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

In the Matter of the Accusation Against: 

TODD PATRICK HOWELL, M.D. 

Physician's and Surgeon's Certificate No. A 105708 

Respondent 

File No. 800-2016-025598 

DECISION AND ORDER 

The attached Stipulated Settlement and Disciplinary Order for Public Reprimand 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 August 11, 2017. 

IT IS SO ORDERED July 14, 2017. 

MEDICAL BOARD OF CALIFORNIA 

By: 

Jamie Wright, J.D., Chair 
Panel A
BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA  

In the Matter of the Accusation Against:  
TODD PATRICK HOWELL, M.D.  
8940 Bluebonnet Blvd., Suite 300  
Baton Rouge, LA 70810  
Physician's and Surgeon's Certificate No.  
A105708  
Respondent.  

Case No. 800-2016-025598  
OAH No. 2017021158  
STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER FOR PUBLIC  
REPRIMAND  

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

PARTIES  
1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board  
of California (Board). She brought this action solely in her official capacity and is represented in  
this matter by Xavier Becerra, Attorney General of the State of California, by Emily L. Brinkman,  
Deputy Attorney General.  
2. Respondent, Todd Patrick Howell, M.D. (Respondent) enters into this Stipulated  
Settlement in consultation with his legal counsel, Shelley A. Carder, whose address is: Nelson  
Hardiman LLP, 11835 West Olympic Blvd. Suite 900, Los Angeles, CA 90064.  
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STIPULATED SETTLEMENT (800-2016-025598)
3. On or about October 3, 2008, the Board issued Physician's and Surgeon's Certificate No. A105708 to Todd Patrick Howell, M.D.. The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2016-025598, and will expire on March 31, 2018, unless renewed.

JURISDICTION

4. Accusation No. 800-2016-025598 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on November 16, 2016. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2016-025598 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2016-025598. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order for Public Reprimand.

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

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

CULPABILITY

9. Respondent admits the truth of each and every charge and allegation in Accusation No. 800-2016-025598.
10. Respondent agrees that his Physician's and Surgeon's Certificate is subject to
discipline and he agrees to be bound by the Board's probationary terms as set forth in the
Disciplinary Order below.

CONTINGENCY

11. This stipulation shall be subject to approval by the Medical Board of California.
Respondent understands and agrees that counsel for Complainant and the staff of the Medical
Board of California may communicate directly with the Board regarding this stipulation and
settlement, without notice to or participation by Respondent or his counsel. By signing the
stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek
to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary
Order for Public Reprimand shall be of no force or effect, except for this paragraph, it shall be
inadmissible in any legal action between the parties, and the Board shall not be disqualified from
further action by having considered this matter.

12. The parties understand and agree that Portable Document Format (PDF) and facsimile
copies of this Stipulated Settlement and Disciplinary Order for Public Reprimand, including PDF
and facsimile signatures thereto, shall have the same force and effect as the originals.

13. In consideration of the foregoing admissions and stipulations, the parties agree that
the Board may, without further notice or formal proceeding, issue and enter the following
Disciplinary Order for Public Reprimand:

DISCIPLINARY ORDER

A. PUBLIC REPRIMAND

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A105708 issued
to Respondent, Todd Patrick Howell, M.D. shall be and is hereby Publicly Reprimanded pursuant
to California Business and Professions Code section 2227, subdivision (a)(4). This Public
Reprimand, which is issued in connection with Respondent's actions set forth in Accusation No.
800-2016-025598 is as follows:

On August 15, 2016 the Louisiana State Board of Medical Examiners (Louisiana
Board) and Respondent entered into a Consent Order (Order). The basis of the Order was that Respondent improperly prescribed testosterone to young male patients without documenting medical justification, including any biochemical testing to show hypogonadism. As part of the Order, the Louisiana Board placed Respondent on probation for one year. During the probation period Respondent will be required to report in person to the Louisiana Board, comply with the Endocrinology and Metabolism Guidelines, submit to a practice monitor, complete 50 hours of continuing medical education, to pay various fines and fees, and comply with other standard terms and conditions.

B. EDUCATION COURSE. Within 60 calendar days of the effective date of this Decision, Respondent shall submit to the Board or its designee for its prior approval educational program(s) or course(s) which shall not be less than 25 hours. The educational program(s) or course(s) shall be aimed at correcting any areas of deficient practice or knowledge and shall be Category I certified, including coursework related to the prescribing of medication including testosterone. The educational program(s) or course(s) shall be at Respondent’s expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure. Following the completion of each course, the Board or its designee may administer an examination to test Respondent’s knowledge of the course. Failure to complete the coursework within 60 days of the effective date of this Decision shall constitute unprofessional conduct and be grounds for further disciplinary action.

C. PRESCRIBING PRACTICES COURSE. Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in a course in prescribing practices approved in advance by the Board or its designee. Respondent shall provide the approved course provider with any information and documents that the approved course provider may deem pertinent. Respondent shall participate in and successfully complete the classroom component of the course not later than six (6) months after Respondent’s initial enrollment. Respondent shall successfully complete any other component of the course within one (1) year of enrollment. The prescribing practices course shall be at Respondent’s expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

A prescribing practices course taken after the acts that gave rise to the charges in the Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board or its designee, be accepted towards the fulfillment of this condition if the course would have
been approved by the Board or its designee had the course been taken after the effective date of this Decision.

Respondent shall submit a certification of successful completion to the Board or its designee not later than 15 calendar days after successfully completing the course, or not later than 15 calendar days after the effective date of the Decision, whichever is later. Failure to complete the coursework within 90 days of the effective date of this Decision shall constitute unprofessional conduct and be grounds for further disciplinary action.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Shelley A. Carder. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and Disciplinary Order for Public Reprimand voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Medical Board of California.

DATED: 06/07/17

TODD PATRICK HOWELL, M.D.

I have read and fully discussed with respondent, Todd Patrick Howell, M.D., the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order for Public Reprimand. I approve its form and content.

DATED: 06/07/17

Shelley A. Carder
Attorney for Respondent
ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California.

Dated: 6/14/2017

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
JANE ZACK SIMON
Supervising Deputy Attorney General

EMILY J. BRINCKMAN
Deputy Attorney General
Attorneys for Complainant
Exhibit A

Accusation No. 800-2016-025598
BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:  

Case No. 800-2016-025598

Todd Patrick Howell, M.D.
8940 Bluebonnet Blvd., Suite 300
Baton Rouge, LA 70810

Physician's and Surgeon's Certificate
No. A105708,

Respondent.

Complainant alleges:

PARTIES

1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
capacity as the Executive Director of the Medical Board of California, Department of Consumer
Affairs (Board).

2. On or about October 3, 2008, the Medical Board issued Physician's and Surgeon's
Certificate Number A105708 to Todd Patrick Howell, M.D. (Respondent). The Physician's and
Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein
and will expire on March 31, 2018, unless renewed.

(THODD PATRICK HOWELL, M.D.) ACCUSATION NO. 800-2016-025598
JURISDICTION

3. This Accusation is brought before the Board,\(^1\) under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

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

5. Section 141 of the Code states:

"(a) For any licensee holding a license issued by a board under the jurisdiction of the department, a disciplinary action taken by another state, by any agency of the federal government, or by another country for any act substantially related to the practice regulated by the California license, may be a ground for disciplinary action by the respective state licensing board. A certified copy of the record of the disciplinary action taken against the licensee by another state, an agency of the federal government, or another country shall be conclusive evidence of the events related therein.

"(b) Nothing in this section shall preclude a board from applying a specific statutory provision in the licensing act administered by that board that provides for discipline based upon a disciplinary action taken against the licensee by another state, an agency of the federal government, or another country."

6. Section 2305 of the Code states:

"The revocation, suspension, or other discipline, restriction or limitation imposed by another state upon a license or certificate to practice medicine issued by that state, or the revocation, suspension, or restriction of the authority to practice medicine by any agency of the federal government, that would have been grounds for discipline in California of a licensee under

\(^1\) The term “Board” means the Medical Board of California. “Division of Medical Quality” or “Division” shall also be deemed to refer to the Board. (Bus. & Prof. Code section 2002.)
this chapter [Chapter 5, the Medical Practice Act] shall constitute grounds for disciplinary action
for unprofessional conduct against the licensee in this state."

7. Section 2234 of the Code provides that the Board shall take action against any
licensee who is charged with unprofessional conduct.

CAUSE FOR DISCIPLINE

(Discipline, Restriction, or Limitation Imposed by Another State)

8. On August 15, 2016 the Louisiana State Board of Medical Examiners (Louisiana
Board) and Todd Patrick Howell, M.D. (Respondent) entered into a Consent Order (Order). The
basis of the Order was that Respondent improperly prescribed testosterone to young male patients
without documenting medical justification, including any biochemical testing to show
hypogonadism. As part of the Order, the Louisiana Board placed Respondent on probation for
one year. During the probation period Respondent will be required to report in person to the
Louisiana Board, comply with the Endocrinology and Metabolism Guidelines, submit to a
practice monitor, complete 50 hours of continuing medical education, to pay various fines and
fees, and comply with other standard terms and conditions. A copy of the Order is attached as
Exhibit A.

9. Respondent's conduct and the action of the Louisiana Board as set forth in paragraph
8, above, and within the actual Louisiana Board documents attached as Exhibit A, constitute
unprofessional conduct within the meaning of section 2305 and conduct subject to discipline
under section 141(a).

PRAYER

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

1. Revoking or suspending Physician's and Surgeon's Certificate Number A105708,
i issued to Todd Patrick Howell, M.D.;

2. Revoking, suspending or denying approval of Todd Patrick Howell, M.D.'s authority
to supervise physician assistants, pursuant to section 3527 of the Code;
3. Ordering Todd Patrick Howell, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and

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

DATED: November 16, 2016

KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California

Complainant