

Dr. Andrew Rutland, the Anaheim obstetrician-gynecologist accused by the California Medical Board of homicide in the death of an abortion patient, has agreed to surrender his medical license for a second time.

Rutland, 67, will give up his license effective Feb. 11, rather than face disciplinary proceedings for allegations of gross negligence in the death of Ying Chen, who suffered a toxic reaction to anesthesia in 2009. Board documents allege that the storefront San Gabriel clinic was not equipped to handle emergencies, and that Rutland failed to recognize her reaction, adequately attempt resuscitation or promptly call 911.

Rutland did not admit to homicide in his settlement with the board.

In 2002, Rutland gave up his license after allegations of negligence in the death of two babies, scaring patients into unnecessary hysterectomies, botching surgeries, lying to patients, falsifying medical records, over-prescribing painkillers and having sex with a patient in his office.

He admitted to negligence in the death of Jillian Broussard, a newborn whose spinal cord was torn during a forceps delivery.

Five years later, in 2007, Rutland successfully won reinstatement to practice after demonstrating rehabilitation and expressing remorse.

Rutland's Los Angeles attorney Paul Hittelman declined to comment Tuesday on why Rutland decided to settle or if he would attempt to regain his license. Disciplined doctors must wait three years before applying for reinstatement.

Scott Broussard, father of Jillian, said he was very happy Rutland will stop practicing.

"Our family is at rest knowing that others can't be hurt by him again," said Broussard of San Juan Capistrano. "This is the end of the quest we've had for more than 10 years after our daughter was killed."

In June, The Register analyzed how often doctors such as Rutland lose their license and are reinstated, only to face further discipline. [Over 10 years, the Register found that out of 66 doctors who regained their licenses, 16 got in trouble again.](#)

Chen's death in August 2009 was initially classified as accidental. But in June 2010, the Los Angeles County chief medical examiner reclassified the death of the 30-year-old Chinese immigrant as a homicide.

Previously, in a letter, Rutland described Chen's death as an "unpreventable complication."

The latest settlement agreement says Rutland acknowledges the board could establish "factual basis" for one or more charges, with the exception of homicide.

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Sandi Gibbons, a spokeswoman for the Los Angeles County district attorney's office, said possible criminal charges remain under review.

The reclassified cause of death is one of several challenges Rutland has faced since Chen died.

A year ago, the medical board obtained a court order barring Rutland from performing surgeries or delivering babies. To test his compliance, [the board sent an undercover investigator to his Chula Vista clinic](#). She pretended to be pregnant and asked for a surgical abortion, which Rutland refused to perform. He instead offered a "pharmaceutical abortion" via a tablet.

Around the same time, Rutland was forced to find a new colleague to oversee his practice, a condition of his probation after his license was reinstated. Rutland's practice monitor, Dr. Christopher Dotson, had himself been disciplined in the death of a mother who bled to death after giving birth. The board said staff had erred in allowing Dotson to serve in that role and he was removed.

In August, Chen's family filed a wrongful death lawsuit against Rutland.

To check a doctor's disciplinary record, visit medbd.ca.gov/

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