

ORIGINAL

BEFORE THE BOARD OF MEDICAL EXAMINERS  
OF THE STATE OF NEVADA

\* \* \* \* \*

In The Matter of Charges and ) Case No. 12-20171-1  
)  
Complaint Against )  
)  
RALPH TINGHAN HO, M.D., )  
)  
Respondent. )

FILED

JAN 20 2012

NEVADA STATE BOARD OF  
MEDICAL EXAMINERS  
By: \_\_\_\_\_

COMPLAINT

The Investigative Committee of the Nevada State Board of Medical Examiners, composed at the time of filing of Theodore B. Berndt, M.D., Chairman, Valerie J. Clark, BSN, RHU, LUTCF, Member, and Michael J. Fischer, M.D., Member, by and through Bradley O. Van Ry, Deputy General Counsel, having a reasonable basis to believe that Ralph Tinghan Ho, M.D., hereinafter referred to as "Respondent", has violated the provisions of NRS Chapter 630, hereby issues its formal Complaint, stating the Investigative Committee's charges and allegations, as follows:

1. Respondent, is currently licensed in active status (License No. 9766), and has been so licensed since April 30, 2001 by the Nevada State Board of Medical Examiners pursuant to the provisions of Chapter 630 of the Nevada Revised Statutes.

2. Respondent is currently licensed to practice medicine, and was so licensed at the time of the incident complained of in this matter, in the state of North Dakota.

3. On or about July 12, 2011, the Respondent and the North Dakota Board of Medical Examiners entered into a Stipulation (settlement agreement) where Respondent's medical license was suspended for a period of one (1) year stayed under the following conditions:

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OFFICE OF THE GENERAL COUNSEL  
Nevada State Board of Medical Examiners  
1105 Terminal Way #301  
Reno, Nevada 89502  
(775) 688-2559



1           13. Nevada Revised Statute Section 630.306(11) provides that the failure by a licensee  
2 to report in writing, within 30 days, any disciplinary action taken against the licensee by another  
3 state is grounds for initiating discipline against a licensee.

4           14. The stipulation of Respondent and the North Dakota Board of Medical Examiners  
5 constituted an action against Respondent that required disclosure in writing to the  
6 Nevada State Board of Medical Examiners.

7           15. By reason of the foregoing, Respondent is subject to discipline by the  
8 Nevada State Board of Medical Examiners as provided in Section 630.352 of the  
9 Nevada Revised Statutes.

10           **WHEREFORE**, the Investigative Committee prays:

11           1. That the Nevada State Board of Medical Examiners give Respondent notice of the  
12 charges herein against him and give him notice that he may file an answer to the Complaint herein  
13 as set forth in Section 630.339(2) of the Nevada Revised Statutes within twenty (20) days of  
14 service of the Complaint;

15           2. That the Nevada State Board of Medical Examiners set a time and place for a  
16 formal hearing after holding an Early Case Conference pursuant to NRS §630.339(3);


17           3. That the Nevada State Board of Medical Examiners determine what sanctions it  
18 agrees upon to impose if it finds and concludes that there has been a violation or violations of the  
19 Medical Practice Act (Nevada Revised Statutes Chapter 630) committed by Respondent;

20           4. That the Nevada State Board of Medical Examiners make, issue and serve on  
21 Respondent its findings of facts, conclusions of law and order, in writing, that includes the  
22 sanctions imposed; and,

23           5. That the Nevada State Board of Medical Examiners take such other and further  
24 action as may be just and proper in these premises.

25           DATED this 20<sup>th</sup> day of January, 2012.

26                                   INVESTIGATIVE COMMITTEE OF THE  
27                                   NEVADA STATE BOARD OF MEDICAL EXAMINERS

28           By:   
Bradley O. Van Ry, Esq.  
Deputy General Counsel and Attorney for the Investigative Committee

VERIFICATION

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STATE OF NEVADA        )  
                                  : ss.  
COUNTY OF WASHOE    )

Theodore B. Berndt, M.D., hereby deposes and states under penalty of perjury under the laws of the state of Nevada that he is the Chairman of the Investigative Committee of the Nevada State Board of Medical Examiners that authorized the foregoing Complaint against the Respondent herein; that he has read the foregoing Complaint; and that based upon information discovered during the course of the investigation into a complaint against Respondent, that he believes the allegations and charges in the foregoing Complaint against Respondent are true, accurate, and correct.

Dated this 20<sup>th</sup> day of January, 2012.

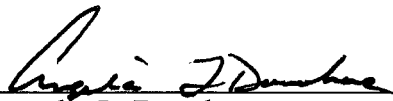
Theodore B. Berndt  
Theodore B. Berndt, M.D.

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 30<sup>th</sup> day of January 2012; I served a file copy of the COMPLAINT, Settlement Letter & Fingerprint information, via USPS e-certified mail to the following:

Ralph Tinghan Ho, M.D.  
6000 Cartier Dr.  
Reno, NV 89511-6562

Dated this 30<sup>th</sup> day of January 2012.

  
\_\_\_\_\_  
Angelia L. Donohoe  
Legal Assistant

# **EXHIBIT**

**1**

BEFORE THE BOARD OF MEDICAL EXAMINERS

STATE OF NORTH DAKOTA

North Dakota Board of Medical )  
Examiners - Investigative Panel A. )  
Complainant. )  
vs. )  
Ralph E. Ho, M.D. )  
Respondent. )

STIPULATION

WHEREAS, the North Dakota State Board of Medical Examiners (hereinafter "the Board") issued a Complaint seeking to revoke the Respondent's license to practice medicine in the State of North Dakota, or other appropriate sanction, pursuant to N.D.C.C. § 43-17-30.1; N.D.C.C. § 43-17-31 (6); and

WHEREAS, the Respondent admits service of the Summons and Complaint and agrees that the facts alleged in the Complaint of Investigative Panel A dated June 21<sup>st</sup> 2011, are true and are grounds for disciplinary action by the North Dakota Board of Medical Examiners and that the terms of this Stipulation are appropriate;

THEREFORE, IT IS HEREBY agreed by and between the parties to this action and the North Dakota State Board of Medical Examiners:

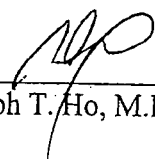
1. The Respondent hereby waives any procedural irregularity herein and his right to hearing on the Complaint now pending in this action;

2. Respondent's medical license shall be suspended for a period of (1) year stayed under the following conditions:
3. Respondent shall be required to obtain an alcohol evaluation from an approved facility and to provide a report to the Board. Respondents shall comply with any recommendations should a concern be noted.
4. Respondent shall reimburse the North Dakota State Board of Medical Examiners for all reasonable costs expended for the investigation and prosecution of this action. This amount shall be due within sixty (60) days from the date of the Board's Order. The Board shall provide written notice of all amounts due within thirty (30) days from the date of the Board's Order.
5. If Respondent shall fail, neglect, or refuse to fully comply with any of the terms, provisions, or conditions herein, the license of the respondent to practice medicine in the State of North Dakota shall be revoked in accordance with the law.
6. In the event the Board, in its discretion, does not approve this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any disciplinary action by either party hereto except that Respondent agrees that should the Board reject this Stipulation, and if this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any records relating hereto.
7. This agreement for the disposition of the above-entitled contested case is a matter of public record and the obligations of the Board with respect thereto shall be governed by the laws of North Dakota and current Board policy.



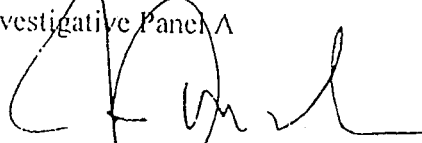
8. All parties hereto recognize that Board representatives who have engaged in discussions relative to an agreed disposition of this matter can only make recommendations to the North Dakota State Board of Medical Examiners, which recommendation can in no way be considered as binding upon the full membership of the Board who would ultimately decide the pending contested case, and this agreement is subject to acceptance by the full membership of the Board.
9. Respondent understands that he has the right and has been afforded the opportunity to have this agreement reviewed by his attorneys, and that in the event he chooses to execute this document without taking the opportunity to avail himself of this right, such failure shall be deemed to be a waiver of such right.
10. Respondent specifically waives any claim that any disclosures made to the full membership of the Board for the purposes of the consideration of this agreement have prejudiced his rights to a fair and impartial hearing in the event this agreement is not accepted by the full Board and if further proceedings ensue.
11. Respondent further agrees that there have been no inducements, threats or promises made in order to obtain his entry into this agreement.
12. The parties further agree that all statements contained herein are based upon the facts known to the Board on the date of execution of this agreement.

Dated this 12 day of <sup>July</sup>~~June~~, 2011.

  
\_\_\_\_\_  
Ralph T. Ho, M.D.

Dated this 18<sup>th</sup> day of ~~June~~ July, 2011.

NORTH DAKOTA STATE BOARD  
OF MEDICAL EXAMINERS  
Investigative Panel A



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JOHN M. OLSON (ID#03053)  
SPECIAL ASSISTANT ATTORNEY GENERAL  
418 E. Broadway Avenue Suite 9  
Bismarck, ND 58501  
Phone: (701) 222-3485  
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Attorney for: North Dakota State Board of Medical  
Examiners - Investigative Panel A