

1 **BEFORE THE BOARD OF MEDICAL EXAMINERS**  
2 **OF THE STATE OF NEVADA**

3 \* \* \* \* \*

4 **In the Matter of Charges and**  
5 **Complaint Against**  
6 **RONALD HOPE FOOTE, M.D.,**  
7 **Respondent.**

Case No. 19-12899-1

**FILED**

**AUG 16 2019**

NEVADA STATE BOARD OF  
MEDICAL EXAMINERS  
By: 

9 **COMPLAINT**

10 The Investigative Committee<sup>1</sup> (IC) of the Nevada State Board of Medical Examiners  
11 (Board), by and through Aaron Bart Fricke, Esq., Deputy General Counsel and attorney for the IC,  
12 having a reasonable basis to believe that Ronald Hope Foote, M.D. (Respondent) violated the  
13 provisions of Nevada Revised Statutes (NRS) Chapter 630 and Nevada Administrative Code (NAC)  
14 Chapter 630 (collectively, the Medical Practice Act), hereby issues its Complaint, stating the IC's  
15 charges and allegations as follows:

16 1. Respondent was all times relative to this Complaint a physician licensed to practice  
17 medicine in the State of Nevada (License No. 9240). Respondent was originally licensed by the  
18 Board on December 4, 1999. His license expired June 30, 2019.

19 **A. Respondent's Unlawful Possession of a Controlled Substance.**

20 2. Pursuant to and as provided in a Guilty Plea Agreement, filed in the Eighth Judicial  
21 District Court of the State of Nevada on November 14, 2018, Respondent pled guilty to  
22 POSSESSION OF CONTROLLED SUBSTANCE (Category E Felony - NRS 453.336 - NOC  
23 51127), in Case No. C-18-335993-1, to which Guilty Plea Agreement Respondent consented in  
24 writing, which provides in pertinent part that on or between September 13, 2017, and November  
25 29, 2017, within Clark County, Nevada, contrary to the form, force and effect of statutes in such  
26 cases made and provided, and against the peace and dignity of the State of Nevada, Respondent  
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28 <sup>1</sup> The Investigative Committee (IC) of the Nevada State Board of Medical Examiners (Board), at the time this formal Complaint was authorized for filing, was composed of Board members Wayne Hardwick, M.D., Chairman, Mr. M. Neil Duxbury, and Aury Nagy, M.D.

1 did willfully, unlawfully, feloniously, and knowingly or intentionally possess a controlled  
2 substance, to wit: Carisoprodol and/or Oxycodone and/or Methadone and/or Oxymorphone.

3 3. On or between September 13, 2017, and November 29, 2017, Respondent willfully,  
4 unlawfully, feloniously, knowingly or intentionally possessed controlled substances, to wit:  
5 Carisoprodol, Oxycodone, Methadone and Oxymorphone.

6 4. Respondent unlawfully possessed and sold to patients prescription blanks, which  
7 had been signed by another practitioner before being filled out, and which Respondent had no  
8 authority to write himself.

9 **Count I**

10 **NRS 630.301(9) (Disreputable Conduct)**

11 5. All of the allegations in the above paragraphs are hereby incorporated by reference  
12 as though fully set forth herein.

13 6. NRS 630.301(9) provides that engaging in conduct that brings the medical  
14 profession into disrepute is grounds for initiating disciplinary action.

15 7. Respondent's conduct, including, but not limited to, felony possession of controlled  
16 substances, such as Carisoprodol, Oxycodone, Methadone and Oxymorphone, and the unlawful  
17 possession and sale of prescription blanks, is conduct that brings the medical profession into  
18 disrepute.

19 8. By reason of the foregoing, Respondent is subject to discipline by the Nevada State  
20 Board of Medical Examiners as provided in NRS 630.352.

21 **COUNT II**

22 **NRS 630.306(1)(b)(3) (Engaging in Conduct That Violated Pharmacy Board Regulations)**

23 9. All of the allegations in the above paragraphs are hereby incorporated as if fully set  
24 forth herein.

25 10. NRS 630.306(1)(b)(3) provides that engaging in conduct that violates a regulation  
26 adopted by the Pharmacy Board is grounds for initiating disciplinary action.

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1 COUNT VI

2 **NRS 630.3062(1)(a) (Failure to Maintain Proper Medical Records)**

3 29. All of the allegations contained in the above paragraphs are hereby incorporated by  
4 reference as though fully set forth herein.

5 30. NRS 630.3062(1)(a) provides that the failure to maintain timely, legible, accurate  
6 and complete medical records relating to the diagnosis, treatment and care of a patient is grounds  
7 for initiating discipline against a licensee.

8 31. Respondent failed to maintain complete medical records relating to the diagnosis,  
9 treatment and care of Patient B, by failing to document his actions in complying with the Model  
10 Policy, including, but not limited to, failing to document the following: physical examinations  
11 before prescribing opioid analgesics; support for his diagnoses with physical examination  
12 findings; treatment objectives to evaluate treatment progress; monitoring patient compliance with  
13 testing and adapting his treatment plan based on patient compliance; progress toward  
14 discontinuation of opioid therapy.

15 32. By reason of the foregoing, Respondent is subject to discipline by the Board as  
16 provided in NRS 630.352.

17 COUNT VII

18 **NRS 630.306(1)(b)(2) (Violation of Standards of Practice)**

19 33. All of the allegations in the above paragraphs are hereby incorporated by reference  
20 as though fully set forth herein.

21 34. Violation of a standard of practice adopted by the Board is grounds for disciplinary  
22 action pursuant to NRS 630.306(1)(b)(2).

23 35. Respondent treated Patient C for chronic pain with opioid analgesics. Patient C's  
24 true identity is not disclosed herein to protect his or her privacy, but is disclosed in the Patient  
25 Designation served upon Respondent along with a copy of this Complaint.

26 36. On information and belief, Respondent wrote prescriptions to Patient C for opioid  
27 analgesics to treat chronic pain in a manner that deviated from the Model Policy.

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5. That the Board take such other and further action as may be just and proper in these premises.

DATED this 16 day of August, 2019.

INVESTIGATIVE COMMITTEE OF THE  
NEVADA STATE BOARD OF MEDICAL EXAMINERS

By:   
Aaron Bart Fricke, Esq., Deputy General Counsel  
Attorney for the Investigative Committee

