

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

In the Matter of the Accusation)
Against:)
)
 DAVID MICHELSON, M.D.)
 Certificate No. G-31906)
)
 Respondent.)

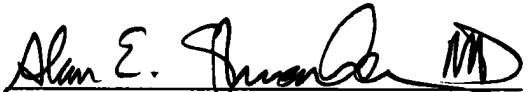
No. 05-84-505250

DECISION

The attached Proposed Decision is hereby adopted by the Division of Medical Quality as its Decision in the above-entitled matter.

This Decision shall become effective on September 21, 1994.

IT IS OR ORDERED August 22, 1994.

By: 
ALAN E. SHUMACHER, M.D.
Secretary
Division of Medical Quality

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

In the Matter of the Petition for)
Modification of Probation of:)
)
)
DAVID MICHELSON, M.D.) L-63003
5889 Kanan Road, #43)
Agoura Hills, CA 91301)
)
)
Petitioner)
_____)

PROPOSED DECISION

This matter came on regularly for hearing before Milford A. Maron, Administrative Law Judge with the Office of Administrative Hearings on April 14, 1994, at Los Angeles, California. The Attorney General was represented by Richard D. Marino, Deputy Attorney General. The petitioner, David Michelson, M.D., was present and represented by his counsel, Theodore A. Cohen, Esq. Oral and documentary evidence having been received and the matter stood submitted, the Administrative Law Judge finds as follows:

I

Petitioner, David N. Michelson, M.D., filed his Petition for Modification of Probation on September 12, 1993, seeking the removal of conditions numbered 3, 14 and 16 of his probation order, issued November 18, 1991.

II

Petitioner was convicted of (1) knowingly and intentionally distributing quaaludes by writing a prescription for an illegitimate purpose, and (2) knowingly and intentionally distributing cocaine. The aforementioned subjected petitioner to discipline pursuant to Sections 490, 2236(a) and 2237(a) of the Business and Professions Code.

III

Petitioner currently practices emergency medicine and urgent care. He is desirous of securing a DEA number, supervising physician assistants and practicing obstetrics and gynecology. The desired modifications will permit him to compete in managed care.

IV

Petitioner has completed eight years of sobriety and is a member in good standing of the Physician Diversion Program.

* * * * *

Pursuant to the foregoing findings of fact, the Administrative Law Judge makes the following determination of issues:


Petitioner has established that he is entitled to modifications of his probation and the public welfare will not be adversely affected by such modifications.

* * * * *

WHEREFORE, THE FOLLOWING ORDER is hereby made:

The Petition to Modify Conditions of David N. Michelson, M.D., is hereby granted and the order of November 18, 1991, is modified by striking conditions numbered 3, 14 and 16.

DATED: May 3, 1994


MILFORD A. MARON
Administrative Law Judge
Office of Administrative Hearings

MAM:btm