

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

In the Matter of the *Exparte* Petition for  
Interim Order Against:

ANDREW RUTLAND, M.D.  
7495 Hummingbird Circle  
Anaheim Hills, CA 90807

Physician's and Surgeon's  
Certificate No. G 24947

Physician Assistant Supervisor License  
Number SA 18870,

Respondent.

OAH NO. L-2002070042

CASE Nos. 18-2002-13467(JW);  
18-2002-134903(Med. Rec. #365409);  
18-2002-134650(BJG);  
18-2002-134651(VG);  
18-2002-134646(MA)

EXPARTE INTERIM SUSPENSION ORDER

This *Exparte* matter was heard by Roy W. Hewitt, Administrative Law Judge ("ALJ"), Medical Quality Hearing Panel, Office of Administrative Hearings, at Los Angeles, California on July 3, 2002.

Deputy Attorney General Steven H. Zeigen represented petitioner.

Respondent, Andrew Rutland, M.D., personally appeared and was represented by Peter R. Osinoff, Esq.

Documentary evidence was received, the parties orally argued their respective positions, and the matter was submitted.

FACTUAL FINDINGS

Having read and considered the Petition for Interim Order, the supporting memorandum of points and authorities, declarations and exhibits, and having read and considered any opposition papers filed thereto, and having heard arguments by counsel for the parties, the ALJ makes the following Factual Findings and Legal Conclusions:

///

1. The affidavits in support of the Petition for Interim Order show:

1) Respondent, Andrew Rutland, M.D., has engaged in, and continues to engage in, acts and omissions that violate the Medical Practice Act, and;

2) Permitting respondent to continue practicing medicine has, and will continue, to endanger the public health, safety and welfare, and;

3) It appears from the facts shown by the affidavits that serious injury would result to the public before the matter can be heard on notice.

2. Respondent, joined by his attorney, waived the time restraints, notice and service requirements of Government Code section 11529, subdivision (c), and stipulated to having the hearing on interim order on August 27, 2002 at 1:30 p.m. Respondent and his attorney further stipulated to receiving service of this order by regular mail. The waivers and stipulations were placed on the record.

ORDER

WHEREFORE, THE FOLLOWING ORDER, in conformity with California Government Code section 11529, subdivisions (a) and (b), is hereby made:

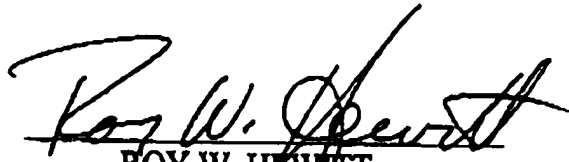
Respondent Andrew Rutland's Physician's and Surgeon's Certificate No. G 24947, issued to respondent on July 9, 1973, and respondent's Physician Assistant Supervisor Approval No. SA 18870, are immediately suspended. Consequently, effective immediately, respondent Andrew Rutland, M.D. shall not practice medicine, or supervise physician's assistants in the State of California.

///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///  
///

IT IS FURTHER ORDERED, in conformity with Government Code section 11529, subdivision (c), that:

A hearing on the Petition for Interim Order, pursuant to California Government Code section 11529, subdivision (d), shall be held at the Office of Administrative Hearings, 320 West Fourth Street, 6th Floor, Suite 630 (Hearing room to be assigned), Los Angeles, California 90013 (tel. 213-576-7200), on August 27, 2002, at 1:30 p.m., or as soon thereafter as the matter can be heard.

Dated: July 3, 2002.



ROY W. HEWITT

Administrative Law Judge  
Office of Administrative Hearings