

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

In the Matter of the Accusation )  
Against: )  
)  
)  
Carol Stone Wolman, M.D. ) File No. D1-1999-98505  
)  
Physician's and Surgeon's )  
Certificate No. G 17507 )  
)  
Respondent )

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DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Division of Medical Quality of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on November 29, 2004

IT IS SO ORDERED October 29, 2004

MEDICAL BOARD OF CALIFORNIA

By:   
Ronald L. Moy, M.D., Chair  
Panel B  
Division of Medical Quality

1 BILL LOCKYER, Attorney General  
 of the State of California  
 2 GAIL M. HEPPELL, Supervising  
 Deputy Attorney General, State Bar No. 84134  
 3 DANIEL J. TURNER, State Bar No. 79560  
 Deputy Attorney General  
 4 California Department of Justice  
 1300 I Street, Suite 125  
 5 P.O. Box 944255  
 Sacramento, CA 94244-2550  
 6 Telephone: (916) 324-7861  
 Facsimile: (916) 327-2247

7 Attorneys for Complainant

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

12 In the Matter of the Petition to Revoke Probation  
 Against:  
 13 CAROL STONE WOLMAN, M.D.  
 14 Post Office Box 822  
 Albion, CA 95410  
 15 Physician and Surgeon's Certificate No. G 17507  
 16 Respondent.

Case No. D1-1999-98505

**STIPULATED SETTLEMENT AND  
 DISCIPLINARY ORDER**

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

21 PARTIES

- 22 1. David T. Thornton (Complainant) is the Interim Executive Director of the  
 23 Medical Board of California. He brought this action solely in his official capacity and is represented  
 24 in this matter by Bill Lockyer, Attorney General of the State of California, by Daniel J. Turner,  
 25 Deputy Attorney General.  
 26 2. Carol Stone Wolman (Respondent) is represented in this proceeding by  
 27 attorney John A. Etchevers, Esq., whose address is Hazzard, Bonnington, Two Embarcadero Center,  
 28 Suite 1800, San Francisco, CA 94111.



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CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Petition to Revoke Probation No. D1-1999-98505.

9. Respondent agrees that her Physician and Surgeon's Certificate is subject to discipline and she agrees to be bound by the Division's imposition of discipline as set forth in the Disciplinary Order below.

RESERVATION

10. The admissions made by Respondent herein are only for the purposes of this proceeding, or any other proceedings in which the Division of Medical Quality, Medical Board of California, or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

CONTINGENCY

11. This stipulation shall be subject to approval by the Division of Medical Quality. Respondent understands and agrees that counsel for Complainant and the staff of the Medical Board of California may communicate directly with the Division regarding this stipulation and settlement, without notice to or participation by Respondent or her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Division considers and acts upon it. If the Division fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Division shall not be disqualified from further action by having considered this matter.

12. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

13. In consideration of the foregoing admissions and stipulations, the parties agree that the Division may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

**DISCIPLINARY ORDER**

1  
2 IT IS HEREBY ORDERED that the license revocation previously imposed and stayed  
3 against Respondent Carol Stone Wolman, Physician and Surgeon's Certificate No. G 17507,  
4 pursuant to Decision and Order issued by the Board on August 5, 2003, in Case No. D1-1999-98505,  
5 is imposed and the license is revoked. However, revocation is stayed and Respondent's license is  
6 placed on probation for the same term as stated in the Decision and Order issued by the Board on  
7 August 5, 2003, except that Respondent shall serve an additional year of probation, for a total  
8 probationary period of five years. The previous terms and conditions imposed in the Decision and  
9 Order issued by the Board on August 5, 2003, (Conditions 1 through 13), shall be superseded by the  
10 following terms and conditions:

11 1. CONTROLLED SUBSTANCES - PARTIAL RESTRICTION Respondent  
12 shall not order, prescribe, dispense, administer, or possess any controlled substances as defined by  
13 the California Uniform Controlled Substances Act, except for those drugs listed in Schedules III, IV,  
14 and V of the Act and the ADD medications Ritalin and Adderal.

15 Respondent shall not issue an oral or written recommendation or approval to a patient  
16 or a patient's primary caregiver for the possession or cultivation of marijuana for the personal  
17 medical purposes of the patient within the meaning of Health and Safety Code section 11362.5. If  
18 Respondent forms the medical opinion, after a good faith prior examination, that a patient's medical  
19 condition may benefit from the use of marijuana, Respondent shall so inform the patient and shall  
20 refer the patient to another physician who, following a good faith examination, may independently  
21 issue a medically appropriate recommendation or approval for the possession or cultivation of  
22 marijuana for the personal medical purposes of the patient within the meaning of Health and Safety  
23 Code section 11362.5. In addition, Respondent shall inform the patient or the patient's primary  
24 caregiver that Respondent is prohibited from issuing a recommendation or approval for the  
25 possession or cultivation of marijuana for the personal medical purposes of the patient, and that the  
26 patient or the patient's primary caregiver may not rely on Respondent's statements to legally possess  
27 or cultivate marijuana for the personal medical purposes of the patient. Respondent shall fully  
28 document in the patient's chart that the patient or the patient's primary caregiver was so informed.

1 Nothing in this condition prohibits Respondent from providing the patient or the patient's primary  
2 caregiver information about the possible medical benefits resulting from the use of marijuana.

3           2.       MONITORING - PRACTICE/BILLING Within 30 calendar days of the  
4 effective date of this Decision, Respondent shall submit to the Division or its designee for prior  
5 approval as a practice monitor, the name and qualifications of one or more licensed physicians and  
6 surgeons whose licenses are valid and in good standing, and who are preferably American Board of  
7 Medical Specialties (ABMS) certified. A monitor shall have no prior or current business or personal  
8 relationship with Respondent, or other relationship that could reasonably be expected to compromise  
9 the ability of the monitor to render fair and unbiased reports to the Division, including, but not  
10 limited to, any form of bartering, shall be in Respondent's field of practice, and must agree to serve  
11 as Respondent's monitor. Respondent shall pay all monitoring costs.

12           The Division or its designee shall provide the approved monitor with copies of the  
13 Decisions and Accusation, and a proposed monitoring plan. Within 15 calendar days of receipt of  
14 the Decisions, Accusation, and proposed monitoring plan, the monitor shall submit a signed  
15 statement that the monitor has read the Decisions and Accusation, fully understands the role of a  
16 monitor, and agrees or disagrees with the proposed monitoring plan. If the monitor disagrees with  
17 the proposed monitoring plan, the monitor shall submit a revised monitoring plan with the signed  
18 statement.

19           Within 60 calendar days of the effective date of this Decision, and continuing  
20 throughout probation, Respondent's practice shall be monitored by the approved monitor.  
21 Respondent shall make all records available for immediate inspection and copying on the premises  
22 by the monitor at all times during business hours, and shall retain the records for the entire term of  
23 probation.

24           The monitor shall submit a quarterly written report to the Division or its designee  
25 which includes an evaluation of Respondent's performance, indicating whether respondent's  
26 practices are within the standards of practice of medicine or billing, or both, and whether Respondent  
27 is practicing medicine safely, billing appropriately or both.

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1           It shall be the sole responsibility of Respondent to ensure that the monitor submits  
2 the quarterly written reports to the Division or its designee within 10 calendar days after the end of  
3 the preceding quarter.

4           If the monitor resigns or is no longer available, Respondent shall, within 5 calendar  
5 days of such resignation or unavailability, submit to the Division or its designee, for prior approval,  
6 the name and qualifications of a replacement monitor who will be assuming that responsibility  
7 within 15 calendar days. If Respondent fails to obtain approval of a replacement monitor within 60  
8 days of the resignation or unavailability of the monitor, Respondent shall be suspended from the  
9 practice of medicine until a replacement monitor is approved and prepared to assume immediate  
10 monitoring responsibility. Respondent shall cease the practice of medicine within 3 calendar days  
11 after being so notified by the Division or designee.

12           In lieu of a monitor, Respondent may participate in a professional enhancement  
13 program equivalent to the one offered by the Physician Assessment and Clinical Education Program  
14 at the University of California, San Diego School of Medicine, that includes, at minimum, quarterly  
15 chart review, semi-annual practice assessment, and semi-annual review of professional growth and  
16 education. Respondent shall participate in the professional enhancement program at Respondent's  
17 expense during the term of probation.

18           Failure to maintain all records, or to make all appropriate records available for  
19 immediate inspection and copying on the premises, or to comply with this condition as outlined  
20 above is a violation of probation.

21           3.     NOTIFICATION Prior to engaging in the practice of medicine, Respondent  
22 shall provide a true copy of the Decision(s) and Accusation(s) to the Chief of Staff or the Chief  
23 Executive Officer at every hospital where privileges or membership are extended to Respondent, at  
24 any other facility where respondent engages in the practice of medicine, including all physician and  
25 locum tenens registries or other similar agencies, and to the Chief Executive Officer at every  
26 insurance carrier which extends malpractice insurance coverage to respondent. Respondent shall  
27 submit proof of compliance to the Division or its designee within 15 calendar days.

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

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

6 5. QUARTERLY DECLARATIONS Respondent shall submit quarterly  
7 declarations under penalty of perjury on forms provided by the Division, stating whether there has  
8 been compliance with all the conditions of probation. Respondent shall submit quarterly  
9 declarations not later than 10 calendar days after the end of the preceding quarter.

10 6. PROBATION UNIT COMPLIANCE Respondent shall comply with the  
11 Division's probation unit. Respondent shall, at all times, keep the Division informed of  
12 Respondent's business and residence addresses. Changes of such addresses shall be immediately  
13 communicated in writing to the Division or its designee. Under no circumstances shall a post office  
14 box serve as an address of record, except as allowed by Business and Professions Code section  
15 2021(b).

16 Respondent shall not engage in the practice of medicine in Respondent's place of  
17 residence. Respondent shall maintain a current and renewed California physician's and surgeon's  
18 license.

19 Respondent shall immediately inform the Division, or its designee, in writing, of  
20 travel to any areas outside the jurisdiction of California which lasts, or is contemplated to last, more  
21 than 30 calendar days.

22 7. INTERVIEW WITH THE DIVISION, OR ITS DESIGNEE Respondent shall  
23 be available in person for interviews either at respondent's place of business or at the probation unit  
24 office, with the Division or its designee, upon request at various intervals, and either with or without  
25 prior notice throughout the term of probation.

26 8. RESIDING OR PRACTICING OUT-OF-STATE In the event Respondent  
27 should leave the State of California to reside or to practice, Respondent shall notify the Division or  
28 its designee in writing 30 calendar days prior to the dates of departure and return. Non-practice is



1 defined as any period of time exceeding 30 calendar days in which Respondent is not engaging in  
2 any activities defined in Sections 2051 and 2052 of the Business and Professions Code.

3 All time spent in an intensive training program outside the State of California which  
4 has been approved by the Division or its designee shall be considered as time spent in the practice  
5 of medicine within the State. A Board-ordered suspension of practice shall not be considered as a  
6 period of non-practice. Periods of temporary or permanent residence or practice outside California  
7 will not apply to the reduction of the probationary term. Periods of temporary or permanent  
8 residence or practice outside California will relieve Respondent of the responsibility to comply with  
9 the probationary terms and conditions with the exception of this condition and the following terms  
10 and conditions of probation: Obey All Laws; Probation Unit Compliance; and Cost Recovery.

11 Respondent's license shall be automatically canceled if Respondent's periods of  
12 temporary or permanent residence or practice outside California total two years. However,  
13 Respondent's license shall not be canceled as long as Respondent is residing and practicing medicine  
14 in another state of the United States and is on active probation with the medical licensing authority  
15 of that state, in which case the two year period shall begin on the date probation is completed or  
16 terminated in that state.

17 9. FAILURE TO PRACTICE MEDICINE - CALIFORNIA RESIDENT

18 In the event Respondent resides in the State of California and for any reason  
19 Respondent stops practicing medicine in California, Respondent shall notify the Division or its  
20 designee in writing within 30 calendar days prior to the dates of non-practice and return to practice.  
21 Any period of non-practice within California, as defined in this condition, will not apply to the  
22 reduction of the probationary term and does not relieve Respondent of the responsibility to comply  
23 with the terms and conditions of probation. Non-practice is defined as any period of time exceeding  
24 30 calendar days in which Respondent is not engaging in any activities defined in sections 2051 and  
25 2052 of the Business and Professions Code.

26 All time spent in an intensive training program which has been approved by the  
27 Division or its designee shall be considered time spent in the practice of medicine. For purposes of  
28 this condition, non-practice due to a Board-ordered suspension or in compliance with any other

1 condition of probation, shall not be considered a period of non-practice.

2 Respondent's license shall be automatically canceled if Respondent resides in  
3 California and for a total of two years, fails to engage in California in any of the activities described  
4 in Business and Professions Code sections 2051 and 2052.

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

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

16 12. LICENSE SURRENDER Following the effective date of this Decision, if  
17 Respondent ceases practicing due to retirement, health reasons or is otherwise unable to satisfy the  
18 terms and conditions of probation, Respondent may request the voluntary surrender of Respondent's  
19 license. The Division reserves the right to evaluate Respondent's request and to exercise its  
20 discretion whether or not to grant the request, or to take any other action deemed appropriate and  
21 reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent shall  
22 within 15 calendar days deliver Respondent's wallet and wall certificate to the Division or its  
23 designee and Respondent shall no longer practice medicine. Respondent will no longer be subject  
24 to the terms and conditions of probation and the surrender of Respondent's license shall be deemed  
25 disciplinary action. If Respondent re-applies for a medical license, the application shall be treated  
26 as a petition for reinstatement of a revoked certificate.

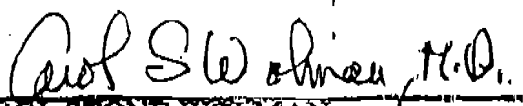
27 13. PROBATION MONITORING COSTS Respondent shall pay the costs  
28 associated with probation monitoring each and every year of probation, as designated by the

1 Division, which are currently set at \$2,874.00, but may be adjusted on an annual basis. Such costs  
2 shall be payable to the Medical Board of California and delivered to the Division or its designee no  
3 later than January 31 of each calendar year. Failure to pay costs within 30 calendar days of the due  
4 date is a violation of probation.

5 ACCEPTANCE

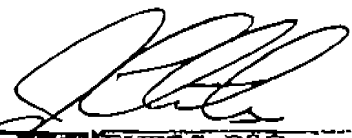
6 I have carefully read the above Stipulated Settlement and Disciplinary Order and have  
7 fully discussed it with my attorney, John A. Etchevers, Esq. I understand the stipulation and the  
8 effect it will have on my Physician and Surgeon's Certificate. I enter into this Stipulated Settlement  
9 and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the  
10 Decision and Order of the Division of Medical Quality, Medical Board of California.

11 DATED: 9/9/04

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13   
14 CAROL STONE WOLMAN  
15 Respondent

16 I have read and fully discussed with Respondent Carol Stone Wolman, the terms and  
17 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.  
18 I approve its form and content.

19 DATED: 9/10/04

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21   
22 JOHN A. ETCHEVERS, ESQ.  
23 Attorney for Respondent

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ENDORSEMENT

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

DATED: 10-14-2004

BILL LOCKYER, Attorney General  
of the State of California



DANIEL J. TURNER  
Deputy Attorney General

Attorneys for Complainant

**Exhibit A**  
**Petition to Revoke Probation No. D1-1999-98505**

FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO May 14 2004  
BY: M. [Signature] ANALYST

1 BILL LOCKYER, Attorney General  
of the State of California  
2 GAIL M. HEPPELL, Supervising  
Deputy Attorney General, State Bar No. 84134  
3 DANIEL J. TURNER, State Bar No. 79560  
Deputy Attorney General  
4 California Department of Justice  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 324-7861  
Facsimile: (916) 327-2247

7 Attorneys for Complainant.  
8

9  
10 **BEFORE THE**  
**DIVISION OF MEDICAL QUALITY**  
**MEDICAL BOARD OF CALIFORNIA**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**  
12

13 In the Matter of the Petition to Revoke Probation  
Against:

Case No. D1-1999-98505

14 CAROL STONE WOLMAN, M.D.  
Post Office Box 822  
15 Albion, CA 95410

**PETITION TO REVOKE  
PROBATION**

16 Physician and Surgeon's Certificate No. G 17507

17 Respondent.  
18

19 Complainant alleges:

20 PARTIES

21 1. David T. Thornton ("Complainant") brings this Petition to Revoke  
22 Probation solely in his official capacity as the Interim Executive Director of the Medical Board of  
23 California, Department of Consumer Affairs.

24 2. On or about October 28, 1969, the Medical Board of California issued  
25 Physician and Surgeon's Certificate No. G 17507 to Carol Stone Wolman, M.D. ("Respondent").  
26 The certificate was in effect at all times relevant to the charges brought herein, and will expire on  
27 June 30, 2005, unless renewed.

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**SECOND CAUSE TO REVOKE PROBATION**  
**(Cost Recovery)**

9. At all times after the effective date of Respondent's probation, Condition 11 stated, in pertinent part:

The respondent is hereby ordered to reimburse the Board the amount of \$1,500 for its investigative and prosecution costs, with the initial payment of \$500 due within six months of the effective date of this decision and the balance due within three years of the effective date.

10. Respondent's probation is subject to revocation because she failed to comply with Probation Condition 11, referenced above. The facts and circumstances regarding this violation are as follows:

A. Respondent's probation was effective September 4, 2003, and as of April 6, 2004, Respondent has failed to make the first payment of \$500 within the first six months of the effective date of probation.

**THIRD CAUSE TO REVOKE PROBATION**  
**(Probation Monitoring Fees)**

11. At all times after the effective date of Respondent's probation, Condition 12 stated, in pertinent part:

Respondent shall pay the costs associated with probation monitoring each and every year of probation, as designated by the Division, which are currently set at \$2,874....Such costs shall be payable to the Division of Medical Quality and delivered to the designated probation surveillance monitor no later than January 31 of each calendar year.... Failure to pay the costs within 30 days of the due date shall constitute a violation of probation.

Respondent's first prorated payment of \$958 was due on January 31, 2004.

12. Respondent's probation is subject to revocation because she failed to comply with Probation Condition 12, referenced above. The facts and circumstances regarding this violation are as follows:

A. As of April 6, 2004, Respondent has failed to pay the first prorated payment of her probation monitoring costs in the amount of \$958 that was due on January 31, 2004.

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1  
2 PRAAYER

3 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
4 alleged, and that following the hearing, the Division of Medical Quality issue a decision:


5 1. Revoking the probation that was granted by the Medical Board of  
6 California in Case No. 12-1999-98505 and imposing the disciplinary order that was stayed,  
7 thereby revoking Physician and Surgeon's Certificate No. G 17507 issued to Carol Stone  
8 Wolman;

9 2. Revoking or suspending Physician and Surgeon's Certificate No. G 17507,  
10 issued to Carol Stone Wolman;

11 3. Revoking, suspending or denying approval of Carol Stone Wolman's  
12 authority to supervise physician's assistants, pursuant to section 3527 of the Code;

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

14 DATED: May 14, 2004

15  
16   
17 DAVID T. THORNTON  
18 Interim Executive Director  
19 Medical Board of California  
20 Department of Consumer Affairs  
21 State of California  
22 Complainant  
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**Exhibit A**  
**Decision and Order**  
**Medical Board of California Case No. D1-1999-98505**

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

In the Matter of the Accusation Against:

Carol Stone Wolman, M.D.  
Box 822  
Albion, CA 95410

Physician's and Surgeon's Certificate  
G-17507

Respondent.

Case No. 12-1999-98505

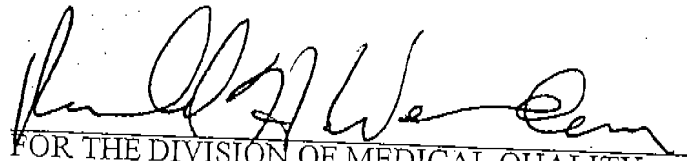
OAH No. N2003 020089

DECISION AND ORDER

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

This Decision shall become effective on September 4, 2003

It is so ORDERED August 5, 2003



FOR THE DIVISION OF MEDICAL QUALITY  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
RONALD H. WENDER, M.D.  
Chair, Panel B

1 BILL LOCKYER, Attorney General  
of the State of California  
2 LAWRENCE A. MERCER, State Bar No. 111898  
Deputy Attorney General  
3 California Department of Justice  
455 Golden Gate Avenue, Suite 11000  
4 San Francisco, CA 94102-7004  
Telephone: (415) 703-5539  
5 Facsimile: (415) 703-5480  
6 Attorneys for Complainant

7  
8 **BEFORE THE**  
**DIVISION OF MEDICAL QUALITY**  
**MEDICAL BOARD OF CALIFORNIA**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**  
10

11 In the Matter of the Accusation Against:

12 **Carol Stone Wolman, M.D.**  
13 Box 822  
Albion, CA 95410  
14 Physician's and Surgeon's Certificate  
G-17507

Case No. 12-1999-98505

OAH No. N2003 020089

**STIPULATED SETTLEMENT  
AND DISCIPLINARY ORDER**

15 Respondent.  
16

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

19 PARTIES

20 1. Ron Joseph (Complainant) is the Executive Director of the Medical Board  
21 of California. He brought this action solely in his official capacity and is represented in this  
22 matter by Bill Lockyer, Attorney General of the State of California, by Lawrence A. Mercer,  
23 Deputy Attorney General:

24 2. Respondent Carol Stone Wolman, M.D. (Respondent) is represented in  
25 this proceeding by her attorneys, Hassard Bonnington L.L.P., and John Etchevers, Esq., whose  
26 address is Two Embarcadero, Suite 1800, San Francisco, CA 94111-3993.

27 3. On or about October 28, 1969, the Medical Board of California issued  
28 Physician's and Surgeon's Certificate No. G-17507 to Carol Stone Wolman, M.D. (Respondent).

1 Said license is currently valid with an expiration date of June 30, 2005.

2 JURISDICTION

3 4. Accusation No. 12-1999-98505 was filed before the Division of Medical  
4 Quality (Division) for the Medical Board of California, Department of Consumer Affairs, and is  
5 currently pending against Respondent. The Accusation and all other statutorily required  
6 documents were properly served on Respondent on February 22, 2002. Respondent timely filed  
7 her Notice of Defense contesting the Accusation. A First Amended Accusation was filed on  
8 January 23, 2003, and respondent's earlier Notice of Defense was deemed to respond to the  
9 charges in the amended pleading. A copy of First Amended Accusation No. 12-1999-98505 is  
10 attached as exhibit A and incorporated herein by reference.

11 ADVISEMENT AND WAIVERS

12 5. Respondent has carefully read, fully discussed with counsel, and  
13 understands the charges and allegations in Accusation No. 12-1999-98505. Respondent has also  
14 carefully read, fully discussed with counsel, and understands the effects of this Stipulated  
15 Settlement and Disciplinary Order.

16 6. Respondent is fully aware of her legal rights in this matter, including the  
17 right to a hearing on the charges and allegations in the Accusation; the right to be represented by  
18 counsel at her own expense; the right to confront and cross-examine the witnesses against her;  
19 the right to present evidence and to testify on her own behalf; the right to the issuance of  
20 subpoenas to compel the attendance of witnesses and the production of documents; the right to  
21 reconsideration and court review of an adverse decision; and all other rights accorded by the  
22 California Administrative Procedure Act and other applicable laws.

23 7. Respondent voluntarily, knowingly, and intelligently waives and gives up  
24 each and every right set forth above.

25 CULPABILITY

26 8. Respondent understands and agrees that the charges and allegations in  
27 Accusation No. 12-1999-98505, if proven at a hearing, constitute cause for imposing discipline  
28 upon her license to practice medicine in the State of California.



1 following Disciplinary Order:

2 **DISCIPLINARY ORDER**

3 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate no. G-  
4 17507 issued to Respondent Carol Stone Wolman, M.D. is revoked. However, the revocation is  
5 stayed and Respondent is placed on probation for four (4) years on the following terms and  
6 conditions.

7 Within 15 days after the effective date of this decision the respondent shall  
8 provide the Division, or its designee, proof of service that respondent has served a true copy of  
9 this decision on the Chief of Staff or the Chief Executive Officer at every hospital where  
10 privileges or membership are extended to respondent or at any other facility where respondent  
11 engages in the practice of medicine and on the Chief Executive Officer at every insurance carrier  
12 where malpractice insurance coverage is extended to respondent.

13 1. **CONTROLLED DRUGS - PARTIAL RESTRICTION** Respondent shall  
14 not prescribe, administer, dispense, order, or possess any controlled substances as defined by the  
15 California Uniform Controlled Substances Act, except for those drugs listed in Schedule(s) III,  
16 IV and V of the Act and the ADD medications Ritalin and Adderal.

17 2. **PHYSICIAN ASSESSMENT AND CLINICAL EDUCATION**  
18 **PROGRAM** Within 90 days from the effective date of this decision, respondent, at his/her  
19 expense, shall enroll in The Physician Assessment and Clinical Education Program at the  
20 University of California, San Diego School of Medicine (hereinafter the "PACE Program"). The  
21 PACE Program consists of the Comprehensive Assessment Program which is comprised of two  
22 mandatory components: Phase 1 and Phase 2. Phase 1 is a two-day program which assesses  
23 physical and mental health; neuropsychological performance; basic clinical and communication  
24 skills common to all clinicians; and medical knowledge, skill and judgment pertaining to the  
25 specialty or sub-specialty of the respondent. After the results of Phase 1 are reviewed,  
26 respondent shall complete Phase 2. Phase 2 comprises five (5) days (40 hours) of Clinical  
27 Education in respondent's field of specialty. The specific curriculum of Phase 2 is designed by  
28 PACE Faculty and the Department or Division of respondent's specialty, and utilizes data



1 obtained from Phase 1. After respondent has completed Phase 1 and Phase 2, the PACE  
2 Evaluation Committee will review all results and make a recommendation to the Division or its  
3 designee as to whether further education, clinical training (including scope and length), treatment  
4 of any medical and/or psychological condition and any other matters affecting respondent's  
5 practice of medicine will be required or recommended. The Division or its designee may at any  
6 time request information from PACE regarding the respondent's participation in PACE and/or  
7 information derived therefrom. The Division may order respondent to undergo additional  
8 education, medical and/or psychological treatment based upon the recommendations received  
9 from PACE.

10           Upon approval of the recommendation by the Division or its designee, respondent  
11 shall undertake and complete the recommended and approved PACE Program. At the completion  
12 of the PACE Program, respondent shall submit to an examination on its contents and substance.  
13 The examination shall be designed and administered by the PACE Program faculty. Respondent  
14 shall not be deemed to have successfully completed the program unless he/she passes the  
15 examination. Respondent agrees that the determination of the PACE Program faculty as to  
16 whether or not she passed the examination and/or successfully completed the PACE Program  
17 shall be binding.

18           Respondent shall complete the PACE Program no later than six months after his  
19 initial enrollment unless the Division or its designee agrees in writing to a later time for  
20 completion.

21           If respondent successfully completes the PACE Program, including the  
22 examination referenced above, she agrees to cause the PACE Program representative to forward  
23 a Certification of Successful Completion of the program to the Division or its designee. If  
24 respondent fails to successfully complete the PACE Program within the time limits outlined  
25 above, she shall be suspended from the practice of medicine.

26           Failure to participate in, and successfully complete all phases of the PACE  
27 Program, as outlined above, shall constitute a violation of probation.

28           3.     MONITORING Within thirty (30) days of the effective date of this

1 decision, respondent shall submit to the Division or its designee for its prior approval a plan of  
2 practice in which respondent's practice shall be monitored by another physician in respondent's  
3 field of practice, who shall provide periodic reports to the Division or its designee.

4 If the monitor resigns or is no longer available, respondent shall, within fifteen  
5 (15) days, move to have a new monitor appointed, through nomination by respondent and  
6 approval by the Division or its designee.

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

10 5. QUARTERLY REPORTS Respondent shall submit quarterly  
11 declarations under penalty of perjury on forms provided by the Division, stating whether there  
12 has been compliance with all the conditions of probation.

13 6. PROBATION SURVEILLANCE PROGRAM COMPLIANCE  
14 Respondent shall comply with the Division's probation surveillance program. Respondent shall,  
15 at all times, keep the Division informed of her business and residence addresses which shall both  
16 serve as addresses of record. Changes of such addresses shall be immediately communicated in  
17 writing to the Division. Under no circumstances shall a post office box serve as an address of  
18 record, except as allowed by Business and Professions Code section 2021(b).

19 Respondent shall, at all times, maintain a current and renewed physician's and  
20 surgeon's license.

21 Respondent shall also immediately inform the Division, in writing, of any travel  
22 to any areas outside the jurisdiction of California which lasts, or is contemplated to last, more  
23 than thirty (30) days.

24 7. INTERVIEW WITH THE DIVISION, ITS DESIGNEE OR ITS  
25 DESIGNATED PHYSICIAN(S) Respondent shall appear in person for interviews with the  
26 Division, its designee or its designated physician(s) upon request at various intervals and with  
27 reasonable notice.

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1                   8.     TOLLING FOR OUT-OF-STATE PRACTICE, RESIDENCE OR IN-  
2 STATE NON-PRACTICE In the event respondent should leave California to reside or to  
3 practice outside the State or for any reason should respondent stop practicing medicine in  
4 California, respondent shall notify the Division or its designee in writing within ten (10) days of  
5 the dates of departure and return or the dates of non-practice within California. Non-practice is  
6 defined as any period of time exceeding thirty (30) days in which respondent is not engaging in  
7 any activities defined in Sections 2051 and 2052 of the Business and Professions Code. All time  
8 spent in an intensive training program approved by the Division or its designee shall be  
9 considered as time spent in the practice of medicine. A Board-ordered suspension of practice  
10 shall not be considered as a period of non-practice. Periods of temporary or permanent residence  
11 or practice outside California or of non-practice within California, as defined in this condition,  
12 will not apply to the reduction of the probationary order.

13                   9.     COMPLETION OF PROBATION Upon successful completion of  
14 probation, respondent's certificate shall be fully restored.

15                   10.    VIOLATION OF PROBATION If respondent violates probation in any  
16 respect, the Division, after giving respondent notice and the opportunity to be heard, may revoke  
17 probation and carry out the disciplinary order that was stayed. If an accusation or petition to  
18 revoke probation is filed against respondent during probation, the Division shall have continuing  
19 jurisdiction until the matter is final, and the period of probation shall be extended until the matter  
20 is final.

21                   11.    COST RECOVERY The respondent is hereby ordered to reimburse the  
22 Division the amount of \$1,500.00 for its investigative and prosecution costs, with the initial  
23 payment of \$500.00 due within six months of the effective date of this decision and the balance  
24 due within three years of the effective date. Failure to reimburse the Division's cost of  
25 investigation and prosecution shall constitute a violation of the probation order, unless the  
26 Division agrees in writing to payment by an installment plan because of financial hardship. The  
27 filing of bankruptcy by the respondent shall not relieve the respondent of her responsibility to  
28 reimburse the Division for its investigative and prosecution costs.

1                   12.    PROBATION COSTS Respondent shall pay the costs associated with  
2 probation monitoring each and every year of probation, as designated by the Division, which are  
3 currently set at \$2,874.00, but may be adjusted on an annual basis. Such costs shall be payable  
4 to the Division of Medical Quality and delivered to the designated probation surveillance  
5 monitor no later than January 31 of each calendar year, unless the Board upon a showing of  
6 financial hardship agrees in writing to a later date. Failure to pay costs within 30 days of the due  
7 date shall constitute a violation of probation.

8                   13.    LICENSE SURRENDER Following the effective date of this decision, if  
9 respondent ceases practicing due to retirement, health reasons or is otherwise unable to satisfy  
10 the terms and conditions of probation, respondent may voluntarily tender her certificate to the  
11 Board. The Division reserves the right to evaluate the respondent's request and to exercise its  
12 discretion whether to grant the request, or to take any other action deemed appropriate and  
13 reasonable under the circumstances. Upon formal acceptance of the tendered license, respondent  
14 will not longer be subject to the terms and conditions of probation.

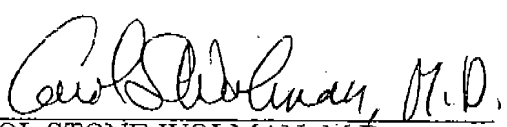
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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney. I understand the stipulation and the effect it will have on my license to practice medicine in California. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Division of Medical Quality, Medical Board of California.

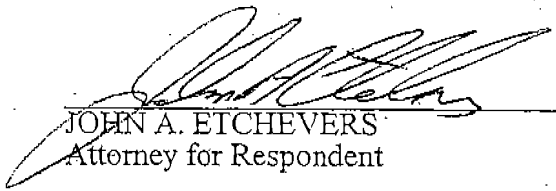
DATED: 6/13/03

  
CAROL STONE WOLMAN, M.D.  
Respondent

I have read and fully discussed with Respondent Carol Stone Wolman, M.D. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 6/3/03

HASSARD BONNINGTON, L.L.P.

  
JOHN A. ETCHEVERS  
Attorney for Respondent

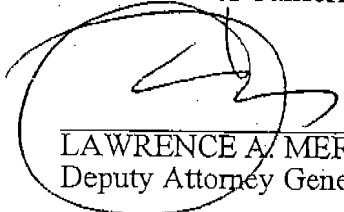
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ENDORSEMENT

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

DATED: June 13, 2003

BILL LOCKYER, Attorney General  
of the State of California



LAWRENCE A. MERCER  
Deputy Attorney General

Attorneys for Complainant

DOJ Docket Number: 03573160-SF2002AD0225