

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

In the Matter of the Accusation against:)
)
)
)
)
EDWARD ALLEN ROSE, M.D.) **Case No. 12-2012-222264**
)
Physician's and Surgeon's)
Certificate No. G 88082)
)
Respondent.)
_____)

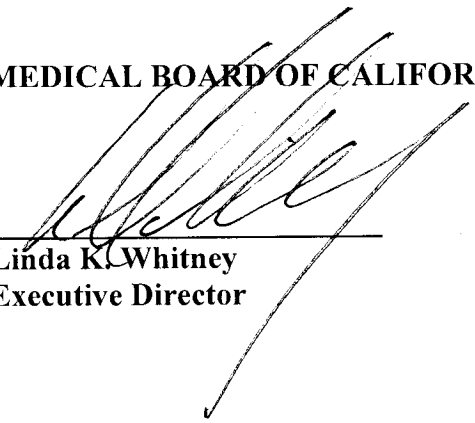
DECISION

The attached Stipulated Surrender 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 19 , 2013 .

IT IS SO ORDERED April 12, 2013 .

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 JANE ZACK SIMON
Deputy Attorney General [SBN 116564]
4 455 Golden Gate Avenue, Suite 11000
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7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:
12 **EDWARD ALLEN ROSE, M.D.**
13 3608 Incantare Court
Santa Rosa, CA 95404
14 Physician's and Surgeon's
15 Certificate No. G88082
16 Respondent.

Case No. 12-2012-222264
**STIPULATED SURRENDER OF
LICENSE**

17 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
18 proceeding that the following matters are true:

19 1. Linda K. Whitney (Complainant) is the Executive Director of the Medical Board of
20 California. This action has at all times been maintained solely in the official capacity of the
21 Executive Director of the Medical Board of California (Board), who is represented in this matter
22 by Kamala D. Harris, Attorney General of the State of California, by Jane Zack Simon, Deputy
23 Attorney General.

24 2. Edward Allen Rose, M.D. (Respondent) is represented by Todd Vollmerhausen,
25 Physicians' Advocates, 821 Bancroft Way, Berkeley, CA 94710.
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1 3. Respondent has received, read, discussed with counsel, and understands the
2 Accusation which is presently on file and pending in case number 12-2012-222264 (Accusation)
3 a copy of which is attached as Exhibit A.

4 4. Respondent has carefully read, discussed with counsel and understands the charges
5 and allegations in the Accusation. Respondent also has carefully read, discussed with counsel,
6 and understands the effects of this Stipulated Surrender of License (Stipulation.)

7 5. Respondent is fully aware of his legal rights in this matter, including the right to a
8 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
9 his own expense; the right to confront and cross-examine the witnesses against him; the right to
10 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
11 the attendance of witnesses and the production of documents; the right to reconsideration and
12 court review of an adverse decision; and all other rights accorded by the California
13 Administrative Procedure Act and other applicable laws.

14 6. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
15 every right set forth above.

16 7. Respondent does not contest that, at an administrative hearing, Complainant could
17 establish a prima facie case with respect to the charges and allegations contained in the
18 Accusation and that he has thereby subjected his license to disciplinary action. Respondent
19 wishes to surrender his physician's and surgeon's certificate at this time.

20 8. Pursuant to section 2224(b) of the Business and Professions Code, this Stipulation for
21 Surrender of License shall be subject to the approval of the Board. Respondent understands and
22 agrees that the Medical Board's staff and counsel for Complainant may communicate directly
23 with the Board regarding this Stipulation, without notice to or participation by Respondent or his
24 counsel. By signing this Stipulation, Respondent understands and agrees that he may not
25 withdraw his agreement or seek to rescind the Stipulation prior to the time the Board considers
26 and acts upon it. In the event that this Stipulation is rejected for any reason by the Board, it will
27 be of no force or effect for either party. The Board will not be disqualified from further action in
28 this matter by virtue of its consideration of this Stipulation.

1 surgeon in the State of California and I also will cause to be delivered to the Board any license
2 and wallet certificate in my possession before the effective date of the decision.

3
4 DATED: 4/2/2013 
5 **EDWARD ALLEN ROSE, M.D.**

6 *Respondent*

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8 I have read and fully discussed with Respondent Edward Allen Rose, M.D. the terms and
9 conditions and other matters contained in the above Stipulated Surrender of License. I approve
10 its form and content.

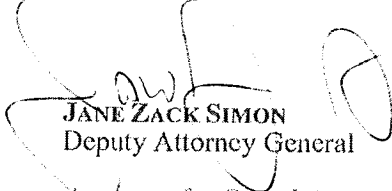
11 DATED: 4/4/2013 
12 **TODD VOLLMERHAUSEN**
13 Physicians' Advocates

14 *Attorneys for Respondent*

15 **ENDORSEMENT**

16 The foregoing Stipulated Surrender of License is hereby respectfully submitted for
17 consideration by the Medical Board of California.

18 Dated: 4/4/2013 **KAMALA D. HARRIS**
19 Attorney General of California

20 
21 **JANE ZACK SIMON**
22 Deputy Attorney General

23 *Attorneys for Complainant*

EXHIBIT A

1 KAMALA D. HARRIS
Attorney General of California
2 JOSE R. GUERRERO
Supervising Deputy Attorney General
3 JANE ZACK SIMON
Deputy Attorney General
4 State Bar No. 116564
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5 San Francisco, CA 94102-7004
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E-mail: Janezack.simon@doj.ca.gov
7 *Attorneys for Complainant*
Medical Board of California

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO March 27, 2013
BY [Signature] ANALYST

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

12 In the Matter of the Accusation Against:
13 **EDWARD ALLEN ROSE, M.D.**
14 3608 Incantare Court
Santa Rosa, CA 95404
15
16 PHYSICIAN'S AND SURGEON'S CERTIFICATE NO.
G88082
17 Respondent.

Case No. 12-2012-222264

ACCUSATION

18
19 Complainant alleges:

20 **PARTIES**

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

23 **JURISDICTION**

24 2. On July 18, 2007, the Medical Board of California issued Physician's and Surgeon's
25 Certificate Number G88082 to Edward Allen Rose, M.D. (Respondent). Said certificate is
26 renewed and current, with an expiration date of October 31, 2014.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 (Unprofessional Conduct/Gross Negligence/Sexual Misconduct/Violation of Ethical
3 Principles)

4 5. Respondent specializes in family practice. At the time of the events alleged in this
5 Accusation, Respondent and his wife, Karen Eileen Rose, M.D. worked as physicians with the
6 Permanente Medical Group in Santa Rosa, California. Patient J.L. was a patient of both
7 Respondent and Karen Eileen Rose, M.D.

8 6. At some point, Respondent, Karen Eileen Rose, M.D. and Patient J.L. developed a
9 social relationship. In November 2011, Patient J.L. was at the home of Respondent and Karen
10 Eileen Rose, M.D. The three consumed large amounts of alcohol and Respondent and Karen
11 Eileen Rose, M.D. engaged in sexual activities with Patient J.L. Thereafter, Respondent and
12 Patient J.L. engaged in a sexual relationship for approximately three months.

13 7. Respondent's conduct in entering into a sexual relationship with his patient
14 constitutes unprofessional conduct, and/or gross negligence, and/or sexual misconduct, and/or a
15 violation of ethical standards, and is cause for discipline pursuant to Business and Professions
16 Code sections 2234, and/or 726, and/or 2234(b).

17 **PRAYER**

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

20 1. Revoking or suspending Physician's and Surgeon's Certificate Number G88082
21 issued to Edward Allen Rose, M.D. and ordering Respondent to pay probation costs in the event
22 that he is placed on probation;

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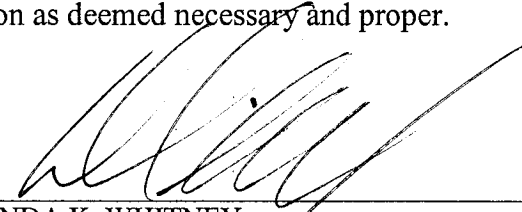
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1 2. Revoking, suspending, or denying approval of Respondent's authority to supervise
2 physician assistants; and

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

5 DATED: March 27, 2013



LINDA K. WHITNEY
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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