision, Respondent shall enroll in a clinical training or educational program equivalent
16 to the Physician Assessment and Clinical Education Program (PACE) offered at the University of
17 California - San Diego School of Medicine ("Program"). Respondent shall successfully complete
18 the Program not later than six (6) months after Respondent's initial enrollment unless the Board
19 or its designee agrees in writing to an extension of that time.

20 The Program shall consist of a Comprehensive Assessment program comprised of a two-
21 day assessment of Respondent's physical and mental health; basic clinical and communication
22 skills common to all clinicians; and medical knowledge, skill and judgment pertaining to
23 Respondent's area of practice in which Respondent was alleged to be deficient, and at minimum,
24 a 40 hour program of clinical education in the area of practice in which Respondent was alleged
25 to be deficient and which takes into account data obtained from the assessment, Decision,
26 Accusation, and any other information that the Board or its designee deems relevant. Respondent
27 shall pay all expenses associated with the clinical training program.

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1 Based on Respondent's performance and test results in the assessment and clinical
2 education, the Program will advise the Board or its designee of its recommendation(s) for the
3 scope and length of any additional educational or clinical training, treatment for any medical
4 condition, treatment for any psychological condition, or anything else affecting Respondent's
5 practice of medicine. Respondent shall comply with Program recommendations.

6 At the completion of any additional educational or clinical training, Respondent shall
7 submit to and pass an examination. Determination as to whether Respondent successfully
8 completed the examination or successfully completed the program is solely within the program's
9 jurisdiction.

10 If Respondent fails to enroll, participate in, or successfully complete the clinical training
11 program within the designated time period, Respondent shall receive a notification from the
12 Board or its designee to cease the practice of medicine within three (3) calendar days after being
13 so notified. The Respondent shall not resume the practice of medicine until enrollment or
14 participation in the outstanding portions of the clinical training program have been completed. If
15 the Respondent did not successfully complete the clinical training program, the Respondent shall
16 not resume the practice of medicine until a final decision has been rendered on the accusation
17 and/or a petition to revoke probation. The cessation of practice shall not apply to the reduction of
18 the probationary time period.

19 A clinical training program taken after the acts that gave rise to the charges in the
20 Accusation but prior to the effective date of the Decision, may, in the sole discretion of the Board
21 or its designee, be accepted towards the fulfillment of this condition if the program would have
22 been approved by the Board or its designee had it been taken after the effective date of this
23 Decision.

24 Respondent shall submit a certification of successful completion to the Board or its
25 designee not later than 15 calendar days after successfully completing the program, or not later
26 than 15 calendar days after the effective date of the Decision, whichever is later.

27 3. NOTIFICATION. Within seven (7) days of the effective date of this Decision, the
28 Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the

1 Chief Executive Officer at every hospital where privileges or membership are extended to
2 Respondent, at any other facility where Respondent engages in the practice of medicine,
3 including all physician and *locum tenens* registries or other similar agencies, and to the Chief
4 Executive Officer at every insurance carrier which extends malpractice insurance coverage to
5 Respondent. Respondent shall submit proof of compliance to the Board or its designee within 15
6 calendar days.

7 This condition shall apply to any change(s) in hospitals, other facilities or insurance carrier.

8 4. SUPERVISION OF PHYSICIAN ASSISTANTS. During probation, Respondent is
9 prohibited from supervising physician assistants.

10 5. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws, all rules
11 governing the practice of medicine in California and remain in full compliance with any court
12 ordered criminal probation, payments, and other orders.

13 6. QUARTERLY DECLARATIONS. Respondent shall submit quarterly declarations
14 under penalty of perjury on forms provided by the Board, stating whether there has been
15 compliance with all the conditions of probation.

16 Respondent shall submit quarterly declarations not later than 10 calendar days after the end
17 of the preceding quarter.

18 7. GENERAL PROBATION REQUIREMENTS.

19 Compliance with Probation Unit

20 Respondent shall comply with the Board's probation unit and all terms and conditions of
21 this Decision.

22 Address Changes

23 Respondent shall, at all times, keep the Board informed of Respondent's business and
24 residence addresses, email address (if available), and telephone number. Changes of such
25 addresses shall be immediately communicated in writing to the Board or its designee. Under no
26 circumstances shall a post office box serve as an address of record, except as allowed by Business
27 and Professions Code section 2021(b).

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1 Place of Practice

2 Respondent shall not engage in the practice of medicine in Respondent's or patient's place
3 of residence, unless the patient resides in a skilled nursing facility or other similar licensed
4 facility.

5 License Renewal

6 Respondent shall maintain a current and renewed California physician's and surgeon's
7 license.

8 Travel or Residence Outside California

9 Respondent shall immediately inform the Board or its designee, in writing, of travel to any
10 areas outside the jurisdiction of California which lasts, or is contemplated to last, more than thirty
11 (30) calendar days.

12 In the event Respondent should leave the State of California to reside or to practice
13 Respondent shall notify the Board or its designee in writing 30 calendar days prior to the dates of
14 departure and return.

15 8. INTERVIEW WITH THE BOARD OR ITS DESIGNEE. Respondent shall be
16 available in person upon request for interviews either at Respondent's place of business or at the
17 probation unit office, with or without prior notice throughout the term of probation.

18 9. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
19 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
20 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is
21 defined as any period of time Respondent is not practicing medicine in California as defined in
22 Business and Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month
23 in direct patient care, clinical activity or teaching, or other activity as approved by the Board. All
24 time spent in an intensive training program which has been approved by the Board or its designee
25 shall not be considered non-practice. Practicing medicine in another state of the United States or
26 Federal jurisdiction while on probation with the medical licensing authority of that state or
27 jurisdiction shall not be considered non-practice. A Board-ordered suspension of practice shall
28 not be considered as a period of non-practice.

1 In the event Respondent's period of non-practice while on probation exceeds 18 calendar
2 months, Respondent shall successfully complete a clinical training program that meets the criteria
3 of Condition 18 of the current version of the Board's "Manual of Model Disciplinary Orders and
4 Disciplinary Guidelines" prior to resuming the practice of medicine.

5 Respondent's period of non-practice while on probation shall not exceed two (2) years.

6 Periods of non-practice will not apply to the reduction of the probationary term.

7 Periods of non-practice will relieve Respondent of the responsibility to comply with the
8 probationary terms and conditions with the exception of this condition and the following terms
9 and conditions of probation: Obey All Laws; and General Probation Requirements.

10 10. COMPLETION OF PROBATION. Respondent shall comply with all financial
11 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the
12 completion of probation. Upon successful completion of probation, Respondent's certificate shall
13 be fully restored.

14 11. VIOLATION OF PROBATION. Failure to fully comply with any term or condition
15 of probation is a violation of probation. If Respondent violates probation in any respect, the
16 Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and
17 carry out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke
18 Probation, or an Interim Suspension Order, is filed against Respondent during probation, the
19 Board shall have continuing jurisdiction until the matter is final, and the period of probation shall
20 be extended until the matter is final.

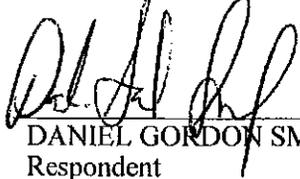
21 12. LICENSE SURRENDER. Following the effective date of this Decision, if
22 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy
23 the terms and conditions of probation, Respondent may request to surrender his or her license.
24 The Board reserves the right to evaluate Respondent's request and to exercise its discretion in
25 determining whether or not to grant the request, or to take any other action deemed appropriate
26 and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent
27 shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its
28 designee and Respondent shall no longer practice medicine. Respondent will no longer be subject

1 to the terms and conditions of probation. If Respondent re-applies for a medical license, the
2 application shall be treated as a petition for reinstatement of a revoked certificate.

3 13. PROBATION MONITORING COSTS. Respondent shall pay the costs associated
4 with probation monitoring each and every year of probation, as designated by the Board, which
5 may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of
6 California and delivered to the Board or its designee no later than January 31 of each calendar
7 year.

8 ACCEPTANCE

9 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
10 discussed it with my attorney, Paul Spackman, Esq. I understand the stipulation and the effect it
11 will have on my Physician's and Surgeon's Certificate No. G74108. I enter into this Stipulated
12 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be
13 bound by the Decision and Order of the Medical Board of California.

14
15 DATED: 3.11.13 
16 DANIEL GORDON SMILEY, M.D.
17 Respondent

18 I have read and fully discussed with Respondent DANIEL GORDON SMILEY, M.D., the
19 terms and conditions and other matters contained in the above Stipulated Settlement and
20 Disciplinary Order. I approve its form and content.

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22 DATED: March 18, 2013 
23 PAUL SPACKMAN, ESQ.
24 Attorney for Respondent

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California of the Department of Consumer Affairs.

Dated: *March 15, 2013*

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
THOMAS S. LAZAR
Supervising Deputy Attorney General


TESSA L. HEUNIS
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 10-2011-213864

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO May 11 2012
BY H. Park ANALYST

1 KAMALA D. HARRIS
Attorney General of California
2 THOMAS S. LAZAR
Supervising Deputy Attorney General
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7 Facsimile: (619) 645-2061
Attorneys for Complainant
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9

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

13 In the Matter of the Accusation Against:

Case No. 10-2011-213864

14 **DANIEL GORDON SMILEY, M.D.**
4405 Vandever Avenue
15 San Diego, CA 92120

ACCUSATION

16 Physician's and Surgeon's Certificate No.
G74108

17 Respondent.
18

19 Complainant alleges:

20 **PARTIES**

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

24 2. On or about May 19, 1992, the Medical Board of California issued Physician's and
25 Surgeon's Certificate Number G74108 to DANIEL GORDON SMILEY, M.D. (Respondent).
26 The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the
27 charges brought herein and will expire on November 30, 2013, unless 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 (Code) unless otherwise
4 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
7 Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or
8 whose default has been entered, and who is found guilty, or who has entered into a
9 stipulation for disciplinary action with the board, may, in accordance with the provisions of
10 this chapter:

11 “(1) Have his or her license revoked upon order of the board.

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

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

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

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

21 “...”

22 5. Section 2234 of the Code states:

23 “The Division of Medical Quality¹ shall take action against any licensee who is
24 charged with unprofessional conduct. In addition to other provisions of this article,
25 unprofessional conduct includes, but is not limited to, the following:

26 ¹ California Business and Professions Code section 2002, as amended and effective
27 January 1, 2008, provides that, unless otherwise expressly provided, the term “board” as used in
28 the State Medical Practice Act (Cal. Bus. & Prof. Code, §§2000, et. seq.) means the “Medical
Board of California,” and references to the “Division of Medical Quality” and “Division of
(continued...)

1 8. At all relevant times herein, patient DL, born November 24, 1925, was a patient in the
2 Kaiser Healthcare system (Kaiser) and, unless otherwise specified, all medical treatment was
3 received through Kaiser.

4 9. On or about April 24, 2006, patient DL underwent a computerized axial tomography
5 (CT) exam of the kidneys. The result of the exam included the finding that patient DL had a left
6 renal mass.

7 10. On or about November 21, 2007, patient DL underwent a further CT exam, which
8 confirmed the presence of the left renal mass.

9 11. On or about April 4, 2010, patient DL again underwent a CT exam, which found that
10 the left renal mass was enlarged from the 2007 study.

11 12. On or about August 25, 2010, patient DL had another CT exam, which found that the
12 left renal mass had increased in size since April 4, 2010. Patient DL was referred to the Urology
13 Department for follow-up.

14 13. On or about September 1, 2010, patient DL was attended by Respondent. The patient
15 chart for this visit records the reason for the visit as "kidney problem." Other notes on the patient
16 chart relating to this visit, signed by Respondent on September 7, 2010, include the observation:
17 "Pertinent Imaging: as in left renal mass enlarged from 2.15 to 3.5 cms over a year."

18 14. On or about October 4, 2010, patient DL again had a CT exam, which confirmed the
19 presence of the mass in the upper pole of the left kidney.

20 15. On or about October 29, 2010, at approximately 5:35 p.m., Respondent scheduled a
21 laparoscopic nephrectomy for patient DL, indicating that the surgery was to be done on the right
22 kidney.

23 16. On or about December 13, 2010, patient DL was seen by Nurse Practitioner BT, at
24 which time a history and physical (H&P) was conducted. BT documented in the H&P, "[patient
25 DL] had Computerized Tomography initially in 4/06 was found to have 3 centimeter renal mass.
26 States that it had been stable until this last year where it has started to increase in size and would
27 like to have it removed. States that he has been having right flank pain..." After the H&P was
28 completed, BT had patient DL sign a surgical consent for the removal of the right kidney.

1 17. On or about December 18, 2010, patient DL presented himself to the hospital's
2 surgical services for the laparoscopic nephrectomy. At or near 6:52 a.m., Respondent
3 electronically signed the H&P note by BT, stating "I have reviewed the Hospital Admission
4 History & Physical and there are the following changes: No changes needed." Respondent
5 obtained patient DL's informed consent to remove his right kidney.

6 18. On the day of the scheduled surgery, the images of the earlier CT exams conducted
7 on patient DL were available for viewing in the operating room suite. The said CT images were
8 not reviewed by Respondent, however, nor displayed on the view boxes in the surgical suite prior
9 to surgery or during the procedure.

10 19. On or about December 18, 2010, Respondent surgically removed patient DL's right
11 kidney, leaving the left kidney (with the renal mass) in place.

12 20. Respondent was grossly negligent in his care and treatment of patient DL, which
13 included, but was not limited to, the following:

14 (1) On or about October 29, 2010, Respondent failed to review all the available
15 data regarding patient DL at the time of scheduling the surgery and/or failed to ensure that
16 he had scheduled the surgery in accordance with said data;

17 (2) On or about December 18, 2010, at or near 6:52 a.m., Respondent failed to
18 review all the available data regarding patient DL at the time of obtaining patient DL's
19 informed consent and/or signing the H&P note by BT;

20 (3) On or about December 18, 2010, immediately prior to initiating the surgery,
21 Respondent failed to review all the available data regarding patient DL; and

22 (4) Respondent removed the wrong kidney from patient DL.

23 **SECOND CAUSE FOR DISCIPLINE**

24 **(Repeated Negligent Acts)**

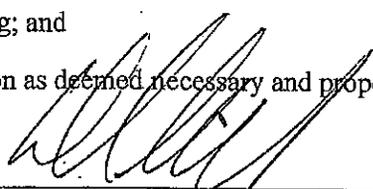
25 21. Respondent is further subject to disciplinary action under sections 2227 and 2234, as
26 defined by section 2234, subsection (c), of the Code, in that he committed repeated negligent acts
27 in the care and treatment of patient DL. The circumstances are as follows:

28 ////

1 3. Ordering Respondent DANIEL GORDON SMILEY, M.D., if placed on probation, to
2 pay the Board the costs of probation monitoring; and

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

4
5 DATED: May 11, 2012



LINDA K. WHITNEY
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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