

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

In the Matter of the Accusation	)	
Against:	)	
	)	
	)	
<b>Warren A. Olson, M.D.</b>	)	File No. 03-2010-209391
	)	
Physician's and Surgeon's	)	
Certificate No. C 37203	)	
	)	
Respondent	)	
_____	)	

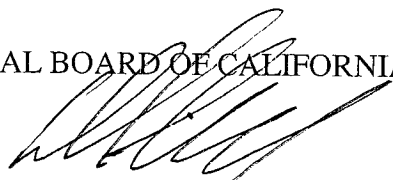
**DECISION**

The attached **Stipulation for Surrender of Certificate** 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 April 8, 2011

IT IS SO ORDERED April 1, 2011

MEDICAL BOARD OF CALIFORNIA

By:   
\_\_\_\_\_  
**Linda K. Whitney**  
Executive Director

1 KAMALA D. HARRIS  
Attorney General of California  
2 JOSE R. GUERRERO  
Supervising Deputy Attorney General  
3 LAWRENCE MERCER  
Deputy Attorney General  
4 State Bar No. 111898  
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**  
9 **MEDICAL BOARD OF CALIFORNIA**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:  
11 **WARREN A. OLSON, M.D.**  
12 2178 Johnson Avenue  
13 San Luis Obispo, CA 93401  
14 Physician's and Surgeon's Certificate No. C37203  
15 Respondent.

Case No. 03-2010-209391

**STIPULATION FOR SURRENDER  
OF CERTIFICATE**

16 In the interest of a prompt and speedy resolution of this matter, consistent with the public  
17 interest and the responsibility of the Medical Board of California, Department of Consumer  
18 Affairs, (hereinafter, the "Board"), the parties hereby agree to the following Stipulation for  
19 Surrender of Certificate which will be submitted to the Board for its approval and adoption as the  
20 final disposition of Case No. 03-2010-209391.

21 **PARTIES**

22 1. Linda K. Whitney ("complainant") is the Executive Director of the Medical Board of  
23 California, Department of Consumer Affairs, who brought this action solely in her official  
24 capacity. She is represented in this matter by Kamala D. Harris, Attorney General of the State of  
25 California, by Lawrence Mercer, Deputy Attorney General.

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1 9. Respondent desires and agrees to surrender his physician's and surgeon's certificate  
2 for the Board's formal acceptance, thereby giving up his right to practice medicine in the State of  
3 California.

4 **RESERVATION**

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

9 **CONTINGENCY**

10 11. This Stipulation shall be subject to the approval of the Board. Respondent  
11 understands and agrees that Board staff and counsel for complainant may communicate directly  
12 with the Board regarding this stipulation, without notice to or participation by respondent or his  
13 counsel. If the Board fails to adopt this Stipulation as its Order in this matter, the Stipulation  
14 shall be of no force or effect; it shall be inadmissible in any legal action between the parties; and  
15 the Board shall not be disqualified from further action in this matter by virtue of its consideration  
16 of this Stipulation.

17 **STIPULATION AND ORDER**

18 **IT IS THEREFORE STIPULATED AND ORDERED** as follows:

19 1. **SURRENDER** Respondent hereby agrees to surrender his wall and wallet  
20 physician's and surgeon's certificates and all other indicia of his right to practice medicine in the  
21 State of California to the Board or its representative on or before the effective date of this  
22 decision, and the Board agrees to accept this surrender in resolution of this matter.


23 2. **REINSTATEMENT** Respondent fully understands and agrees that if he ever files  
24 an application for re-licensure or reinstatement in the State of California, the Board shall treat it  
25 as a petition for reinstatement. Respondent must comply with all the laws, regulations and  
26 procedures for reinstatement of a revoked license in effect at the time any petition is filed, and all  
27 of the allegations and causes for discipline contained in Accusation No. 03-2010-209391 will be  
28 deemed to be true, correct and admitted by respondent for purposes of the Board's determination

1 whether to grant or deny the petition. Respondent agrees that he will not petition for  
2 reinstatement for at least three (3) years following the effective date of this decision. Respondent  
3 hereby waives any time-based defense he might otherwise have to the charges contained in  
4 Accusation No. 03-2010-209391 including, but not limited to, the equitable defense of laches.

5 3. Respondent understands that by signing this stipulation, he is enabling the Board to  
6 issue its order accepting the surrender of his license without further process. He further  
7 understands that upon acceptance of this stipulation by the Board, he will no longer be permitted  
8 to practice as a physician and surgeon in California.

9 ACCEPTANCE

10 I, Warren A. Olson, M.D., have carefully read the above stipulation and enter into it freely  
11 and voluntarily and with full knowledge of its force and effect, do hereby agree to surrender my  
12 physician's and surgeon's certificate no. C37203 to the Medical Board of California for its formal  
13 acceptance. By signing this stipulation to surrender my license, I recognize that as of the  
14 effective date of its formal acceptance by the Board, I will lose all rights and privileges to practice  
15 as a physician and surgeon in the State of California and I also will cause to be delivered to the  
16 Board both my license and wallet certificate on or before the effective date of the decision.

17  
18 DATED: March 9, 2011   
19 WARREN A. OLSON, M.D.  
20 Respondent  
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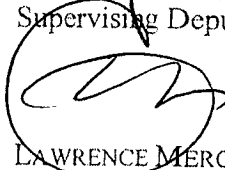
ENDORSEMENT

The foregoing Stipulation for Surrender of Certificate is hereby respectfully submitted for consideration by the Medical Board of California, Department of Consumer Affairs.

Dated: 3/14/2011

Respectfully Submitted,

KAMALA D. HARRIS  
Attorney General of California  
JOSE R. GUERRERO  
Supervising Deputy Attorney General



LAWRENCE MERCER  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 03-2010-209391**

1 KAMALA D. HARRIS  
Attorney General of California  
2 JOSE R. GUERRERO  
Supervising Deputy Attorney General  
3 LAWRENCE MERCER  
Deputy Attorney General  
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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. 03-2010-209391

13 **WARREN A. OLSON, M.D.**  
2178 Johnson Avenue  
San Luis Obispo, CA 93401

**ACCUSATION**

14 Physician's and Surgeon's Certificate No. C37203

15 Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

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

22 2. On November 22, 1976, the Medical Board of California issued Physician's and  
23 Surgeon's Certificate Number C37203 to Warren A. Olson, M.D. (Respondent). Said license is  
24 current and valid and, unless renewed, will expire on March 31, 2011.

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1 **JURISDICTION**

2 3. This Accusation is brought before the Medical Board of California<sup>1</sup>, under the  
3 authority of the following laws. All references are to the Business and Professions Code unless  
4 otherwise specified.

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

9 5. Section 2234 of the Code provides, in pertinent part, that the Board shall take  
10 action against any licensee who is charged with unprofessional conduct. Unprofessional conduct  
11 includes, but is not limited to, the following:

12 “(a) Violating or attempting to violate, directly, or assisting in or abetting the  
13 violation of, or conspiring to violate, any provision of this chapter.”

14 6. Section 2236 of the Code provides, in pertinent part, that the conviction of any  
15 offense substantially related to the qualifications, functions, or duties of a physician and surgeon  
16 constitutes unprofessional conduct and that the record of conviction shall be conclusive evidence  
17 of the fact that the conviction occurred.

18 **CAUSE FOR DISCIPLINE**

19 **(Unprofessional Conduct, Excessive Use)**

20 7. Respondent is subject to disciplinary action under Business and Professions Code  
21 sections 2234(a), i.e., violating provisions of this chapter, and section 2236, i.e., conviction of a  
22 crime substantially related to the qualifications, functions, or duties of a physician and surgeon.

23 The circumstances are as follows:

24 A. On or about August 2, 2010, respondent was arrested and charged with a crime, to  
25 wit: operating a motor vehicle under the influence of alcohol and/or drugs and leaving the scene  
26

27 <sup>1</sup>As used herein, the term “board” means the Medical Board of California. As used herein,  
28 “Division of Medical Quality” shall also be deemed to refer to the board.

1 of an accident. On December 21, 2010, respondent entered a plea of no contest to violations of  
2 Vehicle Code § 23152(B) and Vehicle Code § 20002(A), which are misdemeanors.

3 B. On August 4, 2010, respondent was arrested and charged with a crime, to wit:  
4 operating a motor vehicle under the influence of alcohol and/or drugs. On December 21, 2010,  
5 respondent entered a plea of no contest to violation of Vehicle Code § 23152(B), a misdemeanor.

6 C. At the time of the above described events, respondent had a prior 2002 conviction  
7 for driving a motor vehicle under the influence of alcohol in violation of Vehicle Code §  
8 23152(A), a misdemeanor.

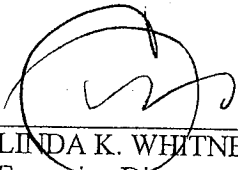
9 8. Respondent is guilty of unprofessional conduct and respondent's certificate is  
10 subject to disciplinary action by reason of his multiple criminal convictions, in violation of  
11 Business and Professions Code sections 2234(a), and 2236.

12 **PRAYER**

13 WHEREFORE, complainant prays that a hearing be held and that the Board issue an order:

- 14 1. Revoking or suspending physician and surgeon certificate number C37203, issued  
15 to Warren A. Olson, M.D.;
  - 16 2. Prohibiting Warren A. Olson, M.D., from supervising a Physician's Assistant;
  - 17 3. Ordering Warren A. Olson, M.D., if placed on probation, the costs of probation  
18 monitoring;
  - 19 4. Taking such other and further action as may be deemed proper and appropriate.
- 20  
21

22 DATED: March 14, 2011

23 *for*   
24 LINDA K. WHITNEY  
25 Executive Director  
26 Medical Board of California  
27 Department of Consumer Affairs  
28 State of California  
*Complainant*

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