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6 *Attorneys for Complainant*

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO March 20 20 19
BY K. Doong ANALYST

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

12 In the Matter of the Accusation Against:

Case No. 800-2018-051335

13 **CAREY MARIE VIGOR, M.D.**
14 24001 Greater Mack Avenue, Suite A
St. Clair Shores, MI 48080

A C C U S A T I O N

15 Physician's and Surgeon's Certificate No. G43860

16 Respondent.
17

18 The Complainant alleges:

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

22 2. On November 24, 1980, Physician's and Surgeon's Certificate No. G43860 was
23 issued by the Medical Board of California (Board) to Carey Marie Vigor, M.D. (Respondent).
24 The certificate is renewed and current with an expiration date of October 31, 2020, but is
25 **SUSPENDED** based on an Order issued by the Board on February 15, 2019 pursuant to Business
26 and Professions Code section 2310(a).

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1 JURISDICTION

2 3. This Accusation is brought before the Medical Board of California under the
3 authority of the following sections of the California Business and Professions Code (Code) and/or
4 other relevant statutory enactment:

5 A. Section 2227 of the Code provides in part that the Board may revoke, suspend for a
6 period not to exceed one year, or place on probation, the license of any licensee who has
7 been found guilty under the Medical Practice Act, and may recover the costs of probation
8 monitoring.

9 B. Section 2305 of the Code provides, in part, that the revocation, suspension, or other
10 discipline, restriction or limitation imposed by another state upon a license to practice
11 medicine issued by that state, or the revocation, suspension, or restriction of the authority
12 to practice medicine by any agency of the federal government, that would have been
13 grounds for discipline in California under the Medical Practice Act, constitutes grounds for
14 discipline for unprofessional conduct.

15 C. Section 141 of the Code provides:

16 “(a) For any licensee holding a license issued by a board under the
17 jurisdiction of a department, a disciplinary action taken by another state, by any
18 agency of the federal government, or by another country for any act
19 substantially related to the practice regulated by the California license, may be
20 a ground for disciplinary action by the respective state licensing board. A
21 certified copy of the record of the disciplinary action taken against the licensee
22 by another state, an agency of the federal government, or by another country
23 shall be conclusive evidence of the events related therein.

24 “(b) Nothing in this section shall preclude a board from applying a
25 specific statutory provision in the licensing act administered by the board that
26 provides for discipline based upon a disciplinary action taken against the
27 licensee by another state, an agency of the federal government, or another
28 country.”

FIRST CAUSE FOR DISCIPLINE

(Discipline, Restriction, or Limitation Imposed by Another State)

4. On July 12, 2018, the Medical Licensing Board of Indiana (Indiana Board) filed an
Administrative Complaint against Respondent. The Administrative Complaint was based on
allegations that Respondent displayed a pattern of irrational and unsupported beliefs, including

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3. Ordering Respondent, if placed on probation, to pay the costs of probation monitoring; and

4. Taking such other and further action as the Board deems necessary and proper.

DATED: March 20, 2019



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

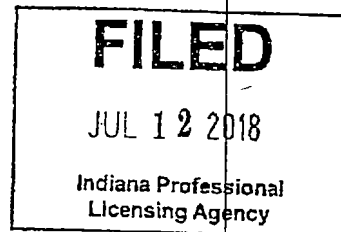
EXHIBIT A

BEFORE THE MEDICAL LICENSING BOARD OF INDIANA
CAUSE NO. 2018 MLB 0025

IN THE MATTER OF THE:)

CAREY VIGOR, M.D.)
Respondent)

LICENSE NO: 01069925A)
ACTIVE)



ADMINISTRATIVE COMPLAINT

This complaint is brought against the medical license of Carey Vigor, M.D. ("Respondent"), by the State of Indiana, by counsel, Deputy Attorney General Jessica Krug, on behalf of the Office of the Attorney General (collectively "Petitioner") and pursuant to Indiana code § 25-1-7-7 Ind. Code § 25-1-5-3, Ind. Code art. 25-22.5, the Administrative Orders and Procedures Act, Ind. Code ch. 4-21.5-3, and Ind. Code ch. 25-1-9, and in support alleges and states:

FACTS

1. Respondent is a licensed physician in the State of Indiana, holding Indiana license No. 01069925A having been granted that license by the Medical Licensing Board (Board) on or about July 11, 2011.

2. Respondent's address on file with the Professional Licensing Agency (PLA) is 8659 Meridian Square Drive, Indianapolis, IN 46240.

Patient A

3. Patient A filed a Consumer Complaint against Respondent alleging that Respondent was refusing to provide services based on her assertion that Patient A owed her money. Included in his complaint was also a statement that he did not feel safe while at

Respondent's office because she had told him several times that there were police in her building and that they were "after her" and were confronting and harassing her patients.

4. During the investigation of Patient A's complaints, Respondent sent multiple emails to Petitioner containing concerning statements, including:

a. "The maintenance men, who may be undercover cops, follow my female patients and my African American patients (all of whom are elderly) to the restroom and tell them that the restroom is out of order. I can get an affidavit [sic] from my patients on this issue. As a consequence, patients are instructed not to use the restrooms in the building and to bring in their urine samples from home;"

b. "All my Medicare patients in my Carmel office are African American and there is no doubt that they are being stalked in the building by men who work there;" and

c. "Contrary to the allegation that no one is stalking my patients in my building here is the first of many patient reports of such stalking and intimidation. The squeegee was six feet long and held over the patient's driver's head as close as three inches and for over ten minutes. This is the janitor who followed my other patients and told them the rest room was out of order and knocked on the rest room door repeatedly when my patients were inside. This is the janitor who blocked the entrance to my office with a ladder and refused to move it."

5. Respondent provided a copy of a portion of her medical record for Patient A. In it, Respondent has documented an entry on June 23, 2015 that states: "management put out of order sign on restroom today(?) but restroom is not out of order, warned pt that management asked other patients what they were using restroom so much for -- he [Patient A] laughed + didn't believe me that restroom was not out of order but that mgt puts sign up only when I am in

office to discourage pts using it – also advised not to discuss [words scratched out of page] in hallways due to mgt snoopiness.”

6. Respondent has also stated that she believes the management staff of the building where she rents an office is engaged in “illegal surveillance and stalking of my patients.” She states that there are “front businesses” in the building and “three cameras with microphones in my hallway and they sit on the first floor and listen in on my patients in the waiting area.”

7. Respondent seems to have a pervasive belief that she is being surveilled and spied on by various people.

Doctor 1

8. Doctor 1 filed a Consumer Complaint alleging that Respondent was making harassing and threatening statements to his office in regards to a dispute about a request for medical records.

9. On or about August 20, 2016, Respondent sent to Doctor 1 a signed Release of Information form for a mutual patient asking that Doctor 1 fax a copy of the patient’s medical records to her office. Doctor 1’s office has a policy to not fax records that are more than 50 pages in length. Respondent was notified of this policy and a copy of the medical chart was mailed to the Respondent the next day.

10. Dr. Vigor continued to call Doctor 1’s office staff demanding that the patient’s record be faxed to her. All attempts by Doctor 1’s staff to communicate with Dr. Vigor were unsuccessful. Doctor 1 then communicated with the patient to let the patient know that he could come to the office anytime he would like and pick up another copy of his medical record. Dr. Vigor was also notified of this offer made to the patient.

11. On or about October 11, 2016, Respondent sent a fax to Doctor 1 and stated, "This the final request for these requests to be faxed. If the records are not received via fax as requested by the patient, we shall be filing a complaint with the state as well as HIPAA office in Chicago." Respondent seems to irrationally insist that the only acceptable method of providing the patient's chart is via fax.

Patient B

12. The father of Patient B (Father) filed a Consumer Complaint after Respondent was engaged to provide an evaluation of Patient B for Attention Deficit Disorder or a similar condition. Patient B began having trouble in school, falling grades, and difficulty concentrating in the Fall of 2017, the beginning of his freshman year in high school. Based on the advice of Patient B's school, Father sought testing for his child and was given a list of providers able to screen his son. Respondent was on that list provided by his insurance carrier and was located near the family.

13. Respondent had Patient B complete some testing at the end of December 2017, including an MMPI-2. Respondent's medical chart for Patient B contains no narrative notes regarding a patient interview or evaluation.

14. An MMPI-2 consists of over 500 true or false questions. These answers are then evaluated by a trained professional who checks the test answers for validity and then interprets the results of the answers.

15. Some of Patient B's test answers were shocking and concerning, including statements such as, "I am afraid of losing my mind," "No one knows it but I have tried to kill myself," and "Someone has control over my mind." On the basis of these test answers alone,

and without the benefit of a fully interpreted MMPI-2 report, Respondent became convinced that Patient B was acutely ill and suicidal.

16. On or about January 16, 2018, Dr. Vigor began calling and texting Father and Mother at 10:30 pm to tell them that she believed Patient B was "acutely ill" and needed an emergency evaluation. In one text to Father she writes, "please take your son for an emergency evaluation as I have recommended This is my third or fourth notice to do so Why are you delaying? Call Aetna for an emergency evaluation at IU hospital asap. I will notify CPS if you fail to do so today."

17. After what Respondent perceived as Father's refusal to have Patient B evaluated, Respondent filed a report of child abuse or neglect with the Indiana Department of Child Services. In a letter to DCS, Respondent states, among other things, that Mother and Father are "aggressive and viciously punitive and abusive parents." She further states that the basis of her information and belief that Patient B is suicidal, has had a secret suicide attempt, and is abused at the hands of his parents, is the "primary source data" from the MMPI testing.

18. Respondent also contacted Patient B's primary care physician making these same allegations regarding Patient B and his parents.

19. As a result of Respondent's unsupported and irrational allegations, DCS conducted a child welfare investigation. Patient B was taken out of class during school time to be interviewed by a DCS Family Casemanager in the presence of school officials. Ultimately, Respondent's accusations were not substantiated and DCS took no action.

20. MMPI-2 answers must be reviewed and interpreted by an individual trained in the interpreting of this specific test. Paramount in the interpretation is to determine if the answers given by the test taker are reliable and truthful. If a test taker's responses rate high on the

Variable Response Inconsistency (VRIN) rating and the F scale, this is an indication that the person answered the questions at random and the profile/test answers is invalid.

21. At some point in early 2018, Respondent sent Patient B's MMPI test answers to Caldwell Report (Caldwell), a company specializing in the reading and interpretation of MMPI-2 testing. Caldwell returned the Interpretation Report to Respondent on or about March 9, 2018.

22. The Caldwell Report characterized Patient B's answers as having a highly elevated score on the VRIN and an elevated score on the F scale. This was attributed to either an inability to read or understand the question or to a "substantial amount of random or arbitrary responding." The report concludes that "great caution" should be used in the use of these test results.

23. Respondent has displayed a pattern of irrational and unsupported beliefs, including that people are spying on her and her patients. Additionally, Respondent has displayed a pattern of threatening and abusive behaviors towards patients and other professionals who she believes are not doing what she has instructed them to do. Respondent's erratic behavior has resulted in multiple false allegations of abuse or threats by her patients, threatening or harassing a fellow doctor, and making a false and unsupported report of child abuse to DCS.

Violation I

24. Paragraphs 1-23 are hereby incorporated by reference herein.

25. Respondent's actions constitute a violation of Ind. Code § 25-1-9-4(a)(4)(C) in that Respondent has continued to practice although Respondent has become unfit to practice due to a physical or mental disability.

Violation II

26. Paragraphs 1-23 are hereby incorporated by reference herein.

27. Respondent's actions constitute a violation of Ind. Code § 25-1-9-4(a)(4)(A)(ii) in that Respondent has continued to practice although practitioner has become unfit to practice due to professional incompetence.

WHEREFORE, Petitioner demands an order against Respondent that:

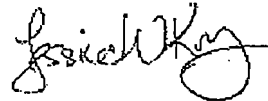
Imposes the appropriate disciplinary sanction;

Directs Respondent to immediately pay all costs incurred in the prosecution of this case; and,

Provides any further relief as the Board deems just and proper.

Respectfully submitted,

Curtis T. Hill, Jr.
Indiana Attorney General
Attorney No. 13999-20



By: _____

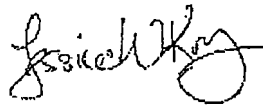
Jessica W. Krug
Deputy Attorney General
Attorney No. 26222-49

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing "Administrative Complaint" has been served upon

the Respondent at the address listed below, on this 12th day of July, 2018:

Carey Vigor, MD
8659 Meridian Square Drive
Indianapolis, IN 46240



Jessica W. Krug
Deputy Attorney General
Attorney Number: 26222-49

Deputy Attorney General, Jessica W. Krug
Office of the Attorney General
302 W. Washington St.
Indianapolis, IN 46240
(317) 915-5311

BEFORE THE MEDICAL LICENSING
BOARD OF INDIANA
CAUSE NO. 2018 MLB 0025

IN THE MATTER OF THE LICENSE OF:)
CAREY VIGOR, M.D.)
LICENSE NO: 01069925A)



**ORDER DENYING MOTION TO MODIFY ORDER COMPELLING PHYSICAL AND
PSYCHIATRIC EXAMINATION OF RESPONDENT AND ORDER RESETTING
MATTER FOR FINAL HEARING AND SUMMARY SUSPENSION HEARING**

COMES NOW the Medical Licensing Board of Indiana ("Board"), and having considered Respondent's Motion to Modify Order Compelling Physical and Psychiatric Examination, and the oral argument of the parties on September 27, 2018, hereby **DENIES** Respondent's Motion, and **ISSUES** the following Order:

1. Respondent shall comply with the Board's August 28, 2018 Amended Order Compelling Physical and Psychiatric Examination.
2. The Board resets the final hearing on the Complaint filed in this Matter for **October 25, 2018 at 9:30 a.m.** in Room W064 of the Indiana Government Center South, 402 W. Washington Street, Indianapolis, Indiana 46204.
3. This hearing will address the issues contained in the Petitioner's Complaint and whether or not disciplinary sanctions should be imposed upon the Respondent's license. Additionally, if Respondent has failed to comply with the Board's August 28, 2018 Amended Order Compelling Physical and Psychiatric Examination by the time of the hearing, the Board will conduct a hearing on whether to summarily suspend the Respondent's license.

AMENDED CERTIFICATE OF SERVICE

I certify that a copy of this "Order" has been duly served upon:

Carey M. Vigor, MD
8659 Meridian Square Drive
Indianapolis, IN 46240
carey31626@msn.com
Service by U.S. Mail & Email

J. Richard Moore
Bleeke Dillon Crandall PC
8470 Allison Pointe Blvd., Ste. 420
Indianapolis, IN 46250
richard@bleekedilloncrandall.com
Service by U.S. Mail & Email

Jessica W. Krug
8005 Castleway Drive
Indianapolis, Indiana 46250
Jessica.Krug@atg.in.gov
Service by Email

10-18-18

Date

Donna Moran

Donna Moran, Litigation Specialist

Medical Licensing Board of Indiana
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2060
Fax: 317-233-4236
Email: pla3@pla.in.gov

Explanation of Service Methods

Personal Service: by delivering a true copy of the aforesaid document(s) personally.

Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.

Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.

BEFORE THE MEDICAL LICENSING BOARD OF INDIANA
CAUSE NO. 2018 MLB 0025

IN THE MATTER OF THE:)

CAREY VIGOR, M.D.)
Respondent)

LICENSE NO: 01069925A)
ACTIVE)



PETITION FOR SUMMARY SUSPENSION

The State of Indiana, by Deputy Attorney General, Jessica W. Krug, moves the Indiana Medical Licensing Board ("Board") to suspend the Indiana physician license of Carey Vigor, M.D. ("Respondent") for ninety (90) days, and in support of its petition, Petitioner states the following:

1. Respondent is a Physician in the State of Indiana having been issued license number 01069925A on or about July 11, 2011.
2. Respondent's address on file with the Board is 8659 Meridian Square Drive, Indianapolis, IN 46240.
3. This Board has jurisdiction to suspend Respondent's license in accordance with the provisions of Ind. Code 4-21.5-4 *et seq.* and Ind. Code 25-1-9-10.
4. On or about July 16, 2018, Petitioner filed its Motion for Order Compelling Physical and Psychiatric Examination of the Respondent. On or about July 31, 2018, the Board granted that motion.
5. On or about August 28, 2018, the Board again reiterated its Order requiring an examination of Respondent when it denied her Motion to Reconsider in its Amended Order of that same date. Further, this matter was set for hearing on September 27, 2018.

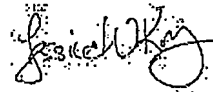
6. At that hearing on September 17, 2018, Respondent and her counsel were present in person. At that time, Respondent again requested a modification or reconsideration of the Board's Order requiring Respondent to complete a physical and psychiatric examination pursuant to I.C. § 25-1-9-7. On that same day, the Board denied Respondent's request and instructed her to complete the evaluation as ordered. Further, Respondent was advised that should she fail to comply with the Order of the Board, her license may be summarily suspended on October 25, 2018, pursuant to IC § 25-1-9-8 and -10.

7. Respondent's counsel has advised the State that Respondent has not completed the ordered examination and does not intend to complete any examination in the future.

WHEREFORE, the State of Indiana requests that this Board set a hearing on this petition for summary suspension and suspend Respondent's license for a period of ninety (90) days and for all other proper relief.

Respectfully submitted,

CURTIS T. HILL, JR.
Attorney General of Indiana
Attorney No.: 13999-20



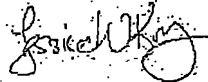
By: _____
Jessica W. Krug
Deputy Attorney General
Attorney No.: 26222-49

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing "Petition for Summary Suspension" has been served upon the individual listed below via first class mail, on this 22nd day of October, 2018.

Carey Vigor, MD
8659 Meridian Square Drive
Indianapolis, IN 46240

J. Richard Moore
Counsel for Respondent
Bleeke Dillon Crandall
8470 Allison Pointe Blvd, Suite 420
Indianapolis, IN 46250-4365

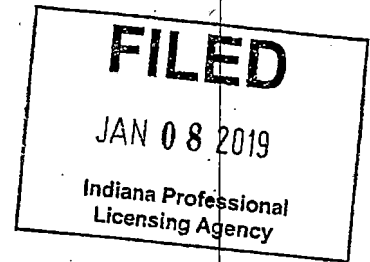


Jessica W. Krug
Deputy Attorney General
Attorney No.: 26222-49

EXHIBIT B

BEFORE THE MEDICAL LICENSING
BOARD OF INDIANA
CAUSE NO. 2018 MLB 0025

IN THE MATTER OF THE LICENSE OF:)
)
CAREY VIGOR, M.D.)
)
LICENSE NO: 01069925A)



SUMMARY SUSPENSION ORDER

The Medical Licensing Board of Indiana ("Board") held an administrative hearing on the 25th day of October, 2018, in Room W064, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana 46204, to consider the Petition for Summary Suspension of the medical license of Carey Vigor, M.D. (Respondent), filed by the State of Indiana.

The State of Indiana (Petitioner) was represented by Deputy Attorney General, Jessica W. Krug. The Respondent was provided notice pursuant to statute and appeared by counsel, J. Richard Moore. Respondent, through his counsel, agreed to the Summary Suspension of Respondent's medical license until January 24, 2019.

The Board, after considering the agreement presented, and taking official notice of its file in this matter, by a vote of 5-0-0, issues the following:

1. Respondent is a Physician in the State of Indiana having been issued license number 01069925A on or about July 11, 2011.
2. Respondent's address on file with the Board is 24001 Greater Mack Avenue, Suite A, Saint Clair Shores, Michigan 48080.
3. This Board has jurisdiction to suspend Respondent's license in accordance with the provisions of Ind. Code 4-21.5-4 *et seq.* and Ind. Code 25-1-9-7.

4. On or about July 16, 2018, Petitioner filed its Motion for Order Compelling Physical and Psychiatric Examination of the Respondent. On or about July 31, 2018, the Board granted that motion.

5. On or about August 28, 2018, the Board again reiterated its Order requiring an examination of Respondent when it denied her Motion to Reconsider in its Amended Order of that same date. Further, this matter was set for hearing on September 27, 2018.

6. At that hearing on September 17, 2018, Respondent and her counsel were present in person. At that time, Respondent again requested a modification or reconsideration of the Board's Order requiring Respondent to complete a physical and psychiatric examination pursuant to I.C. § 25-1-9-7. On that same day, the Board denied Respondent's request and instructed her to complete the evaluation as ordered. Further, Respondent was advised that should she fail to comply with the Order of the Board, her license may be summarily suspended on October 25, 2018, pursuant to IC § 25-1-9-8 & 10.

7. Respondent's counsel has advised the State that Respondent has not completed the ordered examination and does not intend to complete any examination in the future.

8. Respondent, through counsel, has entered her agreement to the Summary Suspension of her license at this time.

ORDER

Pursuant to Ind. Code § 25-1-9-8 & 10 and based upon the above stated facts, the Board finds that the Respondent represents a clear and immediate danger to the public health and safety if allowed to continue to practice medicine in the State of Indiana, and that she has failed to comply with a Board order to submit to an examination.

IT IS THEREFORE ORDERED that the Respondent's license to practice as a physician in the State of Indiana, License No. 01069925A, is hereby **SUMMARILY SUSPENDED** until January 24, 2019.

SO ORDERED, this 8th day of January 2019; **this Order is effective as of October 25, 2018.**

MEDICAL LICENSING BOARD OF INDIANA

By: Maureen Benoit
for John Strobel, M.D., President
Medical Licensing Board of Indiana

CERTIFICATE OF SERVICE

I certify that a copy of this "Order" has been duly served upon:

Carey M. Vigor, MD
24001 Greater Mack Avenue, Suite A
Saint Clair Shores, MI 48080
Service by U.S. Mail

J. Richard Moore
8470 Allison Pointe Blvd. #420
Indianapolis, IN 46250
Service by U.S. Mail

Jessica W. Krug
8005 Castleway Drive
Indianapolis, Indiana 46250
Jessica.Krug@atg.in.gov
Service by Email

1-8-19
Date

Donna Moran
Donna Moran, Litigation Specialist

Medical Licensing Board of Indiana
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2060
Fax: 317-233-4236
Email: pla3@pla.in.gov

Explanation of Service Methods

Personal Service: by delivering a true copy of the aforesaid document(s) personally.

Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.

Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.