

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

**In the Matter of the Accusation
Against:**

Glyn Carol Griffin, M.D.

Case No. 800-2015-017925

**Physician's and Surgeon's
Certificate No. G 72092**

Respondent

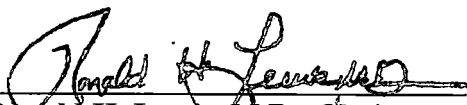
DECISION

The attached Stipulated Settlement and Disciplinary 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 January 26, 2018.

IT IS SO ORDERED: December 29, 2017.

MEDICAL BOARD OF CALIFORNIA



**Ronald H. Lewis, M.D., Chair
Panel A**

1 XAVIER BECERRA
Attorney General of California
2 JANE ZACK SIMON
Supervising Deputy Attorney General
3 KEITH C. SHAW
Deputy Attorney General
4 State Bar No. 227029
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
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6 Facsimile: (415) 703-5480
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. 800-2015-017925

11 **GLYN CAROL GRIFFIN, M.D.**

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

12 512 Hamilton Avenue
13 Palo Alto, CA 94301-2011

14 **Physician's and Surgeon's Certificate No.**
G72092

15 Respondent.
16

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

20 PARTIES

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

25 2. Respondent Glyn Carol Griffin, M.D. (Respondent) is represented in this proceeding
26 by attorney Cyrus Ali Tabari, Esq., whose address is: 1033 Willow Street, San Jose, CA 95125-
27 2346.
28

1 **DISCIPLINARY ORDER**

2 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G72092 issued
3 to Respondent Glyn Carol Griffin, M.D. is revoked. However, the revocation is stayed and
4 Respondent is placed on probation for five (5) years on the following terms and conditions.

5 1. CONTROLLED SUBSTANCES - ABSTAIN FROM USE. Respondent shall abstain
6 completely from the personal use or possession of controlled substances as defined in the
7 California Uniform Controlled Substances Act, dangerous drugs as defined by Business and
8 Professions Code section 4022, and any drugs requiring a prescription. This prohibition does not
9 apply to medications lawfully prescribed to Respondent by another practitioner for a bona fide
10 illness or condition.

11 Within 15 calendar days of receiving any lawfully prescribed medications, Respondent
12 shall notify the Board or its designee of the: issuing practitioner's name, address, and telephone
13 number; medication name, strength, and quantity; and issuing pharmacy name, address, and
14 telephone number.

15 2. ALCOHOL - ABSTAIN FROM USE. Respondent shall abstain completely from the
16 use of products or beverages containing alcohol.

17 3. PROFESSIONALISM PROGRAM (ETHICS COURSE). Within 60 calendar days of
18 the effective date of this Decision, Respondent shall enroll in a professionalism program, that
19 meets the requirements of Title 16, California Code of Regulations (CCR) section 1358.1.
20 Respondent shall participate in and successfully complete that program. Respondent shall
21 provide any information and documents that the program may deem pertinent. Respondent shall
22 successfully complete the classroom component of the program not later than six (6) months after
23 Respondent's initial enrollment, and the longitudinal component of the program not later than the
24 time specified by the program, but no later than one (1) year after attending the classroom
25 component. The professionalism program shall be at Respondent's expense and shall be in
26 addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

27 A professionalism program taken after the acts that gave rise to the charges in the
28 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board

1 or its designee, be accepted towards the fulfillment of this condition if the program would have
2 been approved by the Board or its designee had the program been taken after the effective date of
3 this Decision.

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

7 4. PSYCHIATRIC EVALUATION. At the Board's discretion, and on whatever
8 periodic basis that may be required by the Board or its designee, Respondent shall undergo and
9 complete a psychiatric evaluation (and psychological testing, if deemed necessary) by a Board-
10 appointed board certified psychiatrist, who shall consider any information provided by the Board
11 or its designee and any other information the psychiatrist deems relevant, and shall furnish a
12 written evaluation report to the Board or its designee. Psychiatric evaluations conducted prior to
13 the effective date of the Decision shall not be accepted towards the fulfillment of this
14 requirement. Respondent shall pay the cost of all psychiatric evaluations and psychological
15 testing.

16 Respondent shall comply with all restrictions or conditions recommended by the
17 evaluating psychiatrist within 15 calendar days after being notified by the Board or its designee.

18 5. PSYCHOTHERAPY. Within 60 calendar days of the effective date of this Decision,
19 Respondent shall submit to the Board or its designee for prior approval the name and
20 qualifications of a California-licensed board certified psychiatrist or a licensed psychologist who
21 has a doctoral degree in psychology and at least five years of postgraduate experience in the
22 diagnosis and treatment of emotional and mental disorders. Upon approval, Respondent shall
23 undergo and continue psychotherapy treatment, including any modifications to the frequency of
24 psychotherapy, until the Board or its designee deems that no further psychotherapy is necessary.

25 The psychotherapist shall consider any information provided by the Board or its designee
26 and any other information the psychotherapist deems relevant and shall furnish a written
27 evaluation report to the Board or its designee. Respondent shall cooperate in providing the
28 psychotherapist with any information and documents that the psychotherapist may deem

1 pertinent.

2 Respondent shall have the treating psychotherapist submit quarterly status reports to the
3 Board or its designee. The Board or its designee may require Respondent to undergo psychiatric
4 evaluations by a Board-appointed board certified psychiatrist. If, prior to the completion of
5 probation, Respondent is found to be mentally unfit to resume the practice of medicine without
6 restrictions, the Board shall retain continuing jurisdiction over Respondent's license and the
7 period of probation shall be extended until the Board determines that Respondent is mentally fit
8 to resume the practice of medicine without restrictions.

9 Respondent shall pay the cost of all psychotherapy and psychiatric evaluations.

10 6. NOTICE OF EMPLOYER OR SUPERVISOR INFORMATION. Within seven (7)
11 days of the effective date of this Decision, Respondent shall provide to the Board the names,
12 physical addresses, mailing addresses, and telephone numbers of any and all employers and
13 supervisors. Respondent shall also provide specific, written consent for the Board, Respondent's
14 worksite monitor, and Respondent's employers and supervisors to communicate regarding
15 Respondent's work status, performance, and monitoring.

16 For purposes of this section, "supervisors" shall include the Chief of Staff and Health or
17 Well Being Committee Chair, or equivalent, if applicable, when the Respondent has medical staff
18 privileges.

19 7. BIOLOGICAL FLUID TESTING. Respondent shall immediately submit to
20 biological fluid testing, at Respondent's expense, upon request of the Board or its designee.
21 "Biological fluid testing" may include, but is not limited to, urine, blood, breathalyzer, hair
22 follicle testing, or similar drug screening approved by the Board or its designee. Respondent shall
23 make daily contact with the Board or its designee to determine whether biological fluid testing is
24 required. Respondent shall be tested on the date of the notification as directed by the Board or its
25 designee. The Board may order a Respondent to undergo a biological fluid test on any day, at
26 any time, including weekends and holidays. Except when testing on a specific date as ordered by
27 the Board or its designee, the scheduling of biological fluid testing shall be done on a random
28 basis. The cost of biological fluid testing shall be borne by the Respondent.

1 During the first year of probation, Respondent shall be subject to 52 to 104 random tests.
2 During the second year of probation and for the duration of the probationary term, up to five (5)
3 years, Respondent shall be subject to 36 to 104 random tests per year. Only if there have been no
4 positive biological fluid tests in the previous five (5) consecutive years of probation, may testing
5 be reduced to one (1) time per month. Nothing precludes the Board from increasing the number
6 of random tests to the first-year level of frequency for any reason.

7 Prior to practicing medicine, Respondent shall contract with a laboratory or service,
8 approved in advance by the Board or its designee, that will conduct random, unannounced,
9 observed, biological fluid testing and meets all of the following standards:

- 10 (a) Its specimen collectors are either certified by the Drug and Alcohol Testing Industry
11 Association or have completed the training required to serve as a collector for the United
12 States Department of Transportation.
- 13 (b) Its specimen collectors conform to the current United States Department of
14 Transportation Specimen Collection Guidelines.
- 15 (c) Its testing locations comply with the Urine Specimen Collection Guidelines published
16 by the United States Department of Transportation without regard to the type of test
17 administered.
- 18 (d) Its specimen collectors observe the collection of testing specimens.
- 19 (e) Its laboratories are certified and accredited by the United States Department of Health
20 and Human Services.
- 21 (f) Its testing locations shall submit a specimen to a laboratory within one (1) business day
22 of receipt and all specimens collected shall be handled pursuant to chain of custody
23 procedures. The laboratory shall process and analyze the specimens and provide legally
24 defensible test results to the Board within seven (7) business days of receipt of the
25 specimen. The Board will be notified of non-negative results within one (1) business day
26 and will be notified of negative test results within seven (7) business days.
- 27 (g) Its testing locations possess all the materials, equipment, and technical expertise
28 necessary in order to test Respondent on any day of the week.

1 (h) Its testing locations are able to scientifically test for urine, blood, and hair specimens
2 for the detection of alcohol and illegal and controlled substances.

3 (i) It maintains testing sites located throughout California.

4 (j) It maintains an automated 24-hour toll-free telephone system and/or a secure on-line
5 computer database that allows the Respondent to check in daily for testing.

6 (k) It maintains a secure, HIPAA-compliant website or computer system that allows staff
7 access to drug test results and compliance reporting information that is available 24 hours a
8 day.

9 (l) It employs or contracts with toxicologists that are licensed physicians and have
10 knowledge of substance abuse disorders and the appropriate medical training to interpret
11 and evaluate laboratory biological fluid test results, medical histories, and any other
12 information relevant to biomedical information.

13 (m) It will not consider a toxicology screen to be negative if a positive result is obtained
14 while practicing, even if the Respondent holds a valid prescription for the substance.

15 Prior to changing testing locations for any reason, including during vacation or other travel,
16 alternative testing locations must be approved by the Board and meet the requirements above.

17 The contract shall require that the laboratory directly notify the Board or its designee of
18 non-negative results within one (1) business day and negative test results within seven (7)
19 business days of the results becoming available. Respondent shall maintain this laboratory or
20 service contract during the period of probation.

21 A certified copy of any laboratory test result may be received in evidence in any
22 proceedings between the Board and Respondent.

23 If a biological fluid test result indicates Respondent has used, consumed, ingested, or
24 administered to himself or herself a prohibited substance, the Board shall order Respondent to
25 cease practice and instruct Respondent to leave any place of work where Respondent is practicing
26 medicine or providing medical services. The Board shall immediately notify all of Respondent's
27 employers, supervisors and work monitors, if any, that Respondent may not practice medicine or
28 provide medical services while the cease-practice order is in effect.

1 A biological fluid test will not be considered negative if a positive result is obtained while
2 practicing, even if the practitioner holds a valid prescription for the substance. If no prohibited
3 substance use exists, the Board shall lift the cease-practice order within one (1) business day.

4 After the issuance of a cease-practice order, the Board shall determine whether the positive
5 biological fluid test is in fact evidence of prohibited substance use by consulting with the
6 specimen collector and the laboratory, communicating with the licensee, his or her treating
7 physician(s), other health care provider, or group facilitator, as applicable.

8 For purposes of this condition, the terms "biological fluid testing" and "testing" mean the
9 acquisition and chemical analysis of a Respondent's urine, blood, breath, or hair.

10 For purposes of this condition, the term "prohibited substance" means an illegal drug, a
11 lawful drug not prescribed or ordered by an appropriately licensed health care provider for use by
12 Respondent and approved by the Board, alcohol, or any other substance the Respondent has been
13 instructed by the Board not to use, consume, ingest, or administer to himself or herself.

14 If the Board confirms that a positive biological fluid test is evidence of use of a prohibited
15 substance, Respondent has committed a major violation, as defined in section 1361.52(a), and the
16 Board shall impose any or all of the consequences set forth in section 1361.52(b), in addition to
17 any other terms or conditions the Board determines are necessary for public protection or to
18 enhance Respondent's rehabilitation.

19 8. SUBSTANCE ABUSE SUPPORT GROUP MEETINGS. Within thirty (30) days of
20 the effective date of this Decision, Respondent shall submit to the Board or its designee, for its
21 prior approval, the name of a substance abuse support group which he or she shall attend for the
22 duration of probation. Respondent shall attend substance abuse support group meetings at least
23 once per week, or as ordered by the Board or its designee. Respondent shall pay all substance
24 abuse support group meeting costs.

25 The facilitator of the substance abuse support group meeting shall have a minimum of three
26 (3) years experience in the treatment and rehabilitation of substance abuse, and shall be licensed
27 or certified by the state or nationally certified organizations. The facilitator shall not have a
28 current or former financial, personal, or business relationship with Respondent within the last five

1 (5) years. Respondent's previous participation in a substance abuse group support meeting led by
2 the same facilitator does not constitute a prohibited current or former financial, personal, or
3 business relationship.

4 The facilitator shall provide a signed document to the Board or its designee showing
5 Respondent's name, the group name, the date and location of the meeting, Respondent's
6 attendance, and Respondent's level of participation and progress. The facilitator shall report any
7 unexcused absence by Respondent from any substance abuse support group meeting to the Board,
8 or its designee, within twenty-four (24) hours of the unexcused absence.

9 9. WORKSITE MONITOR FOR SUBSTANCE-ABUSING LICENSEE. Within thirty
10 (30) calendar days of the effective date of this Decision, Respondent shall submit to the Board or
11 its designee for prior approval as a worksite monitor, the name and qualifications of one or more
12 licensed physician and surgeon, other licensed health care professional if no physician and
13 surgeon is available, or, as approved by the Board or its designee, a person in a position of
14 authority who is capable of monitoring the Respondent at work.

15 The worksite monitor shall not have a current or former financial, personal, or familial
16 relationship with Respondent, or any other relationship that could reasonably be expected to
17 compromise the ability of the monitor to render impartial and unbiased reports to the Board or its
18 designee. If it is impractical for anyone but Respondent's employer to serve as the worksite
19 monitor, this requirement may be waived by the Board or its designee, however, under no
20 circumstances shall Respondent's worksite monitor be an employee or supervisee of the licensee.

21 The worksite monitor shall have an active unrestricted license with no disciplinary action
22 within the last five (5) years, and shall sign an affirmation that he or she has reviewed the terms
23 and conditions of Respondent's disciplinary order and agrees to monitor Respondent as set forth
24 by the Board or its designee.

25 Respondent shall pay all worksite monitoring costs.

26 The worksite monitor shall have face-to-face contact with Respondent in the work
27 environment on as frequent a basis as determined by the Board or its designee, but not less than
28 once per week; interview other staff in the office regarding Respondent's behavior, if requested

1 by the Board or its designee; and review Respondent's work attendance.

2 The worksite monitor shall verbally report any suspected substance abuse to the Board and
3 Respondent's employer or supervisor within one (1) business day of occurrence. If the suspected
4 substance abuse does not occur during the Board's normal business hours, the verbal report shall
5 be made to the Board or its designee within one (1) hour of the next business day. A written
6 report that includes the date, time, and location of the suspected abuse; Respondent's actions; and
7 any other information deemed important by the worksite monitor shall be submitted to the Board
8 or its designee within 48 hours of the occurrence.

9 The worksite monitor shall complete and submit a written report monthly or as directed by
10 the Board or its designee which shall include the following: (1) Respondent's name and
11 Physician's and Surgeon's Certificate number; (2) the worksite monitor's name and signature; (3)
12 the worksite monitor's license number, if applicable; (4) the location or location(s) of the
13 worksite; (5) the dates Respondent had face-to-face contact with the worksite monitor; (6) the
14 names of worksite staff interviewed, if applicable; (7) a report of Respondent's work attendance;
15 (8) any change in Respondent's behavior and/or personal habits; and (9) any indicators that can
16 lead to suspected substance abuse by Respondent. Respondent shall complete any required
17 consent forms and execute agreements with the approved worksite monitor and the Board, or its
18 designee, authorizing the Board, or its designee, and worksite monitor to exchange information.

19 If the worksite monitor resigns or is no longer available, Respondent shall, within five (5)
20 calendar days of such resignation or unavailability, submit to the Board or its designee, for prior
21 approval, the name and qualifications of a replacement monitor who will be assuming that
22 responsibility within fifteen (15) calendar days. If Respondent fails to obtain approval of a
23 replacement monitor within sixty (60) calendar days of the resignation or unavailability of the
24 monitor, Respondent shall receive a notification from the Board or its designee to cease the
25 practice of medicine within three (3) calendar days after being so notified. Respondent shall
26 cease the practice of medicine until a replacement monitor is approved and assumes monitoring
27 responsibility.
28

1 10. VIOLETION OF PROBATION CONDITION FOR SUBSTANCE ABUSING

2 LICENSEES. Failure to fully comply with any term or condition of probation is a violation of
3 probation.

4 A. If Respondent commits a major violation of probation as defined by section
5 1361.52, subdivision (a), of Title 16 of the California Code of Regulations, the Board shall take
6 one or more of the following actions:

7 (1) Issue an immediate cease-practice order and order Respondent to undergo a clinical
8 diagnostic evaluation to be conducted in accordance with section 1361.5, subdivision (c)(1), of
9 Title 16 of the California Code of Regulations, at Respondent's expense. The cease-practice
10 order issued by the Board or its designee shall state that Respondent must test negative for at least
11 a month of continuous biological fluid testing before being allowed to resume practice. For
12 purposes of determining the length of time a Respondent must test negative while undergoing
13 continuous biological fluid testing following issuance of a cease-practice order, a month is
14 defined as thirty calendar (30) days. Respondent may not resume the practice of medicine until
15 notified in writing by the Board or its designee that he or she may do so.

16 (2) Increase the frequency of biological fluid testing.

17 (3) Refer Respondent for further disciplinary action, such as suspension, revocation, or
18 other action as determined by the Board or its designee.

19 B. If Respondent commits a minor violation of probation as defined by section
20 1361.52, subdivision (c), of Title 16 of the California Code of Regulations, the Board shall take
21 one or more of the following actions:

22 (1) Issue a cease-practice order;

23 (2) Order practice limitations;

24 (3) Order or increase supervision of Respondent;

25 (4) Order increased documentation;

26 (5) Issue a citation and fine, or a warning letter;

27 (6) Order Respondent to undergo a clinical diagnostic evaluation to be conducted in
28 accordance with section 1361.5, subdivision (c)(1), of Title 16 of the California Code of

1 Regulations, at Respondent's expense;

2 (7) Take any other action as determined by the Board or its designee.

3 C. Nothing in this Decision shall be considered a limitation on the Board's authority
4 to revoke Respondent's probation if he or she has violated any term or condition of probation. If
5 Respondent violates probation in any respect, the Board, after giving Respondent notice and the
6 opportunity to be heard, may revoke probation and carry out the disciplinary order that was
7 stayed. If an Accusation, or Petition to Revoke Probation, or an Interim Suspension Order is filed
8 against Respondent during probation, the Board shall have continuing jurisdiction until the matter
9 is final, and the period of probation shall be extended until the matter is final.

10 11. NOTIFICATION. Within seven (7) days of the effective date of this Decision, the
11 Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the
12 Chief Executive Officer at every hospital where privileges or membership are extended to
13 Respondent, at any other facility where Respondent engages in the practice of medicine,
14 including all physician and locum tenens registries or other similar agencies, and to the Chief
15 Executive Officer at every insurance carrier which extends malpractice insurance coverage to
16 Respondent. Respondent shall submit proof of compliance to the Board or its designee within 15
17 calendar days.

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

19 12. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE
20 NURSES. During probation, Respondent is prohibited from supervising physician assistants and
21 advanced practice nurses.

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

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

28 Respondent shall submit quarterly declarations not later than 10 calendar days after the end

1 of the preceding quarter.

2 15. GENERAL PROBATION REQUIREMENTS.

3 Compliance with Probation Unit

4 Respondent shall comply with the Board's probation unit.

5 Address Changes

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

11 Place of Practice

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

15 License Renewal

16 Respondent shall maintain a current and renewed California physician's and surgeon's
17 license.

18 Travel or Residence Outside California

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

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

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

28 17. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or

1 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
2 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is
3 defined as any period of time Respondent is not practicing medicine as defined in Business and
4 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct
5 patient care, clinical activity or teaching, or other activity as approved by the Board. If
6 Respondent resides in California and is considered to be in non-practice, Respondent shall
7 comply with all terms and conditions of probation. All time spent in an intensive training
8 program which has been approved by the Board or its designee shall not be considered non-
9 practice and does not relieve Respondent from complying with all the terms and conditions of
10 probation. Practicing medicine in another state of the United States or Federal jurisdiction while
11 on probation with the medical licensing authority of that state or jurisdiction shall not be
12 considered non-practice. A Board-ordered suspension of practice shall not be considered as a
13 period of non-practice.

14 In the event Respondent's period of non-practice while on probation exceeds 18 calendar
15 months, Respondent shall successfully complete the Federation of State Medical Board's Special
16 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program
17 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model
18 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

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

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

21 Periods of non-practice for a Respondent residing outside of California will relieve
22 Respondent of the responsibility to comply with the probationary terms and conditions with the
23 exception of this condition and the following terms and conditions of probation: Obey All Laws;
24 General Probation Requirements; Quarterly Declarations; Abstain from the Use of Alcohol and/or
25 Controlled Substances; and Biological Fluid Testing.

26 18. COMPLETION OF PROBATION. Respondent shall comply with all financial
27 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the
28 completion of probation. Upon successful completion of probation, Respondent's certificate shall

1 be fully restored.

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

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

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

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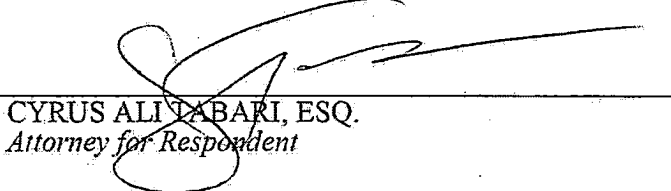
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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Cyrus Ali Tabari, Esq. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. 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 Board.


DATED: 11/27/2017 
GLYN CAROL GRIFFIN, M.D.
Respondent

I have read and fully discussed with Respondent Glyn Carol Griffin, 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: 11/27/17 
CYRUS ALI TABARI, ESQ.
Attorney for Respondent

ENDORSEMENT

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

Dated: 11/27/17 Respectfully submitted,
XAVIER BECERRA
Attorney General of California
JANE ZACK SIMON
Supervising Deputy Attorney General

KEITH C. SHAW
Deputy Attorney General
Attorneys for Complainant

SF2016202368
12888814

Exhibit A

Accusation No. 800-2015-017925

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO Feb. 23 2017
BY D. Firdaus ANALYST

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A C C U S A T I O N

13 512 Hamilton Avenue
14 Palo Alto, CA 94301-2011

15 **Physician's and Surgeon's Certificate**
No. G72092,

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

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

23 2. On or about July 30, 1991, the Medical Board issued Physician's and Surgeon's
24 Certificate Number G72092 to Glyn Carol Griffin, M.D. (Respondent). The Physician's and
25 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein
26 and will expire on May 31, 2017, unless renewed.

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1 **JURISDICTION**

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

5 4. Section 2227 of the Code provides that a licensee who is found guilty under the
6 Medical Practice Act may have his or her license revoked, suspended for a period not to exceed
7 one year, placed on probation and required to pay the costs of probation monitoring, or such other
8 action taken in relation to discipline as the Board deems proper.

9 5. Section 2234 of the Code requires the Board to take action against any licensee who is
10 charged with unprofessional conduct, defined to include “[v]iolating or attempting to violate,
11 directly or indirectly, assisting in or abetting the violation of, or conspiring to violate any provision
12 of this chapter.”

13 6. Section 490 of the Code provides, in pertinent part, that a board may suspend or
14 revoke a license on the ground that the licensee has been convicted of a crime substantially related
15 to the qualifications, functions, or duties of the business or profession for which the license was
16 issued.

17 7. Section 2236 of the Code states:

18 “(a) The conviction of any offense substantially related to the qualifications, functions, or
19 duties of a physician and surgeon constitutes unprofessional conduct within the meaning of
20 this chapter. The record of conviction shall be conclusive evidence only of the fact that the
21 conviction occurred.

22 “(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to
23 be a conviction within the meaning of this section and Section 2236.1. The record of
24 conviction shall be conclusive evidence of the fact that the conviction occurred.”

25 8. Section 2239 of the Code states:

26 “(a) The useof alcoholic beverages, to the extent, or in such a manner as to be
27 dangerous or injurious to the licensee, or to any other person or to the public, or to the
28 extent that such use impairs the ability of the licensee to practice medicine safely or more

1 than one misdemeanor or any felony involving the use, consumption, or self-administration
2 of any of the substances referred to in this section, or any combination thereof, constitutes
3 unprofessional conduct. The record of the conviction is conclusive evidence of such
4 unprofessional conduct.

5 “(b) A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed
6 to be a conviction within the meaning of this section. The Division of Medical Quality may
7 order discipline of the licensee in accordance with Section 2227 or the Division of Licensing
8 may order the denial of the license when the time for appeal has elapsed or the judgment of
9 conviction has been affirmed on appeal or when an order granting probation is made
10 suspending imposition of sentence, irrespective of a subsequent order under the provisions
11 of Section 1203.4 of the Penal Code allowing such person to withdraw his or her plea of
12 guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the
13 accusation, complaint, information, or indictment.”

14 9. Section 822 of the Code provides that if the Board determines that a licensee’s ability
15 to practice his or her profession safely is impaired because the licensee is mentally ill, or physically
16 affecting competency, the Board may take action by revoking or suspending the license, placing
17 the licensee on probation, or taking such other action as the Board in its discretion deems proper.

18 **FIRST CAUSE FOR DISCIPLINE**

19 **(Unprofessional Conduct: Conviction of a Crime/Dangerous Use of Alcohol)**

20 10. Respondent is subject to disciplinary action under sections 490, and/or 2234, and/or
21 2236, and/or 2239 in that Respondent has engaged in unprofessional conduct, was convicted of a
22 crime, and used alcohol in a dangerous manner. The circumstances are as follows:

23 11. On or about October 7, 2015, at approximately 3:59 p.m., a Redwood City police
24 officer pulled over Respondent’s vehicle for speeding. Upon contact, the officer noticed that
25 Respondent, the driver, had the odor of alcohol coming from her breath and her eyes appeared to
26 be bloodshot and watery. Respondent disclosed that she had one glass of wine around two hours
27 ago. The officer initiated a DUI investigation where Respondent performed several field sobriety
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1 tests indicating that she was under the influence of alcohol. Respondent submitted to a blood
2 alcohol test which resulted in a .119% blood alcohol content.

3 12. Respondent was arrested and charged in the San Mateo County Superior Court with
4 two misdemeanor charges: 1) Vehicle Code (VC) section 23152(a) – Driving Under the Influence
5 of Drugs and/or Alcohol; 2) VC section 23152(b) – Driving with a Blood Alcohol Level of 0.08%
6 or More. On February 16, 2016, Respondent pled no contest to VC section 23152(b). She was
7 sentenced to the following: three (3) years of court probation, two (2) days in jail, attend the DUI
8 offender’s driving program, and abstain from the use or possession of alcohol.

9 13. Respondent’s February 16, 2016 criminal conviction for driving with a blood alcohol
10 content greater than 0.08% is substantially related to the qualifications, functions and duties of a
11 physician and surgeon. As such, her conviction constitutes a violation of Code sections 490 and
12 2236 (criminal conviction), and section 2239 (dangerous use of alcohol).

13 **SECOND CAUSE FOR DISCIPLINE**

14 **(Mental or Physical Impairment)**

15 14. Respondent underwent a voluntary psychiatric evaluation in September 2016 with a
16 Board-appointed psychiatrist. Respondent informed the evaluator that at the time she was arrested
17 for driving under the influence, she was using alcohol to self-medicate for what she described as
18 depressive and post-traumatic symptoms. Respondent described a long history of depression and
19 anxiety as well as episodic alcohol abuse. The evaluator noted that Respondent continued to
20 minimize her alcohol use and its significance, and expressed concern that Respondent was
21 inconsistent, incomplete and even untruthful in reporting her alcohol use and mental condition to
22 the Board and her own treating psychiatrist. The psychiatrist concluded that Respondent suffers
23 from the following: Major Depressive Disorder, Recurrent, with Non Psychotic Features in Partial
24 Remission; Alcohol Use Disorder in Partial Remission; and Other Specified Trauma and Stress-
25 Related Disorder, conditions that impair her ability to safely practice medicine. It was concluded
26 that Respondent requires continued and sustained psychotherapeutic and psychopharmacological
27 treatment in order to ensure that she can safely practice. The evaluator noted that Respondent’s
28 symptoms are only in a state of partial remission, as evidenced by Respondent failing to remain

1 abstinent from alcohol following her DUI arrest, and her persistent difficulties of focusing and
2 organization.

3 15. Respondent's license is subject to Board action pursuant to Sections 822 and 2227 of
4 the Code in that Respondent is impaired in her ability to safely practice medicine by virtue of
5 mental illness.

6 **PRAYER**

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

9 1. Revoking or suspending Physician's and Surgeon's Certificate Number G72092, issued
10 to Glyn Carol Griffin, M.D.;

11 2. Revoking, suspending or denying approval of Glyn Carol Griffin, M.D.'s authority to
12 supervise physician assistants, pursuant to section 3527 of the Code;

13 3. Ordering Glyn Carol Griffin, M.D., if placed on probation, to pay the Board the costs
14 of probation monitoring; and

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

16
17 DATED: February 22, 2017


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
State of California
Complainant

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