Dear Dr. Levine:

Yesterday, an investigative report by KGTV, the ABC affiliate in San Diego, broke the story that the San Diego Chargers former team physician had recklessly prescribed Ambien to former San Diego Chargers linebacker Junior Seau. As a doctor, Dr. David Chao knew that Ambien increases feelings of depression and suicide, and as a close personal friend of Seau’s, he had to have known that Seau was depressed and suicidal. Seau committed suicide in May 2012, less than 90 minutes after he ingested the Ambien Dr. Chao prescribed. Dr. Chao is currently on probation after the Medical Board found that he had a pattern of gross negligence. These new allegations prove that probation is not enough. Dr. Chao should be immediately removed from practice to ensure his continuing negligence does not harm more patients.

Consumer Watchdog requests the Medical Board order an immediate interim suspension of Dr. Chao’s license, followed by a permanent revocation.

The nexus between physician substance abuse, recklessly prescribing, and medical negligence, abetted by the lack of statewide drug and alcohol testing, is crystallized in the case of David Chao, who should long ago have relinquished his license but for the revolving door of treatment facilities, lax doctor discipline, and failure of legal deterrence in California.

Dr. Chao has two DUIs, an extremely long record of negligently practicing medicine on patients, at least 20 malpractice lawsuits from Chargers players and members of the public, an investigation by the DEA into prescriptions Dr. Chao allegedly wrote to himself, and accusations that he enabled his former partner’s prescription drug addiction.

Nonetheless, the Medical Board has failed in its duty to the public, protecting Dr. Chao rather than protecting patients. Dr. Chao is still practicing medicine today because the Medical Board has only placed him on probation, which only requires monitoring. Even though Dr. Chao has a history of alcohol abuse, *his probation doesn’t even require random alcohol testing*. This is simply unacceptable. As you know, Consumer Watchdog is calling for random drug and alcohol testing for doctors, because patients are harmed and killed when dangerous doctors go undetected. With last night’s revelations, the public can have no confidence in Medical Board enforcement and monitoring procedures.

Dr. Chao was a close personal friend of Junior Seau: Seau officiated at Chao’s wedding and they were drinking buddies together. (Indeed, the sports website *Deadspin* reported that the Chargers players liked Dr. Chao because “they view him as a friend and a drinking buddy who happens to have a prescription pad.”) It’s simply impossible that Dr. Chao didn’t know that Seau was...
depressed; Seau’s ex-wife said, “there were so many symptoms we all witnessed, the mood swings, the depression…” Furthermore, Seau had previously tried to kill himself by driving off a cliff. According to experts on last night’s investigative report, it is gross negligence to prescribe a drug like Ambien to someone who is confused, depressed, and suicidal.

Dr. Chao was the San Diego Chargers physician for 15 years, and many of his patients, including former players like quarterback Ryan Leaf, linebacker Jon Haskins, and safety Greg Jackson, claimed that Chao had misdiagnosed and/or negligently treated their injuries. A fourth former Charger, defensiveback Mark Montreuil, sued both Dr. Chao and his former partner, Dr. Gary Losse – who was allegedly addicted to painkillers supplied by Dr. Chao – after they performed surgery on his knee while Dr. Losse was allegedly high.

Dr. David Chao is an imminent threat and danger to those around him, including his patients. Nothing less than an immediate interim suspension, followed by revocation of his medical license, is acceptable.

Sincerely,

Jamie Court

Michael Kapp