

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

In the Matter of the Petition to )  
Revoke Probation Against: )  
MICHAEL RYAN TRINDLE, M.D. )  
Physician's and Surgeon's )  
Certificate #G-63287 )  
Respondent. )  
\_\_\_\_\_ )

Case No. D1-2002-132281

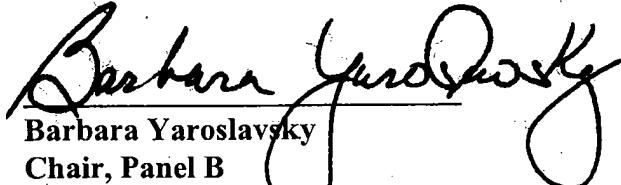
DECISION AND ORDER

The attached Stipulation for Surrender of License is hereby accepted and adopted as the Decision and Order by 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 August 2, 2007.

IT IS SO ORDERED July 26, 2007

MEDICAL BOARD OF CALIFORNIA

  
Barbara Yaroslavsky  
Chair, Panel B  
Division of Medical Quality

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 JOSE R. GUERRERO  
Supervising Deputy Attorney General  
3 SUSAN K. MEADOWS, State Bar No. 115092  
Deputy Attorney General  
4 California Department of Justice  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
Telephone: (415) 703-5552  
6 Facsimile: (415) 703-5480

7 Attorneys for Complainant

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

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

15 MICHAEL R. TRINDLE, M.D.  
16 1895 Page Street  
17 San Francisco, CA 94117

18 Physician's and Surgeon's Certificate  
19 Number G 63287

20 Respondent.

Case No. **D1-2002-13281**

**STIPULATION FOR SURRENDER  
OF LICENSE**

21 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties to the  
22 above-entitled proceedings, the following:

23 1. Complainant, David T. Thornton, is the Executive Director of the Medical Board of  
24 California, Department of Consumer Affairs ("Board") and is represented by Edmund G. Brown  
25 Jr., Attorney General of the State of California and by Susan K. Meadows, Deputy Attorney  
26 General.

27 2. Michael R. Trindle, M.D. ("respondent") is represented by Kenneth L. Freeman,  
28 Attorney at Law, 711 Van Ness Ave., Suite 440, San Francisco, California, 94102. Respondent  
has been advised by his attorney, and is fully aware of the effect of this Stipulation for Surrender

1 of License ("Stipulation").

2 3. Respondent has received and read the Petition to Revoke Probation (hereinafter  
3 "Petition") which is presently on file and pending in Case Number D1-2002-132281 before the  
4 Division of Medical Quality of the Medical Board of California, Department of Consumer  
5 Affairs (hereinafter the "Division"), a copy of which is attached as Exhibit A and incorporated  
6 herein by reference.

7 4. Respondent has carefully read, been fully advised by his counsel, and understands the  
8 charges and allegations in the Petition and the effects of this Stipulation.

9 5. Respondent is aware of his rights, including the right to a hearing on the charges and  
10 allegations, the right to confront and cross-examine witnesses who would testify against  
11 respondent, the right to testify and present evidence on his own behalf, as well as to the issuance  
12 of subpoenas to compel the attendance of witnesses and the production of documents, the right to  
13 contest the charges and allegations, and other rights which are accorded respondent pursuant to  
14 the California Administrative Procedure Act (Gov. Code, § 11500 et seq.) and other applicable  
15 laws, including the right to seek reconsideration, review by the superior court, and appellate  
16 review.

17 6. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
18 every right set forth in paragraph 5 above.

19 7. Respondent wishes to surrender his California license at this time to avoid the costs  
20 of an administrative hearing. Respondent admits to all of the charges and allegations in the  
21 Petition, and respondent agrees that cause exists to discipline his California physician's and  
22 surgeon's certificate pursuant to Business and Professions Code section 2234.

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

27 9. In consideration of this Stipulation, the Division hereby agrees to waive the total  
28

1 remaining balance of cost recovery owed by respondent.

2           10. This Stipulation shall be subject to the approval of the Division. Respondent  
3 understands and agrees that the Medical Board's staff and counsel for complainant may  
4 communicate directly with the Division regarding this stipulation and settlement, without notice  
5 to or participation by respondent or respondent's counsel. By signing this stipulation, respondent  
6 understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation  
7 prior to the time the Division considers and acts upon it. In the event that this stipulation is  
8 rejected for any reason by the Board, it will be of no force or effect for either party. The Board  
9 will not be disqualified from further action in this matter by virtue of its consideration of this  
10 stipulation.

11           11. Upon acceptance of this stipulation by the Board, respondent understands that he  
12 will no longer be permitted to practice as a physician and surgeon in California, and also agrees  
13 to surrender and cause to be delivered to the Board any license and wallet certificate in his  
14 possession before the effective date of the decision.

15           12. Respondent fully understands and agrees that if he ever files an application for  
16 relicensure or reinstatement in the State of California, the Board shall treat it as a petition for  
17 reinstatement, and respondent must comply with all laws, regulations and procedures for  
18 reinstatement of a revoked license in effect at the time the petition is filed.

19           13. Respondent understands that he may not petition for reinstatement as a physician  
20 and surgeon for a period of three (3) years from the effective date of his surrender. Information  
21 gathered in connection the Petition may be considered by the Division of Medical Quality in  
22 determining whether or not to grant the petition for reinstatement. For the purposes of the  
23 reinstatement hearing, the allegations contained in the Petition shall be deemed to be admitted by  
24 respondent, and respondent waives any and all defenses based on a claim of laches or the statute

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1 of limitations. As a condition precedent to any order granting reinstatement of respondent's  
2 license to practice medicine, respondent shall pay the Division outstanding probation monitoring  
3 costs in the sum of \$6,346.00.

4 14. The parties agree that facsimile copies of this Stipulation, including facsimile  
5 signatures, shall have the same force and effect as the original Stipulation signatures.

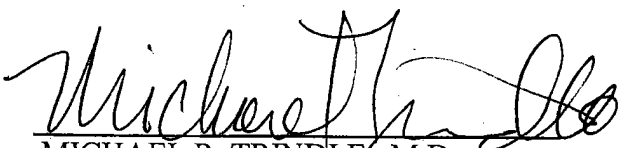
6 **ACCEPTANCE**

7 I, Michael R. Trindle, M.D., have carefully read the above stipulation. I enter into it  
8 freely and voluntarily and with full knowledge of its force and effect, and with advice of counsel.  
9 I do hereby surrender my Physician and Surgeon's Certificate Number G 63287 to the Division  
10 of Medical Quality, Medical Board of California, for its formal acceptance. By signing this

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1 stipulation to surrender my license, I recognize that upon its formal acceptance by the Board, I  
2 will lose all rights and privileges to practice as a physician and surgeon in the State of California  
3 and I also will cause to be delivered to the Board my license, including wall and wallet  
4 certificate, in my possession before the effective date of the decision.

5  
6 DATED: 6-11-07

7   
8 MICHAEL R. TRINDLE, M.D.  
Respondent

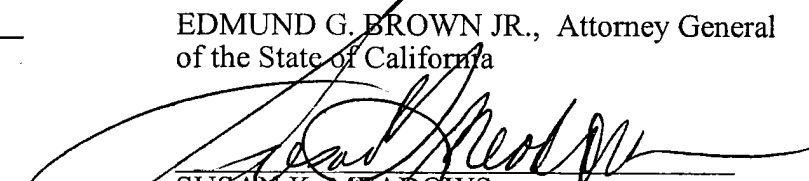
9 I have fully discussed with respondent the terms and conditions and other matters  
10 contained in the above Stipulated Surrender of License and approve its form and content.

11  
12 DATED: June 11, 2007

13   
14  
15 KENNETH L. FREEMAN  
LAW OFFICES OF KENNETH L. FREEMAN  
16 Attorney for Respondent

17 I CONCUR IN THE STIPULATION.

18  
19 DATED: 6/12/07

20 EDMUND G. BROWN JR., Attorney General  
of the State of California  
21   
22 SUSAN K. MEADOWS  
Deputy Attorney General  
23  
24 Attorneys for Complainant  
Medical Board of California

25  
26 Exhibit A: Petition to Revoke Probation  
27  
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**EXHIBIT A**

FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO Mar. 15, 2007  
BY Brenda Allen ANALYST

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 JOSE R. GUERRERO  
Supervising Deputy Attorney General  
3 SUSAN K. MEADOWS, State Bar No. 115092  
Deputy Attorney General  
4 California Department of Justice  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
Telephone: (415) 703-5552  
6 Facsimile: (415) 703-5480

7 Attorneys for Complainant

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

11 In the Matter of the Petition to Revoke Probation  
12 Against:

Case # D1-2002-132281

13 MICHAEL R. TRINDLE, M.D.  
1895 Page Street  
14 San Francisco, CA 94117

**PETITION TO REVOKE  
PROBATION**

15 Physician's and Surgeon's Certificate  
16 Number G 63287

17 Respondent.

18  
19 The Petitioner alleges:

20 **PARTIES**

21 1. Petitioner, David T. Thornton, is the Executive Director of the Medical Board of  
22 California (hereinafter the "Board") and brings this Petition to Revoke Probation (hereinafter  
23 "petition") solely in his official capacity.

24 2. On or about July 5, 1988, Physician's and Surgeon's Certificate No. G 63287 was  
25 issued by the Board to Michael R. Trindle, M.D. (hereinafter "respondent"). Said certificate  
26 renewed and current with an expiration date of July 31, 2008. Prior disciplinary action has been  
27 taken against said certificate as follows. On July 17, 2003, an Accusation was filed against  
28 respondent, and on December 19, 2003, an Amended Accusation was filed. On March 29, 2004,



1 a Decision became effective which read: Revoked, stayed, five years probation with terms and  
2 conditions, and six months of actual suspension beginning the sixteenth day after the effective  
3 date of this decision. A true and correct copy of the Board's Decision of March 29, 2004 is  
4 attached as Exhibit A and made a part hereof.

### 5 JURISDICTION

6 3. This Petition to Revoke Probation are brought before the Division of Medical  
7 Quality of the Medical Board of California, Department of Consumer Affairs (hereinafter the  
8 "Division"), under the authority of the following sections of the California Business and  
9 Professions Code (hereinafter "Code") and/or other relevant statutory enactment:

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

14 B. Section 2234(a) of the Code provides, in part, that the Board shall take  
15 disciplinary action against a licensee who is charged with unprofessional conduct.

16 4. Section 11055 (a) of the Health and Safety Code provides that the controlled  
17 substances listed in this section are included in Schedule II.. Section 11055(a)(6) lists cocaine as  
18 a Schedule II substance.

19 5. On or about March 29, 2004, the Board ordered respondent to comply with the  
20 following terms and conditions of probation relevant to this instant proceeding:

21 a) Respondent shall completely abstain from the use of products or beverages  
22 containing alcohol.

23 b) Respondent shall abstain completely from the personal use or possession of  
24 controlled substances as defined in the California Uniform Controlled Substances Act.

25 c) Respondent shall enroll and participate in the Board's Diversion Program until  
26 the Diversion Program determines that further treatment and rehabilitation are no longer  
27 necessary. Failure to cooperate or comply with the Diversion Program requirement and  
28 recommendations, quitting the program without permission, or being expelled for cause is a

1 violation of probation.

2 d) Respondent shall pay cost recovery in the amount of \$5,000.00 within 90 days  
3 from the effective date of the Decision, or by June 29, 2004.

4 e) Respondent is required to pay probation monitoring costs for each year on  
5 probation.

6 6. Under the terms and conditions of the Board's order of March 29, 2004,  
7 respondent's failure to comply with any terms or condition of probation is a violation of  
8 probation. If respondent violates probation in any respect, the Division, after giving respondent  
9 notice and the opportunity to be heard, may revoke probation and carry out the disciplinary order  
10 that was stayed. If a Petition to Revoke Probation is filed against respondent during probation,  
11 the Division shall have continuing jurisdiction until the matter is final, and the period of  
12 probation shall be extended until the matter is final.

13 **FIRST CAUSE FOR REVOCATION OF PROBATION**

14 7. On or about March 29, 2004, a decision was issued by the Board whereby  
15 respondent's license was revoked, with the revocation stayed, subject to five years probation  
16 subject to terms and conditions. As part of the Board's probation order, respondent is required to  
17 abstain from the use of products or beverages containing alcohol.

18 8. On or about May 11, 2006, a random urine test was conducted by the Diversion  
19 Program and respondent's urine tested positive for Ethylglucuronide (alcohol). The cut off was  
20 100ng/ml and respondent was tested at 821/ng/ml.

21 9. On or about July 8, 2006, a random urine test was conducted by the Diversion  
22 Program and respondent's urine tested positive for Ethylglucuronide (alcohol). The cut off was  
23 100ng/ml and respondent was tested at 785ng/ml.

24 10. Respondent is in violation of probation as he has failed to abstain from the use of  
25 products or beverages containing alcohol. Therefore, cause exists to revoke the probation order  
26 and revoke his license to practice medicine.

27 **SECOND CAUSE FOR REVOCATION OF PROBATION**

28 11. On or about March 29, 2004, a decision was issued by the Board whereby

1 respondent's license was revoked, with the revocation stayed, subject to five years probation and  
2 subject to terms and conditions. As part of the Board's probation order, respondent was required  
3 to abstain from the personal use of controlled substances.

4 12. On or about December 12, 2006, a random urine test was conducted by the  
5 Diversion Program and respondent's urine tested positive for cocaine with the result of 368ng/ml  
6 and the cut off was 150ng/ml. Respondent denied the use of cocaine and requested a split screen  
7 which was sent to a second lab for analysis. The second results also showed a positive test for  
8 cocaine measuring at 330ng/ml and the cut off was 150ng/ml.

9 13. Respondent is in violation of probation as he has failed to abstain from the  
10 personal use of a controlled substance, cocaine. Therefore, cause exists to revoke his probation  
11 order and revoke his license to practice medicine.

### 12 THIRD CAUSE FOR REVOCATION OF PROBATION

13 14. On or about March 29, 2004, a decision was issued by the Board whereby  
14 respondent's license was revoked, with the revocation stayed, subject to 5 years probation and  
15 subject to terms and conditions. As part of the Board's probation order, respondent is required to  
16 successfully complete the Diversion Program.

17 15. After receipt of the two positive urine tests for alcohol taken on May 11, 2006,  
18 and July 8, 2006, the Diversion Program staff notified respondent in a letter dated August 2,  
19 2006, that if respondent had one more positive test result, or any noncompliance issues, it would  
20 be grounds for immediate unsuccessful termination from the Diversion Program. On December  
21 12, 2006, a random urine test was conducted by the Diversion Program which showed a positive  
22 test result for cocaine. On or about December 28, 2006, respondent was terminated from the  
23 Diversion Program for unsuccessful completion of the program. Respondent was notified by  
24 letter dated December 29, 2006, of this termination.

25 16. Respondent is in violation of probation as he has failed to successfully complete  
26 the Diversion Program as required. Therefore, cause exists to revoke his probation order and  
27 revoke his license to practice medicine.



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3. If applicable, ordering respondent to pay the Division the costs of probation monitoring upon order of the Division; and,

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

DATED: March 15, 2007



DAVID T. THORNTON  
Executive Director  
Medical Board of California  
Department of Consumer Affairs  
State of California

Petitioner

Exhibit A: Board Decision effective March 29, 2004

**EXHIBIT A**

Chris

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

In the Matter of the Accusation	)	
Against:	)	
	)	
	)	
MICHAEL R. TRINDLE, M.D.	)	File No. 03-2002-132281
	)	
Physician's and Surgeon's	)	
Certificate No. G 63287	)	
	)	
Respondent	)	
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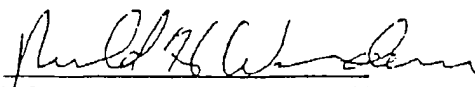
DECISION

The attached Stipulation and 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 March 29, 2004.

IT IS SO ORDERED February 27, 2004.

MEDICAL BOARD OF CALIFORNIA

By:   
 RONALD H. WENDER, M.D.  
 Chair, Panel B  
 Division of Medical Quality

1 BILL LOCKYER, Attorney General  
of the State of California  
2 SUSANK. MEADOWS, State Bar No. 115092  
Deputy Attorney General  
3 California Department of Justice  
455 Golden Gate Avenue, Suite 11000.  
4 San Francisco, California 94102  
Telephone: (415) 703-5552  
5 Facsimile: (415) 703-5480

6 Attorneys for Complainant  
7  
8

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

11 In the Matter of the Accusation Against:

Case No. 03 2002 132281

12 MICHAEL RYAN TRINDLE, M.D.  
13 611 Laurel Ave.  
14 Millbrae, CA 94030

STIPULATION AND ORDER

15 Physician and Surgeon Certificate  
No. G 63287

16 Respondent.  
17

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

20 1. Complainant, Ron Joseph, is the Executive Director of the Medical Board of  
21 California, Department of Consumer Affairs ("Board") and is represented by Bill Lockyer,  
22 Attorney General of the State of California and by Susan K. Meadows, Deputy Attorney General.

23 2. Michael Ryan Trindle, M.D. ("respondent") is represented by Kenneth L.  
24 Freeman, Attorney at Law, 711 Van Ness Avenue, Suite 240, San Francisco, California, 94102.  
25 Respondent has been advised by his attorney, and is fully aware of the effect of this stipulation  
26 which respondent and his counsel have carefully read and fully understand.

27 3. Respondent has received and read the Amended Accusation (hereinafter  
28 "Accusation") which is presently on file and pending in Case Number 03 2002 132281 before the



1 Division of Medical Quality of the Medical Board of California, Department of Consumer  
2 Affairs (hereinafter the "Division"), a copy of which is attached as Exhibit A and incorporated  
3 herein by reference.

4 4. Respondent has carefully read, been fully advised by his counsel, and  
5 understands the charges and allegations in the Accusation and the effects of this Stipulation for  
6 Settlement.

7 5. Respondent is aware of his rights, including the right to a hearing on the  
8 charges and allegations, the right to confront and cross-examine witnesses who would testify  
9 against respondent, the right to testify and present evidence on his own behalf, as well as to the  
10 issuance of subpoenas to compel the attendance of witnesses and the production of documents,  
11 the right to contest the charges and allegations, and other rights which are accorded respondent  
12 pursuant to the California Administrative Procedure Act (Gov. Code, § 11500 etseq.) and other  
13 applicable laws, including the right to seek reconsideration, review by the superior court, and  
14 appellate review.

15 6. Respondent voluntarily, knowingly, and intelligently waives and gives up each  
16 and every right set forth in paragraph 5 above.

17 7. For purposes of the settlement of the action pending against respondent in this  
18 matter, and to avoid a costly administrative hearing, respondent admits that the charges and  
19 allegations contained in the Accusation, if proven at trial, would constitute a basis for imposing  
20 discipline upon his physician's and surgeon's certificate under Business and Professions Code  
21 section 2234. Respondent hereby gives up his right to contest those charges and agrees to be  
22 bound by the Division's imposition of discipline as set forth in the Disciplinary Order below.

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

27 9. This stipulation shall be subject to the approval of the Division. Respondent  
28 understands and agrees that the Medical Board's staff and counsel for complainant may

1 communicate directly with the Division regarding this stipulation and settlement, without notice  
2 to or participation by respondent. If the Division fails to adopt this Stipulation for Settlement as  
3 its Order, the stipulation, except for this paragraph, shall be of no force or effect and shall be  
4 inadmissible in any legal action between the parties and the division shall not be disqualified  
5 from further action by having considered this settlement.

6 10. The parties agree that facsimile copies of this Stipulation for Settlement,  
7 including facsimile signatures, shall have the same force and effect as originals.

8 11. This stipulation and order and the discipline imposed by the Board shall  
9 encompass any conviction that respondent might suffer as a result of the arrest and criminal  
10 charges referred to in the Third Cause For Discipline in the Amended Accusation. In  
11 consideration of the foregoing admissions and stipulations, the parties agree that the Division  
12 shall, without further notice or formal proceeding, issue and enter the following Disciplinary  
13 Order:

14 **DISCIPLINARY ORDER**

15 Based upon these recitals, IT IS HEREBY STIPULATED AND AGREED that  
16 the Division will issue and enter the following Order and Decision:

17 Physician's and Surgeon's Certificate No. G 63287 issued to respondent Michael  
18 Ryan Trindle, M.D. is revoked. However, the revocation is stayed and respondent is placed on  
19 probation for five (5) years upon the following terms and conditions.

20 12. **ACTUAL SUSPENSION:** As part of probation, respondent is suspended  
21 from the practice of medicine for a period of six months beginning the 16<sup>th</sup> day after the  
22 effective date of this decision.

23 13. **CONTROLLED SUBSTANCE-TOTAL RESTRICTION**

24 Respondent shall not order, prescribe, dispense, administer, or possess any  
25 controlled substances as defined in the California Uniform Controlled Substances Act.

26 Respondent shall not issue an oral or written recommendation or approval to a patient  
27 or a patient's primary caregiver for the possession or cultivation of marijuana for the personal  
28 medical purposes of the patient within the meaning of Health and Safety Code section 11362.5. If

1 respondent forms the medical opinion, after a good faith prior examination, that a patient's medical  
2 condition may benefit from the use of marijuana, respondent shall so inform the patient and shall  
3 refer the patient to another physician who, following a good faith examination, may independently  
4 issue a medically appropriate recommendation or approval for the possession or cultivation of  
5 marijuana for the personal medical purposes of the patient within the meaning of Health and Safety  
6 Code section 11362.5. In addition, respondent shall inform the patient or the patient's primary  
7 caregiver that respondent is prohibited from issuing a recommendation or approval for the  
8 possession or cultivation of marijuana for the personal medical purposes of the patient and that the  
9 patient or the patient's primary caregiver may not rely on respondent's statements to legally possess  
10 or cultivate marijuana for the personal medical purposes of the patient. Respondent shall fully  
11 document in the patient's chart that the patient or the patient's primary caregiver was so informed.  
12 Nothing in this condition prohibits respondent from providing the patient or the patient's primary  
13 caregiver information about the possible medical benefits resulting from the use of marijuana.

14           14.    CONTROLLED SUBSTANCES - SURRENDER OF DEA PERMIT

15           Respondent is prohibited from practicing medicine until respondent provides  
16 documentary proof to the Division or its designee that respondent's DEA permit has been  
17 surrendered to the Drug Enforcement Administration for cancellation, together with any state  
18 triplicate forms and all controlled substances order forms. Thereafter, respondent shall not reapply  
19 for a new DEA permit without the prior written consent of the Division or its designee.

20           15.    CONTROLLED SUBSTANCES - ABSTAIN FROM USE

21           Respondent shall abstain completely from the personal use or possession of controlled  
22 substances as defined in the California Uniform Controlled Substances Act, dangerous drugs as  
23 defined by Business and Professions Code section 4022, and any drugs requiring a prescription. This  
24 prohibition does not apply to medications lawfully prescribed to respondent by another practitioner  
25 for a bona fide illness or condition.

26           Within 15 calendar days of receiving any lawful prescription medications, respondent  
27 shall notify the Division or its designee of the: issuing practitioner's name, address, and telephone  
28 number; medication name and strength; and issuing pharmacy name, address, and telephone number.

1                   16.       ALCOHOL - ABSTAIN FROM USE

2                   Respondent shall abstain completely from the use of products or beverages containing  
3 alcohol.

4                   17.       BIOLOGICAL FLUID TESTING

5                   Respondent shall immediately submit to biological fluid testing, at respondent's expense,  
6 upon the request of the Division or its designee. A certified copy of any laboratory test results may  
7 be received in evidence in any proceedings between the Board and the respondent. Failure to submit  
8 to, or failure to complete the required biological fluid testing, is a violation of probation.

9                   18.       DIVERSION PROGRAM

10                  Within 30 calendar days from the effective date of this Decision, respondent shall enroll  
11 and participate in the Board's Diversion Program until the Diversion Program determines that further  
12 treatment and rehabilitation are no longer necessary. Upon enrollment, respondent shall execute a  
13 release authorizing the Diversion Program to notify the Division of the following: 1) respondent  
14 requires further treatment and rehabilitation; 2) respondent no longer requires treatment and  
15 rehabilitation; and 3) respondent may resume the practice of medicine. Respondent shall execute  
16 a release authorizing the Diversion Program to provide confirmation to the Division whenever the  
17 Diversion Program has determined that respondent shall cease the practice of medicine.

18                  Within 5 calendar days after being notified by the Diversion Program of a determination  
19 that further treatment and rehabilitation are necessary, respondent shall notify the Division in writing.  
20 The Division shall retain continuing jurisdiction over respondent's license and the period of  
21 probation shall be extended until the Diversion Program determines that further treatment and  
22 rehabilitation are no longer necessary. Within 24 hours after being notified by the Diversion  
23 Program of a determination that respondent shall cease the practice of medicine, respondent shall  
24 notify the Division and respondent shall not engage in the practice of medicine until notified in  
25 writing by the Division or its designee of the Diversion Program's determination that respondent  
26 may resume the practice of medicine. Failure to cooperate or comply with the Diversion Program  
27 requirements and recommendations, quitting the program without permission, or being expelled for  
28 cause is a violation of probation.



1 Respondent shall not engage in the practice of medicine in respondent's place of  
2 residence. Respondent shall maintain a current and renewed California physician's and  
3 surgeon's license.

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

7 24. INTERVIEW WITH THE DIVISION OR IT'S DESIGNEE -

8 Respondent shall be available in person for interviews either at respondent's place  
9 of business or at the probation unit office, with the Division or its designee upon request at  
10 various intervals and either with or without prior notice throughout the term of probation.

11 25. RESIDING OR PRACTICING OUT-OF-STATE

12 In the event respondent should leave the State of California to reside or to practice  
13 respondent shall notify the Division or its designee in writing 30 calendar days prior to the dates  
14 of departure and return. Non-practice is defined as any period of time exceeding thirty calendar  
15 days in which respondent is not engaging in any activities defined in sections 2051 and 2052 of  
16 the Business and Professions Code.

17 All time spent in an intensive training program outside the State of California which  
18 has been approved by the Division or its designee shall be considered as time spent in the  
19 practice of medicine within the State. A Board-ordered suspension of practice shall not be  
20 considered as a period of non-practice. Periods of temporary or permanent residence or practice  
21 outside California will not apply to the reduction of the probationary term. Periods of temporary  
22 or permanent residence or practice outside California will relieve respondent of the responsibility  
23 to comply with the probationary terms and conditions with the exception of this condition and  
24 the following terms and conditions of probation: Obey All Laws; Probation Unit Compliance;  
25 and Cost Recovery.

26 Respondent's license shall be automatically cancelled if respondent's periods of  
27 temporary or permanent residence or practice outside California totals two years. However,  
28 respondent's license shall not be cancelled as long as respondent is residing and practicing

1 medicine in another state of the United States and is on active probation with the medical  
2 licensing authority of that state, in which case the two year period shall begin on the date  
3 probation is completed or terminated in that state.

4           26. FAILURE TO PRACTICE MEDICINE - CALIFORNIA RESIDENT

5           In the event respondent resides in the State of California and for any reason  
6 respondent stops practicing medicine in California, respondent shall notify the Division or its  
7 designee in writing within 30 calendar days prior to the dates of non-practice and return to  
8 practice. Any period of non-practice within California, as defined in this condition, will not  
9 apply to the reduction of the probationary term and does not relieve respondent of the  
10 responsibility to comply with the terms and conditions of probation. Non-practice is defined as  
11 any period of time exceeding thirty calendar days in which respondent is not engaging in any  
12 activities defined in sections 2051 and 2052 of the Business and Professions Code.

13           All time spent in an intensive training program which has been approved by the  
14 Division or its designee shall be considered time spent in the practice of medicine. For purposes  
15 of this condition, non-practice due to a Board-ordered suspension or in compliance with any  
16 other condition of probation, shall not be considered a period of non-practice.

17           Respondent's license shall be automatically cancelled if respondent resides in  
18 California and for a total of two years, fails to engage in California in any of the activities  
19 described in Business and Professions Code sections 2051 and 2052.

20           27. COMPLETION OF PROBATION

21           Respondent shall comply with all financial obligations (e.g., cost recovery,  
22 restitution, probation costs) not later than 120 calendar days prior to the completion of probation.  
23 Upon completion successful of probation, respondent's certificate shall be fully restored.

24           28. VIOLATION OF PROBATION

25           Failure to fully comply with any term or condition of probation is a violation of  
26 probation. If respondent violates probation in any respect, the Division, after giving respondent  
27 notice and the opportunity to be heard, may revoke probation and carry out the disciplinary order  
28 that was stayed. If an Accusation, or Petition to Revoke Probation, or an Interim Suspension

1 Order is filed against respondent during probation, the Division shall have continuing jurisdiction  
2 until the matter is final, and the period of probation shall be extended until the matter is final.

3 29. COST RECOVERY

4 Within 90 calendar days from the effective date of the Decision or other period  
5 agreed to by the Division or its designee, respondent shall reimburse the Division the amount of  
6 FIVE THOUSAND DOLLARS (\$5,000.00) for its investigative and prosecution costs. The  
7 filing of bankruptcy or period of non-practice by respondent shall not relieve the respondent  
8 his/her obligation to reimburse the Division for its costs.

9 30. LICENSE SURRENDER

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

21 31. PROBATION MONITORING COSTS

22 Respondent shall pay the costs associated with probation monitoring each and every  
23 year of probation, as designated by the Division, which may be adjusted on an annual basis.  
24 Such costs shall be payable to the Medical Board of California and delivered to the Division or  
25 its designee no later than January 31 of each calendar year. Failure to pay costs within 30  
26 calendar days of the due date is a violation of probation.

27

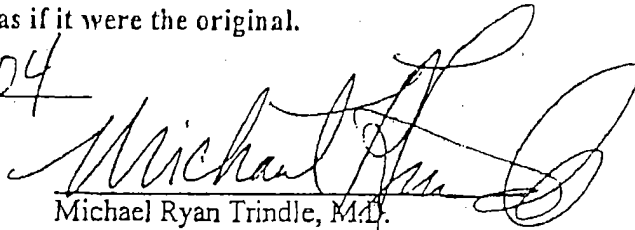
28



1 ACCEPTANCE

2 I, Michael Ryan Trindle, M.D., have carefully read the above stipulation. I enter into  
3 it freely, voluntarily, with the advice of counsel, and with full knowledge of its force and effect.  
4 I agree to be bound by the Order and Decision of the Division of Medical Quality, Medical Board  
5 of California. I agree that a facsimile copy of my signature to this stipulation and order  
6 shall be binding on me as if it were the original.

7 DATED: 1/12/04

8 

9 Michael Ryan Trindle, M.D.  
10 Respondent

11 I concur in the stipulation and agree that a facsimile copy of my signature to this  
12 stipulation and order shall be binding as if it were the original.

13 DATED: 1-12-04

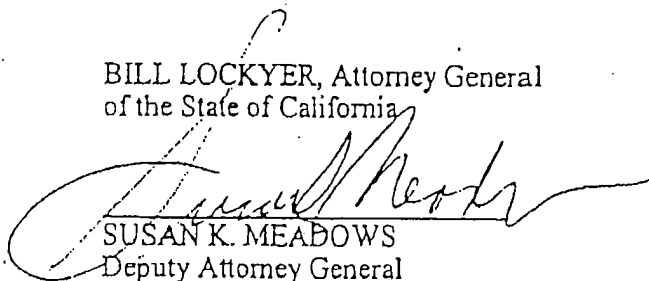
14 

15 Kenneth L. Freeman  
16 Attorney for Respondent

17 I concur in the stipulation.

18  
19 DATED: 1-13-04

20  
21 BILL LOCKYER, Attorney General  
of the State of California

22 

23 SUSAN K. MEADOWS  
24 Deputy Attorney General

25 Attorneys for Complainant

EXHIBIT A

1 BILL LOCKYER, Attorney General  
of the State of California  
2 SUSAN K. MEADOWS, State Bar No. 115092  
Deputy Attorney General  
3 California Department of Justice  
455 Golden Gate Avenue, Suite 11000  
4 San Francisco, California 94102  
Telephone: (415) 703-5552  
5 Facsimile: (415) 703-5480

6 Attorneys for Complainant

FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO December 19 2003  
BY Tom Lockyer

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

12 In the Matter of the Accusation Against:

Case No. 03 2002 132281

13 MICHAEL RYAN TRINDLE, M.D.  
611 Laurel Ave.  
14 Millbrae, CA 94030

AMENDED  
ACCUSATION

15 Physician and Surgeon Certificate  
No. G 63287

16 Respondent.

18 The Complainant alleges:

19 PARTIES

20 1. Complainant, Ronald Joseph, is the Executive Director of the Medical Board of  
21 California ("Medical Board" or "Board") and brings this accusation solely in his official capacity.

22 2. At all times material to this action, respondent, Michael Ryan Trindle, M.D.  
23 ("respondent") has held physician and surgeon certificate No. G 63287, which was issued to him  
24 by the Board on or about July 5, 1988. Unless renewed, the certificate will expire on July 31,  
25 2004. Said certificate has not been subject to previous disciplinary action by the Board.

26 JURISDICTION

27 3. This accusation is brought before the Division of Medical Quality of the Medical  
28 Board of California, Department of Consumer Affairs ("Division"), under the authority of the

1 following sections of the California Business and Professions Code ("Code").

2 4. Section 2227 of the Code provides that the Board may revoke, suspend for a period  
3 not to exceed one year, or place on probation, the license of any licensee who has been found  
4 guilty under the Medical Practice Act.

5 5. Section 2234 of the Code provides, in pertinent part, that unprofessional conduct  
6 includes, but is not limited to, the following:

7 "(a) Violating or attempting to violate, directly or indirectly, or assisting in or  
8 abetting the violation of, or conspiring to violate, any provision of this chapter."

9 6. Section 822 of the Code provides, in pertinent part, that if a licensing  
10 agency determines that its licentiate's ability to practice his or her profession safely is impaired  
11 because the licentiate is mentally ill, the agency may take action by:

12 "(a) Revoking the licentiate's certificate or license.

13 "(b) Suspending the licentiate's right to practice.

14 "(c) Placing the licentiate on probation.

15 "(d) Taking such other action in relation to the licentiate as the licensing  
16 agency in its discretion deems proper."

17 7. Section 2239 (a) provides, in relevant part, that the use or prescribing for or  
18 administering to himself of any controlled substance; or the use of any of the dangerous drugs  
19 specified in Section 4022, or of alcoholic beverages, to the extent, or in such a manner as to be  
20 dangerous or injurious to the licensee, or to any other person or to the public, or to the extent that  
21 such use impairs the ability of the licensees to practice medicine safely constitutes unprofessional  
22 conduct.

23 8. Section 11173 of the Health and Safety Code provides, in relevant part,

24 "(a) No person shall obtain or attempt to obtain controlled substances, or  
25 procure or attempt to procure the administration of, or prescription for controlled  
26 substances, (1) by fraud, deceit, misrepresentation, or subterfuge; or (2) by the  
concealment of a material fact."

27 9. Section 2238 of the Business and Professions Code provides, in pertinent part, that a  
28 violation of any federal statute. . . or any of the statutes or regulations of this state regulating

1 dangerous drugs or controlled substances constitutes unprofessional conduct.

2 10. Welfare and Institutions Code section 14124.12 provides, in part, that a physician  
3 whose license has been placed on probation by the Medical Board shall not be reimbursed by  
4 Medi-Cal for "the type of surgical service or invasive procedure that gave rise to the probation."

5 11. Section 125.3 of the Code provides, in part, that the Board may request the  
6 administrative law judge to direct any licensee found to have committed a violation or  
7 violations of the licensing act, to pay the Board a sum not to exceed the reasonable costs of the  
8 investigation and enforcement of the case.

9 12. Section 2227 (also part of Article 12) provides that if probation is imposed, the  
10 respondent may be ordered to pay the cost of probation monitoring.

11 13. This case was initiated upon receipt by the Board on March 21, 2002 of a Health  
12 Facility Reporting Form ("805") from The Permanente Medical Group, Inc., (hereinafter  
13 "TPMG") indicating that a summary suspension on the employment of respondent had been  
14 imposed, effective March 6, 2002, due to concerns about inconsistencies discovered in a routine  
15 audit of controlled substances and his unusual behavior. On March 18, 2002, while on  
16 suspension, Dr. Trindle was granted a leave of absence to attend a 30-day inpatient treatment  
17 program. No patient harm was reported. On June 3, 2002, the Board received a subsequent 805  
18 report from TPMG indicating that respondent resigned from staff effective August 2, 2002.

#### 19 DRUGS

20 14. Sufenta is a schedule II narcotic controlled substance as defined in Health & Safety  
21 Code Section 11055 (c)(25) and a dangerous drug. It is an opioid analgesic used as a primary  
22 analgesic agent, approximately 5-7 times as potent as Fentanyl.

23 15. Fentanyl is a schedule II narcotic controlled substance & dangerous drug. It is used  
24 primarily for pain control, and has a high potential for abuse leading to physical and  
25 psychological dependence.

26 16. Propofol (diprivan 1% injectable emulsion) is for intravenous administration. It is a  
27 dangerous drug and an intravenous sedative-hypnotic agent used in the induction and  
28 maintenance of anesthesia or sedation.





1 fled the scene. The police chased him and he was stopped at the Bay Bridge. His blood alcohol  
2 level was .19. He was arrested and charged with driving under the influence and causing injury,  
3 fleeing the scene of an accident, and reckless driving while evading a police officer. The  
4 criminal charges are presently pending in San Mateo Superior Court.

5 24. On December 5, 2003, respondent was terminated from the Diversion Program for  
6 unsuccessful completion.

7 25. Respondent's license is subject to disciplinary action under section 2239(a) in that  
8 respondent, while under the influence of alcohol, hit another car and caused injury to the driver  
9 of that vehicle. He then fled the scene and endangered the lives of the public and police  
10 personnel by engaging the police in a car chase. Respondent's behavior as described above was  
11 dangerous and injurious to the public. Therefore, cause for discipline exists.

#### 12 FOURTH CAUSE FOR DISCIPLINE

13 (Section 822 - Mental or Physical Impairment)

14 26. On or about November 15, 2002, respondent signed a voluntarily agreement to  
15 undergo a psychiatric examination under sections 820, 821, and 823 of the Code. The psychiatric  
16 examination was conducted on or about February 3, 2003 and on April 4, 2003. A psychological  
17 assessment was conducted by a psychologist on or about March 18, 2003.

18 27. On or about May 14, 2003 the Board received the psychological assessment report  
19 and or about May 9, 2003 the Board received the psychiatric report regarding respondent's ability  
20 to practice medicine.

21 28. Based upon a review of records provided and the mental and psychological  
22 examination of respondent, the psychiatric evaluator concluded the following:

23 Dr. Trindle is motivated to avoid further substance abuse. *However*, Dr. Trindle  
24 continues to be at high risk for drug abuse and depression. Therefore, the following steps should  
25 be implemented:

- 26 (a) Dr. Trindle must remain in the Board's Diversion Program;
- 27 (b) Dr. Trindle must attend twelve-step programs;
- 28 (c) Dr. Trindle must undergo periodic random urine testing; and,



1 (d) Dr. Trindle must continue in psychopharmacological treatment and  
2 psychotherapy. Dr. Trindle should undergo psychotherapy more than once a week and should  
3 undergo psychodynamic therapy at least twice per week for a period of time.

4 29. Based upon the above recommendations of the psychiatric evaluator, respondent  
5 must have restrictions placed on his medical license in order to practice safely and prevent future  
6 relapses. Therefore, cause exists for discipline pursuant to section 822 of the Code.

7 PRAYER

8 WHEREFORE, complainant requests that a hearing be held on the matters alleged above,  
9 and that following the hearing, the division issue a decision:

10 1. Revoking or suspending Physician's and Surgeon's Certificate Number  
11 G 63287 issued to respondent Michael R. Trindle, M.D.;

12 2. Ordering respondent to pay the division the actual and reasonable costs of the  
13 investigation and enforcement of this case and, if placed on probation, the costs of probation  
14 monitoring;

15 3. Prohibiting respondent from continuing to be or becoming the supervisor of a  
16 physician assistant;

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

18 DATED: December 19, 2003

19 

20 RONALD JOSEPH, Executive Director  
21 Medical Board of California  
22 Department of Consumer Affairs  
State of California

23 Complainant

24  
25 Trindle.Amended.Acc  
26  
27  
28